

ORDINANCE NO. _____
Date Passed: December 12, 2016

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT
FOR HOMELESS SHELTER
803 W. Lincoln Avenue - Rochelle Rescue Mission, Inc.**

WHEREAS, the City of Rochelle is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, et. seq.; and

WHEREAS, Danny Johnson and Christine Johnson are the owners of 803 Lincoln Avenue, PIN: 24-24-353-007 (hereinafter “the Property”); and

WHEREAS, Danny Johnson and Christine Johnson, on behalf of Rochelle Rescue Mission, Inc. (hereinafter “the Applicant”), filed a petition to have a special use permit issued to allow Rochelle Rescue Mission, Inc. to use the Property as a homeless shelter; and

WHEREAS, Rochelle Rescue Mission, Inc. intends to purchase the property from Danny Johnson and Christine Johnson provided a special use permit issued to allow Rochelle Rescue Mission, Inc. to use the Property as a homeless shelter; and

WHEREAS, the Property is currently zoned R-3, and a homeless shelter is permissible under the Rochelle Municipal Code only if a special use permit is issued; and

WHEREAS, the Rochelle Rescue Mission provided copies of its By-Laws and Mission Statement to the members of the Rochelle City Council; and

WHEREAS, in accordance with all legal requirements, the Rochelle Planning and Zoning Commission, following a duly noticed and called public hearing on December 6, 2016 has recommended, by a vote of 4-1 that the petition be granted with conditions; and

WHEREAS, the City Council, by a majority of all City Councilmen holding office, finds that the City has a need for a homeless shelter, and it is in the best interests of the City that the Special Use Permit be approved, and further finds that the special use meets the criteria necessary to approve a special use permit, provided the conditions approved by the Rochelle Planning & Zoning Commission be included herein;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS, as follows:

Section 1. Special Use Permit. The issuance of a special use permit to Rochelle Rescue Mission, Inc. at the Property indicated is hereby approved, subject to the following conditions being met prior to the issuance of a building permit and certificate of occupancy:

- (i) The Applicant provide an informational presentation open to the public

for the purpose of educating the community about the mission of the Rochelle Rescue Mission, Inc.;

(ii) The Applicant submits a plan that ensures that adequate supervision will be in place at the homeless shelter and that such plan is consistent with what is reasonable and customary for an emergency homeless shelter of a similar size;

(iii) The Applicant ensures that egress requirements are met, including emergency battery backup lighting and battery backup exit lighting;

(iv) The Applicant ensures the space meets accessibility requirements by providing bathrooms that meet the Illinois State Plumbing Code and the Americans with Disabilities Act, loading and unloading requirements, and stalls provided for wheel chairs;

(v) The Applicant ensures electrical service and any other requirements set forth in NFPA 70 are met in regards to any kitchens, sleeping areas, bathrooms, lighting, and outlets;

(vi) The Applicant ensures mechanical requirements for kitchens, sleeping areas, bathrooms, heating, cooling, and ventilation are met; and

(vii) The Applicant submit the necessary building plans for review, obtain a building permit, obtain a certificate of occupancy, and obtain a business registration certificate before occupying the property; and

(viii) The Applicant use must comply with applicable federal and state laws.

This ordinance shall become effective after its passage, approval and publication as provided by law and shall modify any inconsistent provisions in the Rochelle Municipal Code prior to this date.

PASSED AND APPROVED this _____ day of December, 2016.

Ayes: _____

Nays: _____

Abstain: _____

Mayor

Attested: _____

City Clerk