

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Village Attorney **DATE:** June 17, 2003
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE AMENDING PROVISIONS OF THE DOWNERS GROVE MUNICIPAL CODE RELATING TO THE ZONING COMMISSION, ZONING BOARD OF APPEALS AND PLAN COMMISSION", as presented.



SUMMARY OF ITEM:

Adoption of the attached ordinance shall amend the powers and duties of the Zoning Board of Appeals and Plan Commission, and abolish the Zoning Commission.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE AMENDING PROVISIONS OF THE DOWNERS GROVE
MUNICIPAL CODE RELATING TO THE
ZONING COMMISSION, ZONING BOARD OF APPEALS AND PLAN COMMISSION**

BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois,
as follows: (Additions are indicated by shading; deletions by ~~strikeout~~.)

SECTION 1. That the Downers Grove Municipal Code is hereby amended as follows:

2-53. Appointment of members to boards and commissions.

(a) Members of the following boards and commissions shall be appointed by the Village Council as provided herein:

Library Board of Trustees - all members as provided by law.

(b) Members of the following boards and commissions shall be appointed by the Mayor as provided herein:

Police Pension Board - two members, with balance as provided by statute.

(c) Members of the following boards and commissions shall be appointed, and the chairperson designated, by the Mayor, subject to confirmation by the Village Council:

Plan Commission

~~*Zoning Commission*~~

Zoning Board of Appeals

Human Service Commission

Community Maintenance Board

Board of Fire and Police Commissioners

Community Grants Commission

Tourism & Events Commission

Economic Development Commission

Stormwater and Flood Plain Oversight Committee

Electrical Commission

Parking and Traffic Commission

Liquor Commission

Technology Commission

(d) Members of the following boards and commissions shall be appointed, and the chairperson designated, by the Village Manager:

Design Review Committee

(e) Members of the following boards and commissions shall be appointed, and the chairperson designated, by the Village Manager, subject to confirmation by the Village Council:

Building Board of Appeals

(f) Each member of a board or commission, including the chairman, shall hold office until the expiration of the term for which such member was appointed or until such time as a successor has been

appointed or qualified, unless prior to such time such member resigns his position or is removed from it by the appointing official.

(g) Vacancies on any board or commission shall be filled as soon as possible for the unexpired term of the member whose place has become vacant.

(h) Each member of a board or commission shall be a resident of the Village unless otherwise specifically provided.

(i) Only duly appointed members may vote on any matter before any board or commission. (Ord. No. 3266, § 34; Ord. No. 3294, § 1.)

2-54. Created; composition; terms of office.

A Plan Commission is hereby created for the Village, which The Plan eCommission shall be organized as follows:

(a) Nine voting members shall be appointed for staggered terms of three years each.

(b) Three additional members may be nominated for appointment and confirmation as follows:

(1) One such member may be nominated by resolution of the Board of Commissioners of the Downers Grove Park District, and a copy of such a resolution, duly certified by the secretary of such board, shall be filed with the Village Clerk;

(2) One such member may be nominated by resolution of the Board of Trustees of the Downers Grove Sanitary District, and a copy of such resolution, duly certified by the Clerk of such board shall be filed with the Village Clerk; and

(3) One such member may be nominated by joint action of the Board of School District No. 58 and the bBoard of School District No. 99, and copies of the resolutions of each of such school boards, duly certified by the respective secretaries of such boards, shall be filed with the vVillage eClerk.

Each member of the pPlan eCommission appointed and confirmed under the provisions of this paragraph (3) shall not be entitled to vote, shall not be counted in determining whether a quorum of the pPlan eCommission is present at any meeting and shall not have a designated term in office, but shall serve from time to time until such member has resigned or been removed by resolution of the board or boards which made the nomination of such member, and until his or her successor has been appointed and qualified.

(c) In addition to the appointed members, the mMayor shall be an ex officio member of the pPlan eCommission, but shall not be entitled to vote and shall not be counted in determining whether a quorum of the pPlan eCommission is present at any meeting. (Ord. No. 118, § 1; Ord. No. 415, § 1; Ord. No. 1015, § 1; Ord. No. 1575, § 1; Ord. No. 2174, §§ 1, 2; Ord. No. 3266, § 34.)

2-55. Powers and duties.

The Plan Commission shall have the following powers and duties:

(a) To prepare and recommend to the corporate authorities a comprehensive plan for the present and future development or redevelopment of the municipalityVillage. SuchThe plan may be adopted in whole or in separate geographical or functional parts, each of which, when adopted, shall be the official comprehensive plan, or part thereof, of that municipalitythe Village. ThisThe plan may include reasonable requirements with reference tofor the streets, alleys, public grounds, and other improvements hereinafter specified. The plan, as recommended by the Plan Commission and as thereafter adopted in any municipality in this state, may be made applicable, by the terms thereof, to land situated within the corporate limits and contiguous territory not more than one and one-half miles beyond the corporate limits and not included in any municipality. SuchThe plan shallmay establish reasonable standards of design for subdivisions and for resubdivisions of unimproved land and of areas subject to redevelopment in respect to public improvements; shallmay establish reasonable requirements governing the location, width, course, and surfacing of public streets and highways, alleys, ways for public utilities and service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, storm water drainage, water supply and distribution, sanitary sewers, and sewage

collection and treatment; and ~~such plan may also may~~ designate land suitable for annexation to the ~~municipality~~Village and the recommended land use for such land upon annexation. ~~Such~~The plan shall be advisory except as to such parts thereof as have been implemented by ordinances duly enacted by the Village Council. All requirements for public hearing, filing of notice of adoption with the county recorder of deeds, and the filing of such plan and ordinances with the Village Clerk shall be complied with as provided by law.

(b) To recommend to the Village Council from time to time such changes or specific improvements in the comprehensive plan as the Plan eCommission may deem necessary.

~~(c) To exercise all other powers provided for in Division 12 of Article 11 of the Illinois Municipal Code, together with all acts amendatory thereof or supplemental thereto; except as they may have been amended by the Village Council.~~

~~(d) To review plats of subdivision and to consider and recommend to the Village Council approval or disapproval thereof; to consider or recommend any variations to the Village Council from the requirements of Chapter 20 of this Code.~~

~~(e) To recommend, subject to consideration and approval by the Village Council, reasonable standards of design for subdivisions and for resubdivisions of unimproved land and of areas subject to redevelopment in respect to public improvements.~~

~~(ed) To review preliminary and final plans for planned developments pursuant to the requirements of ~~of~~ the Zoning Ordinance of the Village and to consider and recommend approval or disapproval of such plans to the Village Council, including any specific conditions of any recommended approval.~~

~~(fe) To consider and approve certain conveyances of land which that do not require a subdivision plat, pursuant to Section 20-600 and Section 20-601 of this Code.~~

~~(gf) To consider and make recommendations to the Village Council concerning any request for a waiver or ~~variance~~variation of any requirement of Section 19-14(b) for construction of public improvements as a condition of obtaining a permit for access across a parkway to Village right-of-way.~~

~~(g) To hear, consider and recommend to the Village Council matters dealing with amendments to the Zoning Ordinance.~~

~~(h) To hear, consider and recommend to the Village Council matters dealing with the granting of special uses.~~

~~(i) Notwithstanding the provisions of Section 2-59(a) of this Code, to hear and decide on an application for any variation from the terms of the Downers Grove Zoning Ordinance and/or the Downers Grove Subdivision Ordinance, subject to their terms, but only when such application is filed in conjunction with an application as part of a planned development, an amendment to the Zoning Ordinance, or a special use otherwise requiring a public hearing before the Plan Commission.~~

~~(j) To designate, subject to consideration and approval of the Village Council, land suitable for annexation to the Village and the recommended zoning classification for such land upon annexation.~~

~~(k) To initiate, study and make recommendations regarding matters dealing with the planning of the community.~~

~~(l) To exercise such other powers germane to the above powers as may be conferred by the Village Council.~~

~~(m) Any additional powers granted by the Illinois Municipal Code (65 ILCS 5/11-12-1, et seq.) (Ord. No. 972, § 1; Ord. No. 2641, § 1; Ord. No. 3266, § 34.)~~

2-55DIV. Division 3. Zoning CommissionReserved.

2-56. Created; composition; terms of officeReserved.

~~A zoning commission is hereby created for the village, which commission shall be organized as follows:~~

~~(a) Seven members shall be appointed for staggered terms of four years each.~~

~~(b) One member of the zoning commission, appointed pursuant to paragraph (a) hereof, shall be a member of the zoning board of appeals and one member shall be a member of the plan commission. (Ord. No. 1622, § 2; Ord. No. 3266, § 34.)~~

2-57. Powers and duties Reserved.

~~The zoning commission shall have and exercise all the powers provided for in the applicable provisions of the Illinois Statutes, as amended from time to time, and shall, without limitation, have the following powers and duties:~~

~~(a) To conduct public hearings respecting any proposed amendment to the text of the Downers Grove Zoning Ordinance (but not amendments to the zoning map referred to therein) in accordance with the applicable provisions of article XVI thereof, and to submit written findings and recommendations to the village council setting forth its conclusions and recommendations respecting such proposed amendment, or recommending alternatives thereto.~~

~~(b) To conduct such other meetings and public hearings as it may deem necessary or appropriate to investigate such other inquiries, studies or other matters as the village council may from time to time refer to the zoning commission. (Ord. No. 1622, § 2; Ord. No. 2261, § 21; Ord. No. 2641, § 2; Ord. No. 3266, § 34.)~~

2-58. Created; composition; terms of office.

A Zoning Board of Appeals is hereby created for the Village, which board shall consist of seven members appointed for staggered terms of ~~five~~three years each. (Ord. No. 2641, § 3; Ord. No. 3266, § 34.)

2-59. Powers and duties.

The Zoning Board of Appeals shall have the following powers and duties:

(a) ~~Except as provided in Section 2-55(f) of this Code, to~~ To hear and decide on applications for any variation from the terms of the Downers Grove Zoning Ordinance subject to its provisions.

(b) To hear, and decide appeals, ~~from~~ and to make modifications ~~from~~to any order, requirement, decision, or determination made by the zoning enforcement officer.

~~(c) To hold public hearings and offer recommendations to the Village Council on matters pertaining to applications for amendments to zoning classifications and applications for conditional uses.~~

(c) To hear and decide on all matters referred to it or upon which it is required to pass under the Downers Grove Zoning Ordinance.

(d) ~~To exercise such other powers germane to the above powers as may be conferred by the Village Council. (Ord. No. 2641, § 3; Ord. No. 3266, § 34.)~~

SECTION 2. That any reference to the Zoning Commission, Plan Commission or Zoning Board of Appeals including, but not limited to, definitions, policies, procedures or duties contained in the Downers Grove Zoning Ordinance (Chapter 28) which conflict with the provisions of this ordinance are hereby superseded by the adoption of this ordinance.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk

MISC[zoncom]