

ORDINANCE NUMBER: 2005-08
An Ordinance to Amend the Zoning Ordinance of the City of Petersburg

Whereas, the Plan Commission of the City of Petersburg has recommended adoption of an ordinance amending the Zoning Ordinance of the City of Petersburg to permit the operation, in certain circumstances, the provision of limited restaurant services to the public in conjunction with an approved home bed and breakfast operation; and

Whereas, the City Council of the City of Petersburg deems it in the interest of the City to adopt such amendments,

Now, therefore, **Be it ordained, by the City Council of the City of Petersburg, Menard County, Illinois, as follows:**

Section 1. Article 4, Provisions Governing the Low-Density Residential (R-1) District, of The Zoning Ordinance of the City of Petersburg, is amended by adding to the category of "Special Uses" the following: "Home residence bed and breakfast operations with limited public restaurant service,"

Section 2. Article 5, Provisions Governing the Medium-Density Residential (R-2) District, of The Zoning Ordinance of the City of Petersburg is amended by adding to the category of "Special Uses" the following: "Home residence bed and breakfast operations with limited public restaurant service."

Section 3. Article 5, Provisions Governing the High-Density/Multi-Family Residential (R-3) District, of The Zoning Ordinance of the City of Petersburg is amended by adding to the category of "Special Uses" the following: "Home residence bed and breakfast operations with limited public restaurant service."

Section 4. Article 13 is amended by adding thereto the following:

"Section 12. Home residence bed and breakfast operations with limited public restaurant service.

An approved home residence bed and breakfast operation with limited public restaurant service may be conducted as a special use in Districts where authorized under this Ordinance provided all of the following criteria are met:

1. The property must have qualified, be qualified and continue to be qualified and to operate as a home residence bed and breakfast operation under the terms of this Ordinance.
2. No structures or improvements upon the premises, including parking areas, but excluding drives to access the parking areas, may be closer than 45 feet to the boundary lines of the subject property.

3. In addition to the parking requirements for bed and breakfast operations, the property shall comply with parking requirements of this ordinance applicable to restaurants. In the application of those provisions, however, the square footage of floor area shall be computed exclusive of the areas of the premises devoted to sleeping rooms and common passageways between them.
4. No special use permit may be granted under this Section for food service seating in excess of 40 persons.
5. Food service to the general public may only be provided between the hours of 11 a.m. and 2 p.m. or otherwise as may be approved by the City.
6. Food service to the general public shall be limited to food served for consumption upon the premises.
7. The City may, in its discretion, require such screening, barriers or landscaping as it may determine in addition to the requirements of this ordinance in the best interest of the neighboring or adjacent properties.
8. The owner or operator of the approved home residence bed and breakfast shall file with the zoning administrator an annual report in such manner and form as may be approved by the Plan Commission detailing the number of bed-nights occupancy of the bed and breakfast operation.
9. No food service shall be provided except in conformance with applicable health and safety laws, regulations or ordinances of the City, Menard County and State of Illinois.
10. In the event that the Zoning Administrator determines that the principal use of the property as a home residence bed and breakfast has been discontinued for a period of not less than 4 months, the special use provided under this Section may be revoked.

Section 5. This ordinance shall become effective upon its passage as provided by law and the franchise agreement shall be effective upon execution by both parties.

Passed: 7-19-2005