



CITY OF ELMHURST

Text Amendment Application Packet

PROCESS OVERVIEW

Text Amendments may be proposed by the City Council, the Zoning Board of Appeals, the Zoning and Planning Commission, or any person or entity having a proprietary interest in property located within the City of Elmhurst.

A request for a Text Amendment typically takes three to five months for review. The process includes a pre-application conference, submittal of the application and associated documentation, a comprehensive review by all City Departments, legal notice distribution, posting of public hearing sign and the notification period.

The Zoning and Planning Commission will conduct a public hearing for all Text Amendment requests. A subsequent meeting of the Zoning and Planning Commission is held to deliberate and recommend approval or denial of the Text Amendment application.

The Development, Planning and Zoning Committee (DPZ) of the City Council then considers the Zoning and Planning Commission recommendation. The DPZ composes a separate recommendation to the City Council.

Finally, the request will go before the full City Council for consideration of the DPZ report and an ordinance to grant the request. This overview is provided only as a summary of the Text Amendment request process. This full packet contains specific information about requirements and expectations for each step in the Text Amendment process.

APPLICANT / PETITIONER RESPONSIBILITIES FOR A TEXT AMENDMENT

- The applicant must be present at the public hearing of the Zoning and Planning Commission, the Zoning and Planning Commission deliberation, the DPZ Committee meeting, and the initial City Council final approval meeting.
- The applicant must submit a completed application with appropriate exhibits for processing.
- The applicant must respond to requests for additional information or clarification from City Staff.
- At the public hearing of the Zoning and Planning Commission, the applicant must present their case to the Commission.
- At the public hearing of the Zoning and Planning Commission, the applicant must speak before the Commission (for the official transcript) addressing specifically the Text Amendment request.
- Again, the applicant must be present at the public hearing of the Zoning and Planning Commission, the Zoning and Planning Commission deliberation, the DPZ Committee meeting, and the initial City Council final approval meeting to respond to any questions or issues regarding the subject case.

PRE-APPLICATION MEETING

Applicants are encouraged to consult with City of Elmhurst staff on proposed requests for a Text Amendment permit before submitting an application. Staff is available by appointment at the Community Development Department Monday through Friday from 8:30 a.m. to 5:00 p.m.

This conference will provide the petitioner with an opportunity to present a general concept to staff of the Text Amendment to be requested. This will also allow the Community Development Department staff to determine what items will be required for submittal of the formal application, and to suggest any necessary adjustments to the request. This step is very important in order to save time, effort, and expense throughout the rest of the process.

COMPLETE APPLICATION SUBMITTAL

The applicant must submit a complete application to the Community Development Department to start the Text Amendment process. Packets should be submitted at least 45 days prior to the expected public hearing date.

The following items and information are a part of the Text Amendment application:

- 1) Completed application with authorized signatures
- 2) A statement detailing the reason(s) or need for the Text Amendment.
- 3) Check for \$6500 Text Amendment application fee, made payable to the City of Elmhurst.

The applicant must submit 1 digital copy of the application and statement and 1 hard copy of each document for processing. Additional copies may be required at any time during the review process.

Each Text Amendment application is distributed to various City Departments: Building, Engineering, Fire, Police and Public Works for comment. The Community Development Department staff will forward any comments to the applicant generated from this review.

The applicant is responsible for responding to any and all issues derived from the City's review. This internal process is intended to allow City Staff the ability to review, discuss and resolve any issues and more directly communicate the City's requirements to developers, residents and others. By identifying the applicable codes and ordinances through this process, costly delays from oversights or incomplete applications may be avoided.

After the application has been submitted and all City issues, if any, have been addressed the case will be placed on the next available Zoning & Planning Commission agenda.

ZONING & PLANNING COMMISSION

The public hearing is an opportunity for the Zoning & Planning Commission to hear and assemble a record of testimony from the applicant and other concerned parties regarding the requested Text Amendment.

At the public hearing of the Zoning and Planning Commission:

- The applicant must be present at the public hearing of the Zoning & Planning Commission in order to answer any questions or to respond to requests for further information.
- A court reporter will be present to record all verbal testimony provided at the public hearing, ultimately producing a transcript for each case.
- The applicant must speak before the Commission (for the official transcript) addressing the requested Text Amendment.
- The applicant may have to respond to questions from Commission members and/or interested parties in the audience. All communications and responses to questions or issues should be addressed to the Zoning & Planning Commission.

Typically, the Commission members will place the subject case on their next agenda for deliberation and may request further information from the staff and/or applicant. At their next meeting the Zoning & Planning Commission will deliberate on the case and vote to recommend either approval or disapproval of the request to City Council. In order for the Zoning & Planning Commission to recommend approval of the Text Amendment request, the Commission shall find that the adoption of such amendment is not detrimental to the public interest.

DEVELOPMENT, PLANNING AND ZONING COMMITTEE (DPZ)

The recommendation of the Zoning & Planning Commission will be forwarded to the Development, Planning and Zoning Committee. The Committee will consider the information in the Zoning & Planning Commission report and the transcript of the public hearing, as well as any other information the members of the Committee consider relevant in order to develop a recommendation for the full City Council. The Development, Planning and Zoning Committee will forward their recommendation to the full City Council.

The applicant is required to attend the Development, Planning and Zoning Committee meeting, which are held the second and fourth Mondays of each month. Community Development Department staff will inform you when you will be placed on the DPZ agenda.

CITY COUNCIL

In this final step, the City Council will take into consideration all of the information compiled thus far in the process. At the first of the two City Council meetings for each case, they will vote to accept or not accept the report of the Development, Planning & Zoning Committee. It is expected that the applicant attend this meeting, which are held the first and third Mondays of each month.

At the next regularly scheduled Council meeting, the Council will make a decision to either approve or disapprove an ordinance that would allow the requested Text Amendment. After the ordinance is approved and signed by the Mayor and the City Clerk, the applicant must remove the public notice sign from the property.

TEXT AMENDMENT PROCESS

