Item #4:
Ord. Approving Zoning Code Amendment Re: Video Gaming

VILLAGE OF LONG GROVE

ORDINANCE NO. 2016-O-__

AN ORDINANCE AMENDING THE VILLAGE OF LONG GROVE
ZONING ORDINANCE REGARDING VIDEO GAMING

Adopted by the President and Board of
Trustees of the Village of Long Grove on
this 12th day of January, 2016

Published in pamphlet form by direction and
authority of the Village of Long Grove,
County of Lake, State of Illinois, on this
13th day of January, 2016

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VILLAGE OF LONG GROVE

ORDINANCE NO. 2016-O-__

AN ORDINANCE AMENDING THE VILLAGE OF LONG GROVE ZONING ORDINANCE REGARDING VIDEO GAMING

WHEREAS, pursuant to Section 27 of the Video Gaming Act, 230 ILCS 40/1, *et seq.* (the "***Video Gaming Act***"), a municipality may pass an ordinance prohibiting video gaming within the corporate limits of the municipality; and

WHEREAS, in 2009, the President and Board of Trustees of the Village of Long Grove passed an ordinance expressly prohibiting video gaming terminals as defined in the Video Gaming Act, and otherwise prohibiting gambling within the Village except with respect to such activities allowed under the Charitable Games Act, PA 84-1303; and

WHEREAS, in 2014, the President and Board of Trustees determined that it was in the best interests of the Village and its residents to authorize video gaming in accordance with the Video Gaming Act on a trial basis to better understand the effects of such activities on the Village and its businesses; and

WHEREAS, pursuant to Ordinance No. 2014-O-09, the President and Board of Trustees temporarily amended Chapter 1 of Title 10 and Sections 3-2-5 and 3-2-14 of the Long Grove Village Code to permit video gaming devices for a trial period beginning on July 1, 2014 and ending on December 31, 2014 on premises holding a Class V liquor license, which trial period was extended from time to time through February 29, 2016; and

WHEREAS, on November 10, 2015, the Village Board referred the question of video gaming to the Village's Plan Commission/Zoning Board of Appeals ("***PCZBA***") for public hearing and recommendation; and

WHEREAS, pursuant to notice duly published, the PCZBA conducted a public hearing on December 1, 2015 for the consideration of text amendments to the Long Grove Zoning Ordinance to allow video gaming on a permanent basis as a permitted or special use within the Village; and

WHEREAS, after the conclusion of such public hearing, the PCZBA recommended that video game not be allowed on a permanent basis within the Village; and

WHEREAS, the President and Board of Trustees, having considered the recommendation of the PCZBA, the information and outcomes resulting from the video gaming trial period, and other relevant information, have concluded that it is in the best interests of the Village and its residents to authorize video gaming uses in all zoning districts, provided that video gaming uses shall in all instances be limited to establishments holding a valid Class V liquor license under the Village Code;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, STATE OF ILLINOIS, as follows:

SECTION ONE: Recitals. The foregoing recitals are by this reference incorporated into and made a part of this Ordinance as if fully set forth.

SECTION TWO: Amendment of Section 5-3-2 of the Village Code. Section 5-3-2, entitled "Permitted Uses," of Chapter 3, entitled "Residential Districts," of Title 5, entitled "Zoning Regulations," of the Long Grove Village Code is hereby amended in part, as follows:

5-3-2 PERMITTED USES

The following uses and no other shall be permitted as of right in the residential districts:

* * *

(D) Video gaming, provided that video gaming shall be limited to establishments holding a valid Class V liquor license granted pursuant to Title 3, Chapter 2 of this Code.

SECTION THREE: Amendment of Section 5-4-2 of the Village Code. Section 5-4-2, entitled "Permitted Uses," of Chapter 4, entitled "Business Districts," of Title 5, entitled "Zoning Regulations," of the Long Grove Village Code is hereby amended in part, as follows:

5-4-2 PERMITTED USES

The following uses and no others are permitted as of right in the applicable business district:

(A) B1 District

* * *

66. Video gaming, provided that video gaming shall be limited to establishments holding a valid Class V liquor license granted pursuant to Title 3, Chapter 2 of this Code.

(B) B2 District

* * *

7. Video gaming, provided that video gaming shall be limited to establishments holding a valid Class V liquor license granted pursuant to Title 3, Chapter 2 of this Code.

SECTION FOUR: Amendment of Section 5-4-5 of the Village Code. Section 5-4-5, entitled "Special Uses," of Chapter 4, entitled "Business Districts," of Title 5, entitled "Zoning Regulations," of the Long Grove Village Code is hereby amended in part, as follows:

5-4-5 SPECIAL USES

The uses listed in the following subsections may be permitted in the applicable business districts subject to the issuance of a special use permit as provided in section 5-11-17 of this title:

* * *

(C) HR District

* * *

5. Video gaming, provided that video gaming shall be limited to establishments holding a valid Class V liquor license granted pursuant to Title 3, Chapter 2 of this Code.

(D) HR-1 District

* * *

5. Video gaming, provided that video gaming shall be limited to establishments holding a valid Class V liquor license granted pursuant to Title 3, Chapter 2 of this Code.

SECTION FIVE: Amendment of Section 5-5-2 of the Village Code. Section 5-5-2, entitled "Permitted Uses," of Chapter 5, entitled "Office Districts," of Title 5, entitled "Zoning Regulations," of the Long Grove Village Code is hereby amended in part, as follows:

5-5-2 PERMITTED USES

The following uses and no others are permitted as of right in the office districts:

* * *

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(H) Video gaming, provided that video gaming shall be limited to establishments holding a valid Class V liquor license granted pursuant to Title 3, Chapter 2 of this Code.

SECTION SIX: Amendment of Section 5-6-6 of the Village Code. Section 5-6-6, entitled "Special Uses," of Chapter 6, entitled "Open Space District," of Title 5, entitled "Zoning Regulations," of the Long Grove Village Code is hereby amended in part, as follows:

5-6-6 SPECIAL USES

The following uses may be permitted in the open space district subject to: a) the issuance of a special use permit as provided in section 5-11-17 of this title and b) compliance with all applicable conservancy or scenic corridor area restrictions contained in title 7 of this code.

* * *

(E) Video gaming, provided that video gaming shall be limited to establishments holding a valid Class V liquor license granted pursuant to Title 3, Chapter 2 of this Code.

SECTION SIX: Effective Date. This Ordinance shall be in full force and effect following its passage, approval, and publication in pamphlet form in the manner provided by law.

Passed this ___ day of January, 2016.

AYES:

NAYS:

ABSENT:

ABSTAIN:

Approved this ___ day of January, 2016.

_____
Angela Underwood, Village President

ATTEST:

_____
Heidi Locker-Scheer, Village Clerk

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