

**CITY OF COLUMBIA, ILLINOIS**  
**ORDINANCE NO. 3529**

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO ALLOW ANCILLARY  
ENTERTAINMENT ON PROPERTY ZONED C-1 NEIGHBORHOOD BUSINESS  
DISTRICT LOCATED AT 11604 BLUFF ROAD**

**WHEREAS**, the City of Columbia (“City”), Monroe and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

**WHEREAS**, the City of Columbia Zoning Code (“Zoning Code”), which comprises Title 17 of the City of Columbia Municipal Code, as amended, allows the City Council, upon recommendation of the Plan Commission, to approve certain special use exceptions as provided therein; and

**WHEREAS**, Julie and Peter Ingold, owners of the subject property located at the above referenced address and having Monroe County Parcel No. 04-17-100-007-000, has applied for a special use permit to allow ancillary entertainment within the C-1 Neighborhood Business zoning district; and

**WHEREAS**, Section 17.40.010 of the Columbia Zoning Code restricts ancillary entertainment to indoor locations when approved as a special use in the C-1 zoning district; and

**WHEREAS**, Section 17.26.030(G) of the Columbia Zoning Code prohibits sound amplification to outdoor locations; and

**WHEREAS**, the Columbia Plan Commission conducted a public hearing on July 13, 2020 and determined that all relevant procedural, notification, and site development requirements of the Zoning Code have or will be satisfied in accordance with applicable requirements of the Columbia Municipal Code; and

**WHEREAS**, at said public hearing, the Columbia Plan Commission recommended approval of the requested special use based on the following findings:

- A) Because the Zoning Code restricts ancillary entertainment to indoor locations and prohibits sound amplification to outdoor locations, the requested special use should have little impact on surrounding development.
- B) Approving the requested special use will improve opportunities for income that enhance the property’s value with little impact to the public health, safety, and welfare.
- C) Approving the special use request will cause little, if any, harm to the public, while denying the request would be a hardship to the property owner.

- D) The subject property is suitable for the proposed special use.
- E) The proposed special use is consistent with the comprehensive plan.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and City Council of the City of Columbia, as follows:

**Section 1.** The recitals contained above in the preamble of this Ordinance are hereby incorporated 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.** The City Council hereby adopts the Plan Commission's findings as listed above, and approves the special use exception to allow ancillary entertainment on property located at 11604 Bluff Road, having Monroe County Parcel No. 04-17-100-007-000, subject to the following conditions:

- A) Ancillary entertainment shall be restricted to indoor locations per Section 17.40.010 of the Columbia Zoning Code.
- B) All live musical performances shall conclude by 8:00 p.m. Sunday – Thursday and by 10:00 p.m. Friday – Saturday.
- C) No temporary signs or banners advertising entertainment events or sales promotions shall be allowed without first receiving an approved sign permit.
- D) Sound amplification (use of speakers, P.A. systems, amplifiers, etc.) shall take place only within the primary structure, and may not take place on the front porch, on patio areas, or in locations elsewhere on the subject property.

**Section 3.** The City's Zoning Administrator is hereby ordered to issue a zoning certificate to the applicant acknowledging the approval of said special use exception, which shall include a statement of all applicable Zoning Code requirements for the approved special use.

**Section 4.** This Ordinance shall take full force and effect immediately upon passage by the Corporate Authorities.

**PASSED** by the City Council and **APPROVED** by the Mayor of the City of Columbia, Illinois and deposited and filed in the office of the City Clerk on the 3<sup>rd</sup> day of August 2020, the vote being taken by ayes and noes and entered upon the legislative record as follows:

AYES: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Holtkamp, Martens, and Riddle.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

APPROVED:



KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY L. HOFFKEN, City Clerk

(SEAL)