



Legislation Text

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An Ordinance Amending Chapter 159 (Zoning Ordinance) of the Village of Romeoville Code of Ordinances

Amending Section 159.072(E)(6)-Video Gaming Terminal Locations

WHEREAS, the Village of Romeoville has heretofore adopted Chapter 159 (Zoning Ordinance) of the Romeoville Code of Ordinances pursuant to the Illinois Compiled Statutes to establish and set forth regulations pertaining to the use and development of land, buildings and structures in the Village; and,

WHEREAS, it is necessary and desirable to periodically amend the Zoning Ordinance in response to changes in technology, development practices, and community standards and to improve administration and enforcement procedure; and,

WHEREAS, after due notice, the Planning and Zoning Commission held a Public Hearing on April 23, 2019 to consider a certain amendment to the Zoning Ordinance and has transmitted its report and findings, attached as Exhibit A, on this matter to the Village Board of Trustees recommending that the proposed amendment be approved; and,

WHEREAS, the President and Board of Trustees have accepted the Planning and Zoning Commission's Report and concur with the Planning and Zoning Commission's recommendation.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ROMEOVILLE, WILL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: That the above recitals and referenced reports are hereby made a part of this Ordinance.

Section 2: That Section 159.072(E)(6) of the Romeoville Zoning Ordinance (Chapter 159 of the Romeoville Code of Ordinances) be and hereby is amended to read as hereinafter more fully set forth:

(6) Video gaming terminal locations, accessory to the conduct of a permitted use or approved special use authorizing the sale of alcoholic beverages for on-premises consumption, subject to the following conditions:

(a) The term "video gaming terminal" shall have the meaning set forth in § 138.01(E) of the Village Code of Ordinances.

(b) All persons seeking to operate video gaming terminals at a given location must possess all licenses required under the Video Gaming Act and Illinois Gaming Board regulations for the operation of video gaming terminals at the proposed location.

(c) No more than five video gaming terminals may be operated at a given location.

(d) All owners or persons allowing the use of premises for video gaming terminal operations must possess a current and valid liquor license issued by the village local liquor control commissioner.

(e) All proposed video gaming terminal special use permit locations shall be at least 100 feet from any

school, church or house of worship. Distances shall be measured consistently with the then-current regulations or customary practices of the Illinois Gaming Board.

(f) The operation of video gaming terminal locations at any location qualified or proposing to qualify as a “licensed truck stop establishment” within the meaning of Section 5 of the Illinois Video Gaming Act, 230 ILCS 40/5 shall, in addition to complying with the applicable requirements of the Illinois Video Gaming Act and the then-current regulations of the Illinois Gaming Board, be subject to the following further conditions:

(i) The licensed truck stop establishment serving as the video gaming terminal location shall be located on a principal lot containing not less than five acres, and which principal lot shall be the site of the convenience store required to be included as a part of such licensed truck stop establishment, and of all fuel dispensing pumps required or contemplated to be provided as part of the licensed truck stop establishment. Provided that the licensed truck stop establishment complies with the preceding sentence and the other conditions of this Section, the licensed truck stop establishment may provide all or some portion of the required number of dedicated truck parking spaces herein required on an adjacent lot containing not less than three acres that is under common ownership with the principal lot and which is contiguous to the principal lot, or separated from the principal lot only by a privately owned roadway constructed and maintained for the benefit of the subdivision or development that includes both the principal lot and the adjacent lot. For purposes of this Section 159.072(E)(6)(f)(i) only, the foregoing requirement of common ownership of the principal lot and the adjacent lot to be used for dedicated truck parking spaces may be satisfied by a licensed truck stop establishment by providing the Village with documentary evidence reasonably acceptable to the Village that establishes that each of such lots is leased to the same identical tenant under lease terms initially providing such tenant with the right to occupy each of such lots for not less than thirty years, where the terms of such leases further grant to the tenant the rights to use such lots for the conduct of a licensed truck stop establishment as referenced in this Section 159.072(E)(6)(f); and

(ii) The convenience store included as part of such a licensed truck stop establishment shall consist of not less than five thousand square feet in area; and

(iii) The licensed truck stop establishment serving as the video gaming terminal location shall provide that number of dedicated truck parking spaces equal to the sum of the number of pumps dispensing or able to dispense diesel or biodiesel fuel at such establishment plus the number of video gaming terminals proposed to be operated within such licensed truck stop. As used herein, a “dedicated truck parking space” shall mean and include an area designated by the owner or operator of the licensed truck stop establishment reserved for the exclusive use of its customers for the parking of trucks while patronizing the licensed truck stop establishment, capable of being occupied for such use without otherwise disrupting or affecting the operations of the licensed truck stop establishment, and which shall be not less than sixty five feet in length and twelve feet in width, and constructed and surfaced as otherwise required by this Code and the Village Code of Ordinances.

Section 3: That this Ordinance shall become effective upon its passage, approval and publication as provided by law, subject to final Village Manager and Village Attorney review.

Section 4: That the various provisions of this Ordinance are to be considered severable and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.