
The Rezoning and Zoning Code Text Amendment Review Process

In the Zoning Code there is a section (Chapter 14) that describes the procedural requirements for amending the code itself. These amendments can take the form of a Text Amendment or a Rezoning (change to the Official Zoning Map).

In order for a requested Rezoning or Text Amendment to be granted, the petitioner (applicant) must illustrate that the request meets the standards established in the Zoning Code. The standards are:

1. Compliance with the intent and purpose of this Title (the Zoning Code);
2. Compliance with the Comprehensive Plan, Official Map, and all other plans and policies adopted by the Village;
3. Physical or economic conditions pertaining to the subject area which have changed and which make the existing zoning inappropriate and the proposed rezoning appropriate;
4. The proposed zoning is desirable and needed in the Village;
5. The proposed rezoning is compatible with and would not unduly depreciate the use and value of a surrounding property;
6. Contribution to a rational pattern of land uses which is beneficial to the Village.

To request consideration of a Rezoning or Text Amendment, the petitioner must submit a written response indicating how the proposal will meet each of the standards. The responses are provided within the report to the Plan Commission and Board, and are typically entered into the record of the public hearing without a formal reading. The Plan Commission and Board will review the written responses and ask questions during the meetings.

Note: The petitioner's response must include an explanation if the petitioner believes that a particular standard does not apply to the type of action requested and should therefore be waived.

Submittal Requirements and Procedure

Two items are required for a Rezoning or Zoning Code Text Amendment submittal:

1. Summary of Request (Form A5). For a rezoning, the existing and proposed zoning map must also be provided. For text amendments, a separate document describing the proposal must be submitted. The change requested must be clearly indicated.
2. Written responses to the Standards for a Rezoning or Text Amendment. Provide a detailed written response for each Standard. The submittal can be hand written, though electronic submittals are encouraged. Electronic submittals can be made to the Planning Division web site as described on the submittal checklist on Form A1. Submittals can be made in the following formats:
 - Word document. A template is available on the application page. If template is not used, be sure to clearly number the responses to each standard.
 - PDF form submittal. Complete the PDF form available on the Planning Division web site.
 - Hand written. Fill out the form on the following page, attach additional pages if needed.

SUMMARY OF REQUEST

Project Name: _____

Responses prepared by: _____

Basic description of project: _____
(i.e., rezone to R-4 or insert definition of new type of business)

FOR PROPOSED REZONINGS

Must submit proposed map

Existing zoning: _____ Proposed zoning: _____

Purpose / related action: _____

Comprehensive Plan designation: _____

FOR PROPOSED TEXT AMENDMENTS

Zoning Code section(s)
to be amended:

Proposed amendment: attach separate document

RESPONSE TO STANDARDS FOR REZONING OR TEXT AMENDMENT

Required for all rezonings and text amendments. If a particular standard does not seem applicable, petitioner must provide a detailed statement to support a request to waive the standard.

- 1. Will the proposed rezoning or text amendment comply with the intent and purpose of Title 19, Zoning? (Explain how the proposed uses allowed by the rezoning will conform to the zoning code.)

- 2. Will the proposed rezoning or text amendment comply with the Comprehensive Plan, Official Map and all other plans and policies adopted by the Village? If not, explain why the proposal is in the best interest of the Village. (Explain in detail how the uses allowed by the rezoning follow the Comprehensive Plan or how a rezoning contrary to the Comprehensive Plan is appropriate.)

- 3. How have the physical or economic conditions pertaining to the subject area changed, making the existing zoning district or code regulation inappropriate and the proposed zoning district or regulation appropriate? (Explain why the current zoning designation or regulation is inappropriate. What specific physical or economic conditions indicate that the change is required?)

RESPONSE TO STANDARDS FOR REZONING OR TEXT AMENDMENT

Project Name: _____

Responses prepared by: _____

Basic description of project: _____
(i.e., rezone to R-4 or insert definition of new type of business)

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4. How is the proposed rezoning or text amendment desirable and needed in the Village? *(Why is the new zoning district or regulation needed? What does the proposed action accomplish? How will it benefit the Village?)*
5. How will the proposed rezoning or text amendment be compatible with and not unduly depreciate the use and value of the surrounding property? *(Consider the types of uses that could be permitted by the rezoning or text amendment. Are these uses compatible with existing neighboring land uses? Will the potential uses have a negative impact on surrounding property values?)*
6. How will the proposed rezoning or text amendment contribute to a rational pattern of land uses which is beneficial to the Village? *(Is the proposed zoning district or regulation sensible? Are intense uses that create traffic, noise, odor, light, or smoke going to be permitted along a narrow residential street? Does the zoning code amendment apply to multiple areas that have different characters?)*