

ORDINANCE

AN ORDINANCE AMENDING ARTICLE 14 (“ZONING APPROVALS”), SECTION 14.5 (“PLANNED DEVELOPMENTS”), SUB-SECTION G (“EFFECT OF APPROVAL OR DENIAL AND EXPIRATION”) OF THE OAK PARK ZONING ORDINANCE REGARDING TIMELINES FOR THE FILING OF AN APPLICATION FOR A BUILDING PERMIT AFTER APPROVAL OF A PLANNED DEVELOPMENT PERMIT AND THE COMMENCEMENT OF CONSTRUCTION

WHEREAS, on October 27, 2020 the Village of Oak Park Plan Commission (“Plan Commission”) held a public hearing on the application of the Petitioner, the Village of Oak Park (“Applicant”), for text amendments to Article 14 (“Zoning Approvals”), Section 14.5 (“Planned Developments”), Sub-Section G (“Effect of Approval or Denial and Expiration”) of the Oak Park Zoning Ordinance; and

WHEREAS, notice of the public hearing was published in the *Wednesday Journal* on October 7, 2020; and

WHEREAS, the Plan Commission recommended that the text amendments reflected in this Ordinance be granted by a vote of seven (7) in favor and zero (0) against upon the close of the public hearing held on October 27, 2020 as reflected in the minutes of the public hearing, incorporated herein by reference as though fully set forth; and

WHEREAS, the Plan Commission adopted its Findings of Fact and Recommendation on October 27, 2020 which is adopted by the President and Board of Trustees of the Village and incorporated herein as though fully set forth; and

WHEREAS, the President and Board of Trustees of the Village have considered the Plan Commission’s Findings of Fact and Recommendation and have determined that it is appropriate to adopt the text amendments as provided in this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Zoning Ordinance Amended. Article 14 (“Zoning Approvals”), Section 14.5 (“Planned Developments”), Sub-Section G (“Effect of Approval or Denial and Expiration”) of the Oak Park Zoning Ordinance is amended to delete the overstricken language and add the underlined language to read as follows:

ARTICLE 14. ZONING APPROVALS

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14.5 PLANNED DEVELOPMENTS

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G. Effect of Approval or Denial and Expiration

1. Approval of the planned development by the Village Board authorizes the applicant to proceed with any necessary applications for building permits, certificates of occupancy, and other required permits. The Zoning Administrator will review applications for these permits for compliance with the terms of the planned development approval. No building permit will be issued for development that does not comply with the terms of the planned development approval.

1. An approval of a planned development by the Village Board becomes be null and void if the recipient does not file an application for a building permit for the proposed development. within ~~nine~~ twelve months after the date of adoption of the ordinance approving the planned development.

2. An approval of a planned development by the Village Board becomes null and void if construction ~~has not commenced within 18 months and~~ is not completed within 36 months after the date of adoption of the ordinance approving the planned development.

3. Notwithstanding the above, an approval of a planned development with a phasing plan will expire if construction has not commenced or is not completed in accordance with the terms of that phasing plan.

4. An extension of the time requirements may be granted by the Village Board for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline, whenever practicable.

5. Following approval, the Zoning Administrator will revise the Official Zoning Map to reflect the existence and boundaries of the approved planned development. Designation of a planned development on the Zoning Map is for administrative and reference purposes only and does not indicate a zoning district change. The presence or absence of a planned development on the Zoning Map does not validate or invalidate an approved planned development.

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Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

ADOPTED this 16th day of November 2020, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb				
Trustee Andrews				
Trustee Boutet				
Trustee Buchanan				
Trustee Moroney				
Trustee Taglia				
Trustee Walker-Peddakotla				

APPROVED this 16th day of November 2020.

Anan Abu-Taleb, Village President

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 16th day of November, 2020.

Vicki Scaman, Village Clerk