



PLANNING AND ZONING BOARD APPLICATION

TEXT AMENDMENT

COMMUNITY DEVELOPMENT DEPARTMENT
VILLAGE OF NILES
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PROCESS OVERVIEW

The following information can be used to understand the Village of Niles Planning and Zoning Board (also referred to as PZB in this packet) review process for **Text Amendment** applications. Questions may be directed to the Community Development Department at 847.588.8077.

1. The project applicant first meets with a representative of the Community Development Department to discuss the proposal and to determine the necessary process for approval. The Planner will explain the Village's zoning rules and the procedure and timeline for proposing amendments/changes to the Village's Zoning Ordinance.
2. Upon preliminary review of the proposed project by the Community Development staff, feedback will be sought from the other Village departments to determine any preliminary issues that need to be addressed within a complete application. Any preliminary feedback will be provided to the applicant.
3. A complete application package may be submitted and should incorporate resolutions to the preliminary feedback received from Village staff. A complete application package includes all required materials, as well as application fees. Submittals will not be accepted and/or processed until all of the submittal requirements are met. Once the completed application is accepted, a case number will be assigned.
4. The completed application packet will be forwarded to the necessary Village staff/consultants (Engineering/Public Works, Fire, Landscape, Police, and Building) for review and comment. Typically, there is a 14 day review cycle for this phase of the process.
5. The Planner will work with the applicant to schedule a public hearing/meeting before the PZB. Village staff will complete all notification once the project is ready to be placed on a PZB agenda.
6. The PZB typically meets the first Monday of the month at 7:00 PM in the Council Chambers of the Niles Village Hall. Digital and/or paper copies of all application materials must be submitted to the Community Development Department at least one week prior to the PZB hearing date. At the Public Hearing, the applicant or a designated representative makes a formal presentation to the PZB and answers any questions concerning the proposal. *Please see page 5 of this packet for general information on the order of business for PZB meetings.*
7. Following a public hearing and recommendation by the PZB, the project will be scheduled for Village Board consideration, typically within a month of the public hearing. The applicant or designated representative must be present at this meeting to answer questions from the Village Board of Trustees. The Village Board makes the final decision on the applicant's proposal and is the only Village body that can legally do so.



PLANNING AND ZONING BOARD APPLICATION – TEXT AMENDMENT

PROJECT NO. _____

NAME OF PROJECT: _____

ADDRESS OF PROJECT: _____

NAME(S) OF APPLICANT: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

EMAIL: _____ TELEPHONE: _____ FAX: _____

NAME(S) OF PROPERTY OWNER(S): _____

ADDRESS: _____

CITY, STATE, ZIP: _____

EMAIL: _____ TELEPHONE: _____ FAX: _____

NAME(S) OF PROPERTY ATTORNEY OR AGENT: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

EMAIL: _____ TELEPHONE: _____ FAX: _____

GENERAL INFORMATION REGARDING THE REQUESTED TEXT AMENDMENT:

With the submittal of this application, I hereby request that the Mayor and Village Board of the Village of Niles grant the approvals as described in the attached documents and specifications, and do hereby certify that all information contained in this application and accompanying documents is true and correct to the best of my knowledge. I also permit entrance on the Subject Property by Village officials for the purpose of inspections related to this request.

SIGNATURE OF APPLICANT: _____ DATE: _____

SIGNATURE OF PROPERTY OWNER(S): _____ DATE: _____

REQUIRED APPLICATION MATERIALS

When submitting an application, in addition to submitting the required number of hard copies outlined below, you must also submit **one electronic copy** of your application submittal.

ONE COPY OF THE FOLLOWING (on 8.5" x 11" paper):

1. **Application** (page 2 of this packet), completed and signed, and **\$350 Application Fee** (for Text Amendments)
2. **Project Description** – a one to two page narrative describing the proposed change to the Village's zoning regulations, including an explanation for why the change is being proposed. Explain which zoning districts would be affected, and, if applicable, whether uses would be classified as 'permitted' or 'special'.
3. Provide written response to the **Approval Standards for Text Amendments** (See Page 4 of this packet for more information).
4. A map, if applicable, showing areas that would be affected by the proposed text amendment.
5. Any other plans and/or documents that are determined by the Director of Community Development as necessary for the review of the proposed text amendment.

APPROVAL STANDARDS FOR A TEXT AMENDMENT

Per Village of Niles Code of Ordinances, Appendix B, Section 15.2(E), “The Planning and Zoning Board recommendation and the Village Board decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Planning and Zoning Board and the Village Board must consider the following standards. The approval of amendments is based on a balancing of these standards.”

As part of a complete application, an applicant must provide a written response explaining how the proposed **text amendment** meets or complies with the standards listed below. You may use the area below each standard for your response or respond on a separate page.

- a. *The consistency of the proposed amendment with the Comprehensive Plan.*

- b. *The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village.*

- c. *The relative gain to the public, as compared to the hardship imposed upon the applicant.*

- d. *The consistency of the proposed amendment with the intent and general regulations of this Ordinance.*

- e. *Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.*

- f. *Whether the proposed amendment provides a more workable way to achieve the intent and purposes of this Ordinance and the Comprehensive Plan.*

- g. *The extent to which the proposed amendment creates nonconformities.*

- h. *The extent to which the proposed amendment is consistent with the overall structure and organization of this Ordinance.*

Your explanation of answer to the questions listed above will be the basis for a final determination from the Planning and Zoning Board. It is incumbent upon YOU to explain how these Village Ordinance requirements are satisfied by your request. Failure to satisfy all of the requirements above may result in the Village denying your requested application. Please do not submit only "yes" or "no" but provide an explanation of HOW the application meets the standard.

GENERAL PROCEDURES FOR PLANNING AND ZONING MEETINGS

1. **Call to Order/Declaration of a Quorum**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Minutes** from Preceding Meeting
5. **General Public Comment**
6. **Continued Public Hearings/Old Business**
7. **New Business:** Public Hearings, each agenda item follows this process:
 - a) Statement of the Secretary regarding the nature of the case and confirmation of completed notification (**Opening of the individual Public Hearing**)
 - b) **Identification and swearing in** of Applicant and anyone else representing the Applicant.
 - c) The Applicant (and representatives) presents **testimony** regarding the petition and associated applications. The application and any accompanying exhibits will be identified and made part of the record.
 - d) **Questions** are directed to the applicant by the Board.
 - e) **Testimony and other evidence by members of the public.** All persons shall state his/her name and address before questioning a witness.
 - f) **Follow-up questions** and discussion of evidence gathered by the Board.
 - g) **Report by staff**, if any.
 - h) **Public Hearing closed**
 - i) Planning and Zoning **Board Deliberation**
 - j) **Recommendation/Decision**
8. **Other New Business**
9. **Discussions**
10. **Adjournment**