

Item #3:

Ord. Amendments To Zoning Code Re: Restaurant Definitions

VILLAGE OF LONG GROVE

ORDINANCE NO. 2013-O-__

**AN ORDINANCE AMENDING TITLE 5 (ZONING REGULATIONS)
SECTION 5-12-13; "DEFINITIONS"
OF THE LONG GROVE VILLAGE CODE**

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this 23rd day of April, 2013

Published in pamphlet form by direction
and authority of the Village of Long Grove,
Lake County, Illinois
this 23rd day of April, 2013

VILLAGE OF LONG GROVE
ORDINANCE NO. 2013-O-XX

AN ORDINANCE AMENDING
TITLE 5 (ZONING REGULATIONS) SECTION 5-12-13 "DEFINITIONS"
OF THE LONG GROVE VILLAGE CODE

WHEREAS, on April 24, 2007, the President and Board of Trustees of the Village of Long Grove adopted Ordinance No. 2007-O-04, approving a comprehensive amendment to the Long Grove zoning regulations contained in Title 5 of the Long Grove Village Code ("**Zoning Code**"); and

WHEREAS, on February 12, 2013 the Board of Trustees referred certain Zoning Code amendments, specifically the Definitions of "Fast Food" and "Limited Service Restaurants"; to Village staff, Village consultants and the Plan Commission for further consideration, review, and recommendation; and

WHEREAS, pursuant to notice duly published, on February 18th 2013, the Plan Commission commenced public hearings on March 5th 2013, (rescheduled to March 19th), which were continued to and closed on April 2nd 2013 to discuss and consider the proposed amendments to the Zoning Code; and

WHEREAS, based on the testimony presented at the public hearing, the Plan Commission has found that amending the Zoning Code in the manner hereinafter set forth will serve to better preserve and protect the character of the Village and advance the goals and policies of the Village's Comprehensive Plan; and

WHEREAS, at the April 2, 2013 continued public hearing, the Plan Commission voted to recommend approval of the amended definition of "Restaurant, Fast Food" and the additional of a definition of "Restaurant, Limited Service" to the Zoning Code; and

WHEREAS, the President and Board of Trustees have considered the findings and recommendations of the Plan Commission and have determined that the amendments to the Zoning Code, as set forth in this Ordinance, are in the best interests of the Village and its residents; and

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 incorporated into this Ordinance as findings of the President and Board of Trustees.

SECTION TWO. Amendments. The following provisions of Title 5, entitled "Zoning Regulations,"

of the Long Grove Village Code are hereby amended as follows:

A. **Amendment to Section 5-12-13:** The definition of "Restaurant, Fast Food" contained in Section 5-12-13, entitled "Definitions," of the Long Grove Zoning Regulations is hereby amended to hereafter be and read as follows:

RESTAURANT, FAST FOOD: An establishment whose principal business is the sale of prepared food and/or beverages over a counter and/or by way of drive through service in a ready to consume state for consumption: a) within the restaurant building, b) within a motor vehicle parked on the premises, or c) off the premises as carryout orders, and whose principal method of operation includes the following characteristics: ~~food and/or beverages are usually served in edible containers or in paper, plastic, or other disposable containers~~ a limited menu, items prepared in advance or prepared or heated quickly, no table orders, and food served in disposable wrapping or containers.

B. **Amendment to Section 5-12-13:** A new definition of "Restaurant, Limited Service" is hereby added to Section 5-12-13, entitled "Definitions," of the Long Grove Zoning Regulations and shall hereafter be and read as follows:

RESTAURANT, LIMITED SERVICE: An establishment whose principal business is the sale of food and/or beverages to customers in a ready to consume state, for consumption within the restaurant building or off premises as carryout orders, but not through a drive through, and whose principal method of operation may include the following characteristics: (A) entrees are substantially made to order, (B) restaurant may provide delivery service, (C) customers "eating in" receive distinct service from carry out customers, which may include service with nondisposable containers, plates, baskets, and/or flatware and limited table service, and (D) menu may include alcoholic beverages pursuant to all applicable permits and laws.

SECTION THREE. Effective Date. This Ordinance shall be in full force and effect after its passage,

approval, and publication in pamphlet form in the manner provided by law.

PASSED this _____ day of _____, 2013.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2013.

Maria Rodriguez, Village President

ATTEST:

Karen Schultheis, Village Clerk