




## MEMORANDUM

**TO:** Trustee Anthony Puccio, Chairperson  
Economic and Community Development Committee

**FROM:** Jennifer Ganser, Assistant Director, AICP and   
Tami Urish, Planner I  
Department of Community Development

**MEETING DATE:** February 10, 2020

**SUBJECT:** **Text Amendments to Village Code, Outdoor Dining**

The Village is proposing text amendments to the following Sections of Village Code, Article III – Outdoor Seating on the Public Right-of-Way, and other relevant sections for clarity:

1. Section 119.20 – Permit required;
2. Section 119.22 – Regulations;
3. Section 119.23 – Restrictions; and
4. Section 119.24 – Enforcement; revocation.

The entire text of Chapter 119 including sections with no proposed amendments is attached for continuity. Staff notes that Chapter 119 was amended by Ordinance 7754 on November 21, 2019 with minor housekeeping corrections not related to the policy currently under discussion.

The Village is proposing to allow outdoor dining as a permitted use in the Business Districts, where it is currently a conditional use. A new definition would be added to distinguish that outdoor dining is on private property and the outdoor cafes in the downtown are on the public right-of-way. There are other proposed text amendments throughout Chapter 119 to clarify the regulations of each use where needed.

This item was taken to the Plan Commission as a workshop on August 19, 2019 and they were supportive of the concept. See attached staff memo. In addition, the Plan Commission unanimously voted to recommend approval of text amendments to the Zoning Code for outdoor dining on private property as a permitted use in business districts on February 3, 2020. See attached staff report. The zoning actions will need to be brought forward to the Board, as well as the below text amendments to Chapter 119.