

CITY OF SPRING VALLEY, ILLINOIS
PLANNING COMMISSION
PETITION FOR CHANGE IN ZONING
(Execute in Triplicate)

\$
FEE: 400.

DO NOT WRITE IN THIS SPACE—FOR OFFICE USE ONLY

Date Filed: _____

Date Set for Hearing: _____ Date Hearing Held: _____

Date Adjacent Property Owners Notified: _____

Comments: (Indicate other actions such as continuances etc.) _____

Action by Planning Commission: _____

NOTE: The following questions must be answered completely. If additional space is needed, attach extra pages to petitions.

1. Name of Petitioner (s): _____

2. Address of Petitioner (s): _____

3. Legal description of real estate for which rezoning change is requested:

4. Street address of real estate for which rezoning change is requested:

9. Lot number or legal description of any real estate owned by petitioner adjacent to area proposed to be changed:

10. Recite facts indicating why the proposed change will not be detrimental to the general public's interest and the purpose of the Zoning Ordinance:

11. Disclose the purpose for which the property herein described is sought to be used if this petition is granted:

12. Following are the names and addresses of surrounding property owners from the property in question for a distance of one hundred feet in all directions, and the number of feet occupied by all public roads, streets, alleys, and other public ways have been excluded in computing the 100 ft. requirements. Said names are as recorded in the office of the County Recorder of Deeds and as appear from the authentic tax records of this county:

NAME

ADDRESS

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

(attach additional sheets if necessary)

I (We) hereby certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

- (k) to propose and give final approval to any requests for variation from the requirements of this land development code;
- (l) to give final approval on applications for multifamily design review;
- (m) to hear and grant variations from the floodplain protection standards; and
- (n) to give final approval for any other actions as required in this chapter.

Article 11. Review and Approval Procedures

Sec. 14-11-1 General

(a) Summary of Procedures

The following table provides a summary of the review and approval procedures of this article. In the event of conflict between this summary table and the detailed procedures contained elsewhere in this article, the detailed procedures govern.

a.

| | Zoning Administrator | Plan Commission | Board of Zoning Appeals | City Council |
|---------------------------------|----------------------|------------------------|-------------------------|--------------|
| Text Amendment | | hearing/recommendation | | final action |
| Map Amendment | | hearing/recommendation | | final action |
| Multifamily Design Review | | hearing/recommendation | | final action |
| Special Uses | | hearing/recommendation | | final action |
| Planned Developments | | hearing/recommendation | | final action |
| Site Plan Review | | final action | | |
| Variations | | | hearing/recommendation | final action |
| Written Interpretations Appeals | initial decision | | hearing/recommendation | final action |
| Preliminary Plat | | hearing/recommendation | | final action |
| Final Plat | | hearing/recommendation | | final action |
| Building Permit | final action | | | |
| Letter of Occupancy | final action | | | |
| Mobile Home Park Permit | initial decision | hearing/recommendation | hearing/recommendation | final action |

hearing = public hearing required

final action = granting of permit, approval, or denial

(b) Authority to File

Unless otherwise specifically stated in this article, applications may be filed by the owner of the subject property.

(c) Application Contents

(1) All applications required under this article must be submitted in a form and in such numbers as required by the official responsible for accepting the application. Application forms are available in the office of the official responsible for accepting the application.

(2) Officials responsible for accepting applications must maintain a list specifying the materials and information to be submitted with each application filed. The list must be made available to all applicants and to any other person who requests a copy.

(d) Application Completeness

(1) An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information and is accompanied by the required fee. The official responsible for accepting the application has authority to determine whether the application is complete.

(2) If an application is deemed incomplete, written notice explaining the deficiencies must be provided to the applicant.

(3) No further processing of incomplete applications will occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 90 days, the application will be considered withdrawn.

(4) An applicant shall be solely responsible for all information provided to the city and the city assumes no responsibility to verify or confirm information in an application.

(e) Application Filing Fees

Applications must be accompanied by the fee amount that has been established by the city council. Fees are not required with applications initiated by the plan commission or city council. Application fees are nonrefundable.

(f) Public Notice

(1) Written Notice

When provisions of this article require that "written notice" be provided, such notice must be given as follows:

a. The city clerk, based upon information provided to the city clerk by the applicant or his agent, must provide written notice to the owners within 100 feet of the property lines of the subject property

b. Written notice must be mailed at least 7 days before the public hearing.

c. All required written notices must be sent by USPS mail.

d. Written notices must contain:

1. the date, time and location of any upcoming public hearings on the matter;

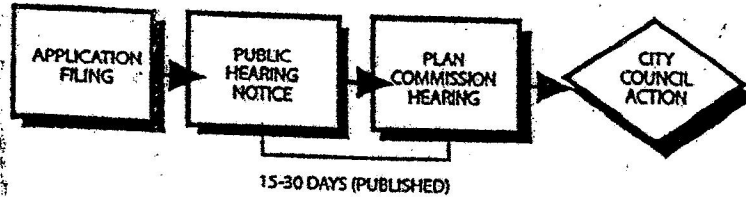
2. the address of the subject property;

3. a description of the nature and purpose of the application;

4. the name and address of the applicant; and
 5. contact information for additional information on the application.
- e. The City Clerk shall mail appropriate notices to the parties entitled to receive notice based upon the information provided to the City Clerk by the applicant or his agent.
- (2) **Published Notice**
- a. When provisions of this article require that "published notice" be provided, the City Clerk shall be responsible for publishing notice in a newspaper of general circulation in the city.
 - b. The notice must be published at least once, at least 15 days but not more than 30 days before the hearing.
 - c. Published notices must contain:
 1. the date, time and location of any upcoming public hearings on the matter;
 2. the address of the subject property;
 3. a description of the nature and purpose of the application;
 4. the name and address of the applicant; and
 5. contact information for additional information on the application.

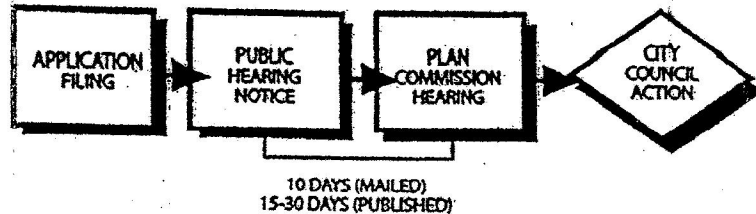
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Sec. 14-11-2 Text Amendments



- (a) **Authority to File**
Amendments to the text of this chapter may be proposed by the city council or plan commission.
- (b) **Public Hearing**
The plan commission must hold a public hearing on each text amendment. Published notice must be provided according to the requirements of Sec. 14-11-1(f)(2).
- (c) **Plan Commission Recommendation**
The plan commission must review all proposed text amendments in a public hearing. Following the close of the public hearing, the plan commission must recommend that the city council approve the proposed amendment, approve the proposed amendment with modifications or disapprove the proposed amendment. The plan commission is also authorized to forward the amendment to city council with no recommendation. The plan commission's recommendation will be made by simple majority vote of the quorum present.
- (d) **City Council Action**
After due consideration of the plan commission's recommendation, the city council must take action on the proposed text amendment. The city council may approve or reject the planning commission's recommendation by simple majority vote.

Sec. 14-11-3 Zoning Map Amendments



- (a) **Authority to File**
Zoning map amendments (rezonings) may be proposed by the city council, plan commission, or the owner of the property proposed to be changed.
- (b) **Filing**
(1) Applications for zoning map amendments must be filed with the City Clerk.
(2) Applications for all zoning map amendments must be accompanied by payment of a fee to the City of Spring Valley for the map amendment as per fees established by the Spring Valley City Council.
- (c) **Contents of Application**
The following information must be included with all applications for zoning map amendments:
(1) a description of the lot or lots to be rezoned;
(2) reasons in support of the proposed zoning map amendment, specifically addressing the review and approval criteria of Sec. 14-11-3(g)(1-6);
(3) a lot plan drawn on a scale of 1 inch=100 feet, showing:
 a. the area proposed to be rezoned;
 b. the subject area's location and dimensions; and
 c. the location, zoning and existing use of all properties within 100 feet;
(4) names and mailing addresses of owners of the subject property and all properties within 100 feet of the area to be rezoned; and
(5) any additional information required by the plan commission or city council.
- (d) **Public Hearing**
The plan commission must hold a public hearing on each zoning map amendment application. Written notice and published notice must be provided according to the requirements of Sec. 14-11-1(f)(1) and Sec. 14-11-1(f)(2).
- (e) **Plan Commission Recommendation**
(1) The plan commission must review all proposed zoning map amendments in a public hearing. The plan commission must recommend that the City Council approve the proposed zoning map amendment, approve the proposed amendment with modifications as recommended by the planning commission or disapprove the proposed amendment.
(2) The plan commission may recommend rezoning to an alternative zoning district (i.e., different from that requested by the applicant), provided that the alternative district is no more intensive than the district requested by the applicant.

- (f) **City Council Action**
 After due consideration of the plan commission's recommendation, the city council must take action on the proposed zoning map amendment. The city council may approve or disapprove the plan commission's recommendation by simple majority vote. If a written protest against the proposed zoning map amendment is filed in accordance with the provisions of Section 11-13-14 of the Illinois Municipal Code (65 ILCS 5/11-13-14) the amendment shall not be passed except by favorable vote of two-thirds of the aldermen of the City of Spring Valley then holding office.
- (g) **Review and Approval Criteria**
 In making their recommendations and decisions, the plan commission and city council must consider the following:
- (1) the existing uses of properties near the subject property;
 - (2) the existing zoning classifications of properties near the subject property;
 - (3) whether the subject property is suitable for the uses permitted under the existing and proposed zoning districts;
 - (4) the trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;
 - (5) whether the proposed zoning map amendment is consistent with the comprehensive plan; and
 - (6) whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant.

Sec. 14-11-4 Special Uses

Special uses require individual review by the plan commission and city council to ensure conformance with the intent of the Comprehensive Plan and to assess whether the proposed use is compatible with surrounding uses. The review and approval procedures are described in Sec. 14-11-5 and Sec. 14-11-6. Special uses fit into two basic categories:

- (a) **Special Uses**
 Single uses or single aspects of permitted uses specifically identified in this chapter as requiring individual review under the special use procedure of Sec. 14-11-5.
- (b) **Planned Developments**
 Complex projects designed to take maximum advantage of unique site characteristics and use original design concepts are submitted for review under the planned development procedure of Sec. 14-11-6.

(1) Purpose

The planned development regulations are intended to:

- a. encourage better development within the city by providing more flexibility in the application of the provisions of this chapter;
- b. allow smaller lots when permanent common open space is provided;
- c. allow more than one principal structure on a lot;
- d. allow development where lots do not abut a dedicated and improved street;
- e. permit diversity in the location of structures; and
- f. shorten the total time involved in the rezoning of property and subdivision of land.

(2) Types of Planned Developments

The following are specific types and purposes of planned developments:

a. Residential Planned Developments

Residential planned developments are intended to offer recreational opportunities close to home; enhance the appearance of neighborhoods by the conservation of streams and local spots of natural beauty; add to the sense of spaciousness through the preservation of natural green spaces; counteract the effects of urban monotony and congestion in the streets; encourage cooperative relationships between neighbors and participation by all age groups in the use and care of local open space tracts in new residential subdivisions; and promote harmonious architecture between adjacent dwellings or in sympathy with the natural characteristics of the site.

b. Shopping Center Planned Developments

Shopping center planned developments are intended to promote the cooperative development of shopping centers each with adequate off-street parking; control access points on arterial and collector streets; separate pedestrian and automobile traffic; aid in stabilizing property values; develop shopping centers of size and location compatible with the market potential; buffer adjacent residential areas with landscaped green spaces; and encourage harmonious architecture between homes and commercial structures.

c. Manufacturing Planned Development

Manufacturing planned developments are intended to promote the establishment of planned industrial areas; permit groups of industrial buildings with integrated design and a coordinated physical plan; encourage recreational facilities within industrial areas; and buffer adjacent residential areas with landscaped green areas.