

ORDINANCE NO. 3258

MAY - 2 2016

**AN ORDINANCE TO GRANT A SPECIAL USE PERMIT
FOR REAL ESTATE HAVING THE ASSIGNED ADDRESS
OF 310 BB ROAD, IN THE CITY OF COLUMBIA, ILLINOIS
FOR JOSEPH AND SUE CAITO, TO ALLOW EXPANSION
OF AN INDOOR SHOOTING RANGE BUSINESS IN AN A-
1 (AGRICULTURAL) ZONED DISTRICT IN THE CITY OF
COLUMBIA, ILLINOIS**

Andy Stoff
City Clerk

WHEREAS, Joseph and Sue Caito (the "Applicant") the owners of the property and business in the City of Columbia, Illinois (the "City") having the assigned address of 310 BB Road which property is zoned A-1 (Agricultural) Zoned District and for the uses and purposes therein allowed;

WHEREAS, Section 17.10.025 of the City's Zoning Code allows an Indoor Shooting Range to be located in a A-1 (Agricultural) Zoned District by Special Use Permit provided it is in accordance with Section 17.40.010 Special uses and figure 1;

WHEREAS, the Applicant has applied for a Special Use Permit to allow expansion of the Indoor Shooting facility aforesaid;

WHEREAS, Section 17.40.010 of the City's Zoning Code requires that an applicant for a Special Use Permit notify the owners of all property located within two hundred fifty (250) feet of the out-boundary of the property for which the special use permit is requested before their application for Special Use Permit is filed, advising said property owners, among other things, of the special use they are requesting permission to build and the applicants application is required to be referred to the City's Plan Commission for the Plan Commission's recommendation and a public hearing is required to be held before the City's Zoning Board of Appeals following the publication of the required hearing notice in a newspaper published in the City;

WHEREAS, the Applicant has given the required notice to affected property owners; on Monday, March 28, 2016 the Plan Commission recommended the granting of the special use permit requested by the Applicant; and on Wednesday, April 20, 2016 a public hearing with regard to the granting of the requested special use permit was held before the City's Zoning Board of Appeals, following publication of the required notice of hearing in compliance with the City's Zoning Code requirement and on April 20, 2016 the City's Zoning Board of Appeals recommended that the special use permit requested by the Applicant be allowed by the City's City Council;

WHEREAS, Subsection 17.40.010 (pertaining to issuance of special use permits) of the City's Zoning Code provides and requires that the concurring vote of a majority of the Mayor and the City Aldermen shall be required for the authorization of the Special Use Permit; and, approval of the special use permit application shall require the affirmative finding of the City's City Council that:

- (a) That the proposed special use is to be located in a district wherein such use may be permitted; and,
- (b) the requirements set forth in Figure 1 of Section 17.40.010 of the City's Zoning Code for such special use exception will be met; and,
- (c) the special use exception is consistent with the spirit, purpose and intent of the Comprehensive Community Plan, will not substantially and permanently injure the appropriate use of neighboring property, and will serve the public convenience and welfare;

WHEREAS, Section 17.40.010 of the City's Zoning Code further provides, if the Special Use Permit application is approved, the City Council shall enact an ordinance to order the Building Inspector to issue a zoning certificate for the special use exception; and,

WHEREAS, the City Council of the City has found and determined and does hereby declare that the affirmative findings of the City Council required by Section 17.40.010 of the City's Zoning Code and described above have been established by the Applicant and have been found to exist; and, that it is necessary and appropriate that the Special Use Permit requested by the Applicant be authorized as is 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. The City Council of the City of Columbia, Illinois does hereby find, determine and declare:

- (A) That the proposed Special Use Exception is to be located in a zoned district where such use may be permitted by Special Use Permit;
- (B) That the special use requirements as set forth in Figure 1 of Section 17.40.010 of the City's Zoning Code, which are hereinafter described in the next Section of this Ordinance, shall be required to be complied with after

issuance of the Special Use Permit and shall be required to be specified in the Special Use Permit upon the issuance of the Special Use Permit; and,

(C) That the Special Use Exception is consistent with the spirit, purpose and intent of the Comprehensive Community Plan of the City, will not substantially or permanently injure the appropriate use of the neighboring property, and will serve the public convenience and welfare.

Section 3. As a condition for the issuance of the Special Use Permit involved herein, the Applicant will be required to comply with the following 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 the City of Columbia, Illinois Municipal Code;

Indoor Shooting Range	A-1	<p>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, u(3), 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.</p>
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b. Minimum Lot Area.

1. #
2. 1,500 sq. ft.
3. 110 sq. ft. per child
4. 25,000 sq. ft.
5. 20,000 sq. ft. plus 5,000 sq. ft. per horse over four horses
6. One acre
7. 5 acres
8. 5 acres, including 2,500 sq. ft. per mobile home stand
9. 6 acres
10. 20 acres
11. 40 acres
12. 80 acres
13. 320 acres
14. Two times requirement for single
15. 2 acres

c. Minimum Yards (Feet).

	Front	Side (each)	Rear
1.	#	#	#
2.	#	50	50
3.	#	10	30
4.	#	40	40
5.	#	-	-
6.	#	40	40
7.	100	Abutting, Residential = 75 Abutting, Other use = 35	
8.	#	20	#
9.	150	150	150
10.	100	100	100
11.	300	300	300
12.	25	25	25

d. Building Setback from Center Line of Interior Road.

1. 40 feet
2. 50 feet
3. 85 feet

f. Minimum Gross Floor Area of Principal Building(s)--(Square Feet).

1. #
2. Over 1,000
3. Determined by number of children to be accommodated
4. 400
5. Two times single-family dwelling
6. 672

g. Plan of Landscape Development to be submitted with application.

h. Maximum Height of Structure--(Feet).

1. #
2. As required by appropriate state or federal agency
3. Same as light industrial
4. 45
5. 70
6. 25

i. Fence.

1. 6-foot wire mesh where accessible to the public
2. 6-foot wire mesh when located at ground level
3. 4-foot wire mesh around play area
4. Solid wall or solid painted fence eight (8) feet high
5. 4-foot wire mesh abutting residential use
6. Painted board fence eight (8) feet high

7. Adequate to protect abutting use as determined by City Council
8. 6-foot wire mesh
9. 6-foot solid painted for refuse dump
10. 6-foot wire mesh abutting residential use.
11. 8-foot high, solid stained fence.

j. Screen Planting Where Abutting Residential Use--(Tight Screen, Effective at All Times).

1. 6-foot height by 6-foot width
2. 25 feet abutting residential district or use
3. 8-foot height by 6-foot width
4. Adequate to screen power substation from street view
5. 6-foot high along streets for refuse dump
6. 6-foot high and 6-foot wide - for parking area

k. Parking Spaces.

1. 1 per 2 employees, plus 1 per 4 seats in waiting room
2. 1 per 2 customers or members
3. 1 per 2 employees, plus 3 per doctor
4. 1 per 3 employees, plus 1 per 6 students
5. 30
6. 1 per 3 employees per shift
7. 1 per 3 employees plus 1 per 125 sq. ft. of sales area
8. 1 additional
9. 1 per 4 beds, plus 1 per doctor, plus 1 per 3 employees, plus 1 per hospital vehicle
10. 1 per 2 employees on largest shift
11. 1 per 2 employees
12. 1 per 2 employees, plus 1 per 5 children to be accommodated
13. 1 per 2 employees, plus 2 per mobile home stand
14. 1 per 3 employees, plus 1 per 500 sq. ft. of use area
15. 1 per 3 employees plus 1 per 10 inmates at estimated capacity
16. 1 per 3 employees plus 1 per driving tee
17. 1 per camp site and 1 per cabin
18. Telephone exchanger per employee
19. 1 per employee per shift
20. 1 per 2 employees where headquartered
21. 1 per 5,000 sq. ft.
22. One
23. 1 per 60 sq. ft. of sales area
24. 3 per 4 employees plus 1 per 4 seats
25. 1 per 2 employees plus 10 for customers
26. 1 per employee, plus 1 per sleeping accommodation
27. Two
28. 1 per employee, plus 1 for each 6 seats in main auditorium
29. 1 per 3 members

30. 1 per employee at peak shift and 1 space per grooming table (except for businesses on Main Street in the C-2 zoned district where 1 per employee at peak shift is required).

- l. Distance of Parking Area from Residential Use (Feet).
 1. 10
 2. 25
 3. 50
 4. 100
 5. 300
- o. Plat approved by the City Council to be submitted with application.
- p. Development Plan to be submitted with application.
- q. Covenant by Owners to Perpetuate Maintenance and Approve Future Improvements.
- r. Maximum Number of Principal Entrances from Major Thoroughfare.
 1. 1
 2. 2
 3. In accordance with plans approved by the City Council with the recommendation of the City Engineering Consultant.
- s. Acceptable Relationship to Major Thoroughfare.
- t. Thoroughfares Must be Adequate to Carry Additional Traffic Engendered by Use.
- u. Other Authority Approval Required.
 1. State Board of Health
 2. Aeronautics Commission
 3. National Rifle Association (NRA) standards or similar standards approved by the City Council (Item 3 added per Ord. 2898 - 09/19/2011)
- v.1. Outdoor artificial lighting shall be approved by the building commission.
- v.2. The illumination from on-premises lighting will be so directed as to not cause direct lighting to encroach on adjoining property or so as to otherwise adversely affect or interfere with the use of adjoining property.
- x. No Sales, Dead Storage, Repair Work, or Dismantling on the Lot.
- y. Except for approved exits and entrances a masonry wall four feet in height and six inches thick erected at required front line of building and may be required along boundaries of parking area, as determined by the City Council for the protection of residentially zoned or used property

Section 4. The Special Use Permit Applicant, Joseph and Sue Caito , shall be granted the Special Use Permit for the expansion of their Indoor Shooting Facility at 310 BB Road in the City subject to compliance with the requirements set forth in the preceding Section 3 of this Ordinance.

Section 5. The City's Building Commissioner is hereby ordered and directed to issue a Zoning Certificate to the Applicant, Joseph and Sue Caito, for the Special Use Exception aforesaid, which Zoning Certificate shall include the special use designation requirements the Applicant is required to comply with which are specified and described in Section 3 of this Ordinance.

Section 6. This Ordinance shall be in full force and effect from and after its passage, as provided by law.

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

YEAS: Aldermen Agne, Roessler, Huch, Reis and Holtkamp.

NAYS: None.

ABSENT: Aldermen Ebersohl and Martens.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 2nd day of May, 2016.



MARY ELLEN NIEMIETZ, Mayor Pro Tem

ATTEST:



WESLEY J. HOEFKEN, City Clerk

(SEAL)