

**VILLAGE OF DOWNERS GROVE**  
**COUNCIL ACTION SUMMARY**

**INITIATED:** Community Development & Planning      **DATE:** August 23, 2005  
(Name)

**RECOMMENDATION FROM:** Plan Commission      **FILE REF:** \_\_\_\_\_  
(Board or Department)

**NATURE OF ACTION:**

**STEPS NEEDED TO IMPLEMENT ACTION:**

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE REVISING PROVISIONS FOR ZONING CLASSIFICATION AMENDMENTS", as presented.

**SUMMARY OF ITEM:**

Adoption of the attached ordinance will establish super majority voting requirements when the Council considers amendments to Zoning classifications.

**RECORD OF ACTION TAKEN:**

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Zoning Classification

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REVISING PROVISIONS  
FOR ZONING CLASSIFICATION AMENDMENTS**

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

**Section 1. That Section 28.1701. is hereby amended to read as follows:**

**28.1701. Amendment to Zoning Classification.**

(a) A petition to amend the zoning map to change the zoning classification of any parcel of property may be initiated by the Director or the owner of the land which is described in the petition. The petition shall be filed with the Director and shall include such documents, reports, maps and other information as may be required by the Director pursuant to Sections 28-300 and 28-304. This petition, including such other documents as may be appropriate, shall be transmitted by the Director to the Zoning Board of Appeals or Plan Commission, along with the Director's analysis and recommendation, if any.

(b) Within ninety (90) days of receipt of a complete petition notice shall be given and the Zoning Board of Appeals or Plan Commission shall commence a public hearing. Within forty-five (45) days after conclusion of the public hearing, the Zoning Board of Appeals or Plan Commission shall transmit to the Owner and the Village Council its recommendations regarding the petition. The Zoning Board of Appeals or Plan Commission may recommend approval or disapproval of all, or any portion of the petition, including any modifications thereto.

(c) Within ninety (90) days of receipt of the findings and recommendations of the Zoning Board of Appeals or Plan Commission, the Village Council shall approve, approve as modified, or deny the petition, or any part thereof. The Village Council may approve or disapprove all, or any portion of the petition, including any modifications thereto. A violation of such conditions shall be deemed a violation of this Zoning Ordinance. In the alternative, the Village Council may remand the petition, in whole or in part, back to the Zoning Board of Appeals or Plan Commission if the Village Council determines that it is necessary or appropriate to provide a fair and complete consideration of the petition because there is a material and significant change in conditions since the Zoning Board of Appeals or Plan Commission hearing, or there is new or additional information which is material to the petition and which was not reasonably available at the time of the Zoning Board of Appeals or Plan Commission hearing. The Village Council will specify the reasons and scope of such remand and further proceedings before the Zoning Board of Appeals will be limited to such items. The Zoning Board of Appeals or Plan Commission will conduct such further proceedings as may be appropriate and re-present the petition, with appropriate recommendations, to the Village Council within sixty (60) days of referral. Thereafter, the Village Council shall render a final decision within sixty (60) days of such re-presentation.

~~(d) The basis of a petition to protest against any proposed amendment to the regulations or districts, signed and acknowledged by the owner of the land, shall be the grounds stated in the petition. The petition shall be filed with the Director and shall include such documents, reports, maps and other information as may be required by the Director pursuant to Sections 28-300 and 28-304. This petition, including such other documents as may be appropriate, shall be transmitted by the Director to the Zoning Board of Appeals or Plan Commission, along with the Director's analysis and recommendation, if any. The Zoning Board of Appeals or Plan Commission shall commence a public hearing. Within forty-five (45) days after conclusion of the public hearing, the Zoning Board of Appeals or Plan Commission shall transmit to the Owner and the Village Council its recommendations regarding the petition. The Zoning Board of Appeals or Plan Commission may recommend approval or disapproval of all, or any portion of the petition, including any modifications thereto. A violation of such conditions shall be deemed a violation of this Zoning Ordinance. In the alternative, the Village Council may remand the petition, in whole or in part, back to the Zoning Board of Appeals or Plan Commission if the Village Council determines that it is necessary or appropriate to provide a fair and complete consideration of the petition because there is a material and significant change in conditions since the Zoning Board of Appeals or Plan Commission hearing, or there is new or additional information which is material to the petition and which was not reasonably available at the time of the Zoning Board of Appeals or Plan Commission hearing. The Village Council will specify the reasons and scope of such remand and further proceedings before the Zoning Board of Appeals will be limited to such items. The Zoning Board of Appeals or Plan Commission will conduct such further proceedings as may be appropriate and re-present the petition, with appropriate recommendations, to the Village Council within sixty (60) days of referral. Thereafter, the Village Council shall render a final decision within sixty (60) days of such re-presentation.~~

(d) No rezoning petition will be accepted for processing prior to one year after the date that similar

Zoning Classification

petition concerning the same property was turned down.

**Section 2.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 3.** That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

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Mayor

Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk