

SEP 19 2011

*A. Ronald City*  
City Clerk

**ORDINANCE NO. 2899**

**AN ORDINANCE TO ALLOW CHURCHES BY  
SPECIAL USE PERMIT ONLY IN A BP-2 (BUSINESS  
PARK) ZONING DISTRICT IN THE CITY OF COLUMBIA,  
ILLINOIS**

WHEREAS, Section 17.02.050 of the City of Columbia, Illinois (the "City") Zoning Code allows amendments of regulations in zoned districts in the City by the City's City Council, on motion of the City's City Council or on petition of a property owner, after the request is reviewed by the City's Plan Commission and there is a public hearing regarding the requested amendment conducted by the City's Zoning Board of Appeals, following publication of notice of the hearing in a newspaper published in the City;

WHEREAS, Traube Real Estate LLC, as the owner of property at 510 DD Road in the City, has petitioned the City to amend its Zoning Code to allow and provide that churches shall be permitted as a Special Use in a BP-2 (Business Park) Zoning District in the City;

WHEREAS, the request was referred to the City's Plan Commission for their consideration and recommendation and on the 29<sup>th</sup> day of August, 2011 the City's Plan Commission recommended to the City Council that the Council approve the Zoning Code amendment request of the petitioner;

WHEREAS, the request was referred to the City's Zoning Board of Appeals for public hearing and a public hearing was held on the request on the 31<sup>st</sup> day of August, 2011, following publication of notice of the hearing as required by law, and the City's Zoning Board of Appeals has recommended that the City Council amend the City's Zoning Code to allow and provide that churches shall be permitted as a Special Use in a BP-2 (Business Park) Zoning District in the City;

WHEREAS, the City Council of the City of Columbia, Illinois, after considering the recommendations of the City's Plan Commission and Zoning Board of Appeals, has found and determined and does hereby declare that it is necessary and appropriate that the Zoning Code of the City be changed and amended to allow and provide that churches shall be permitted as a Special Use in a BP-2 (Business Park) Zoning District in the City, and that that use not be authorized in any other zoned district in the City, as is more particularly made and provided for in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, 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 this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

**Section 2.** Section 17.54.030 A-2 (Uses permitted only by a special use permit), of Chapter 17.54, BP-2 (Business Park) Zoning District, of Title 17 (ZONING) of the City of Columbia, Illinois Municipal Code is hereby amended to add the following:

**Churches**

**Section 3.** Figure 1 (SPECIAL USE EXCEPTIONS AND REQUIREMENTS) of Section 17.40.010 (Special use exceptions, requirements and procedures) of Chapter 17.40 (SPECIAL USES) of Title 17 (ZONING) of the Municipal Code of the City of Columbia, Illinois is changed and amended to add thereto "Churches as a special use" to read as follows:

**"FIGURE 1  
SPECIAL USE EXCEPTIONS AND REQUIREMENTS**

	<b>District(s) in Which Use May Be Permitted</b>	<b>Requirement Designation</b>
Churches	BP-2	Such of the following Figure 1 requirements as the City Council shall reasonably require, to wit: b(15), c, d, f, g, h, i, j, k, l, o, p, q, r, s, t, v, x and y, and in addition thereto, such other land development and use and activity restrictions as the City Council shall reasonably require, including but not limited to: signage restrictions beyond those required by the City's Street Graphic Control Ordinance, restrictions on hours of operation, restrictions on hours of operating on-premises lighting, restrictions on on-premises parking beyond those ordinarily required by the City's Zoning Code and the proximity from residential zoning consistent with other zoning regulations.

**Section 4.** This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Alderman Reis moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Ebersohl and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Mathews and Reis.

NAYS: None.


ABSENT: Alderman Piazza.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor, this 19<sup>th</sup> day of September, 2011.

  
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KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
\_\_\_\_\_  
J. RONALD COLYER, City Clerk

(SEAL)