

ORDINANCE NO. 2016-12

AN ORDINANCE AMENDING SECTIONS 8.01 AND 8.02 OF THE VILLAGE OF STICKNEY ZONING ORDINANCE – 1980, VILLAGE OF STICKNEY, ILLINOIS REGARDING PERMITTED AND SPECIAL USES IN THE VILLAGE’S BUSINESS DISTRICT

WHEREAS, the Village of Stickney (the “Village”) is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, Section 8.01 of the Village of Stickney Zoning Ordinance – 1980 (the “Zoning Ordinance”) governs permitted uses in the Village’s Business District, and Section 8.02 of the Zoning Ordinance governs special uses in the Village’s Business District; and

WHEREAS, pursuant to Section 12.10 of the Zoning Ordinance, which vests any member of the Village of Stickney Zoning Board of Appeals (the “ZBA”) with the authority to initiate amendments to the Zoning Ordinance, the Chairman of the ZBA initiated certain text amendments described herein (the “Amendments”) to Sections 8.01 and 8.02 of the Zoning Ordinance; and

WHEREAS, the ZBA held a public hearing, pursuant to proper notice, on the proposed Amendments; and

WHEREAS, based on the testimony given at said public hearing, the ZBA made certain findings of fact and conclusions with respect to the Amendments and made a recommendation to the Village’s Board of Trustees (the “Village Board”) that the Amendments be approved (collectively, the “Findings of Fact and Recommendation”); and

WHEREAS, a copy of the Findings of Fact and Recommendation is attached hereto as Exhibit A and is incorporated herein; and

WHEREAS, the Amendments allow certain additional permitted uses and permitted special uses in the Business District of the Village; and

WHEREAS, in light of the above, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) have determined that it is in the public interest to adopt the Amendments;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Sections 8.01 and 8.02 of the Zoning Ordinance to allow certain additional permitted uses and permitted special uses in the Business District of the Village and to authorize the President or her designee to take all actions necessary to carry out the intent of this Ordinance.

SECTION 3. APPROVAL OF TEXT AMENDMENTS.

The Findings of Fact and Recommendation are hereby adopted. The Village Board concurs with the Findings of Fact and Recommendation and, in accordance with the findings and conclusions stated therein, hereby approves the Amendments, as described below.

**ARTICLE II.
AMENDMENT OF SECTIONS 8.01 AND 8.02 OF THE VILLAGE OF STICKNEY ZONING
ORDINANCE – 1980**

SECTION 4.0. AMENDMENT OF SECTION 8.01.

That the Zoning Ordinance is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Section 8.01, which Section shall be amended as follows:

The following uses are permitted in a business district:

[.....]

Auction rooms

Automobile accessory stores

Automobile service stations

Boat and marine sales

Building materials sales and storage and millwork

Candy, confectionary and ice cream stores

Contractors or construction offices and shops such as building, cement, electrical, ventilation, heating, masonry, painting, air conditioning, plumbing, refrigeration and roofing providing that outside storage of material was screened by a solid wall or uniformly painted fence at least eight feet high.

Exterminating shops

Furniture stores

Public garages servicing automobiles and trucks under 1 ½ ton capacity, but not including body repair and painting

Greenhouses and plant nurseries

Monument sales

Motion picture studios

Motor vehicle sales and rental

Parking lots and storage areas for motor vehicles under 1 ½ ton capacity

Political organization offices

Resale shops for apparel and accessories

Secondhand stores and rummage shops, other than resale shop for apparel

Service stations

Tailor shops employing five or fewer persons

Taxidermists

SECTION 4.1. AMENDMENT OF SECTION 8.02.

That the Zoning Ordinance is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Section 8.02, which Section shall be amended as follows:

The following special uses may be permitted in a business district:

[.....]

Automobile laundries (car washes)

Clubs, lodges, fraternal or religious

Dyeing and rug cleaning establishments

Frozen food lockers

Garages, public, including body repair and painting carried out in approved spray booths provided that all the walls of the paint shops which are adjacent to or across the street from a residence district should be solid with no opening except for required fire doors

Garden supply and seed stores

Ice cream production and distribution

Laundries employing five or more persons including towel, diaper and other similar supply services

Machinery rental, sales and service

Motel

Open sales lots and temporary standards for the sale of farm produce and Christmas trees

Printing plant and screen printing

Race track and raceways

Speedway

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES, PUBLICATION,
EFFECTIVE DATE**

SECTION 5. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 6. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 7. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 8. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall be effective and in full force immediately after its passage and approval.

(Remainder of page left intentionally blank)

Passed this 19th day of April, 2016.

Deborah Morelli, President

ATTEST:

Audrey McAdams, Village Clerk

Date of Passage: April 19, 2016

Date of Publication: April 20, 2016

EXHIBIT A

Findings of Fact and Recommendation