

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.

	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

a 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.

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.

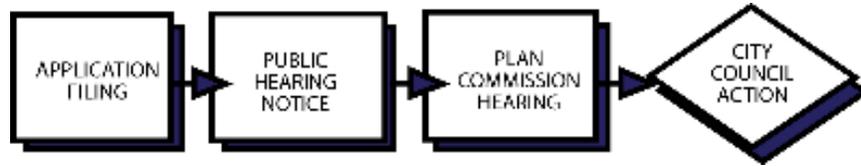
b. Shopping Center Planned Developments

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.

Sec. 14-11-5 Special Use Procedure



- (a) **Filing**
Applications for special use permits must be filed with the zoning administrator or city clerk.
- (b) **Public Hearing**
The plan commission must hold a public hearing on the special use permit 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).
- (c) **Plan Commission Recommendation**
The plan commission must recommend approval, approval with modifications or disapproval of the application. The plan commission is also authorized to forward the application to city council with no recommendation.
- (d) **City Council Action**
After due consideration of the plan commission's recommendation, the city council must take action on the proposed special use. If the city council approves the special use or approves the special use with modifications, the city council must issue written authorization to the zoning administrator to issue a building permit. This authorization must remain on permanent file with the application. The city council may attach special conditions to the approval to ensure conformance with the intent of the Comprehensive Plan.
- (e) **Review and Approval Criteria**
In making their recommendations and decisions, the plan commission and city council must consider whether the following are true of the proposed use:
(1) complies with the applicable standards of this chapter;
(2) is compatible with the character of the surrounding area in terms of site planning, scale and design;
(3) is compatible with the character of the surrounding area in terms of operating characteristics such as hours of operation, outdoor lighting, noise and traffic generation; and
(4) is in the interest of public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or area.
- (f) **Conditions of Approval**
When the anticipated impacts of a special use are determined to have the potential for adverse impacts on surrounding property, the special use must be denied or conditions must be placed on the approval to ensure that any adverse impacts will be mitigated. The plan commission may impose such conditions upon the site planning, design, location and operation of a special use.
- (g) **Lapse of Approval**
(1) Approval granted by the plan commission of a special use application is valid for 12 months from the date of approval unless a building permit is obtained or the use is commenced. If a building permit is not obtained or the use is not commenced within that time, the approval will lapse and become null and void.
(2) The city council may, at its discretion and upon adequate showing of good cause, extend the period of validity of special use approval for a period not to exceed 12 months. The plan commission must receive a written request from the applicant prior to the expiration of the special use approval stating the reasons for the proposed extension.
(3) If a special use is discontinued for a period of 6 months or longer, the special use will be considered abandoned and become null and void. Any reinstatement of the special use will require special use approval according to the procedures of this section.

PROCEDURE FOR SPECIAL USE PERMIT APPLICATION

Persons requesting a Special Use Permit shall submit the request in writing to the City Clerk, Rebecca Hansen, 215 N. Greenwood Street, Spring Valley, Illinois 61362.

Request should include:

1. Name and address of applicant
2. Notarized, written authorization of the current owner.
3. A copy of the owner's deed or title policy showing the legal description.
4. A short narrative and drawings to illustrate:
 - a. The current zoning and use of the property.
 - b. The proposed use, including type of activity, manner of operation, number of occupants or employees, hours of operation, and similar matters; with reasons why this use is justified.
 - c. A sketch, survey or plat showing the dimensions of the site including any proposed structures, location and number of proposed parking spaces, access ways, and landscaping.
5. A notification list of owners' names and addresses within 100 feet of the property lines of the subject property. (See general review & approval procedures for more information.)
6. Any other pertinent information that may assist in evaluating the request.
7. Submit the necessary fee of \$400.

