
**THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2021- 043**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK
COUNTY, ILLINOIS, AMENDING TITLE XV, CHAPTER 150
AND TITLE XV, CHAPTER 166 OF THE CODE OF
ORDINANCES OF BLUE ISLAND, ILLINOIS, REGARDING
“PLANNING AND ZONING BOARD OF APPEALS”**

**FRED BILOTTO, Mayor
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Aldermen

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**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS,
AMENDING TITLE XV, CHAPTER 150 AND TITLE XV, CHAPTER 166 OF THE CODE
OF ORDINANCES OF BLUE ISLAND, ILLINOIS, REGARDING “PLANNING AND
ZONING BOARD OF APPEALS.”**

WHEREAS, the City of Blue Island, Cook County, Illinois (the “*City*”) is a duly organized and existing city created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

WHEREAS, the Mayor and the Aldermen of the City of Blue Island previously adopted the Blue Island Zoning Ordinance of 1971 (the “*Zoning Code*”), which is codified in Chapter 166 of Title XV of the Code of Ordinances of the City (the “*City Code*”); and

WHEREAS, the Mayor and Aldermen of the City previously adopted the Uptown-Transit Oriented Development (“*U-TOD*”) District Ordinance of 2012 (“*U-TOD District Ordinance*”), which is referenced and incorporated in Section 166.007 of Chapter 166 of Title XV of the City Code; and

WHEREAS, the Mayor and Aldermen of the City previously adopted Chapter 150 of Title XV of the City Code (“*Building Regulations; Construction*”), which includes the procedure by which the Community Development and Human Services Committee (the “*CDHSC*”) grants fencing variations (Section 150.117); and

WHEREAS, Section 166.129 of the Zoning Code also includes a procedure by which the CDHSC grants sign variations and enforces signage regulations; and

WHEREAS, the Mayor and Aldermen of the City recently adopted Ordinance No. 2021-024 combining the Plan Commission and the Zoning Board of Appeals into one “Planning and Zoning Board of Appeals” (the “PZBA”) to reduce redundancies and inefficiencies between the two prior committees; and

WHEREAS, Ordinance No. 2021-024 eliminated the Plan Commission, assigned all of its duties to the new PZBA, and amended most chapters of the City Code to reflect those changes; and

WHEREAS, the Zoning Code and U-TOD District Ordinance, which still contain references to the separate Plan Commission and Zoning Board of Appeals, may only be amended after a duly-noticed public hearing is held on proposed amendments; and

WHEREAS, the PZBA held a public hearing on September 2, 2021 (the “*Public Hearing*”) to consider the City’s application for certain text amendments to the Zoning Code and the U-TOD District Ordinance after providing notice of the hearing to the public as required by the Zoning Code and the statutes of the State of Illinois; and

WHEREAS, at the conclusion of the Public Hearing, during which all persons present were afforded an opportunity to be heard, the PZBA voted to recommend approval of the text amendments, and the PZBA then forwarded its findings of fact and recommendations to the Mayor and Aldermen of the City; and

WHEREAS, the Mayor and Aldermen of the City have duly considered the PZBA’s recommendation and findings of fact along with the City’s proposed amendments to the Zoning Code and the U-TOD District Ordinance and have determined that adoption of the proposed amendments is advisable and in the best interest of the health, safety, and welfare of the residents of the Village; and

WHEREAS, the Mayor and Aldermen of the City previously eliminated the CDHSC when the number of aldermen on the City Council was reduced; and

WHEREAS, the City Code and Zoning Code currently only give the CDHSC authority to grant fencing variations and sign variations; and

WHEREAS, the City’s application for text amendments to the Zoning Code referenced above include substituting the PZBA for the CDHSC throughout Section 166.129 of the Zoning Code, allowing the PZBA to consider and recommend approval of sign variations to the Mayor and Aldermen of the City; and

WHEREAS, the Mayor and Aldermen of the City deem it advisable and in the best interest of the health, safety, and welfare of the residents of the Village to also amend Section 150.117 of the City Code, as stated in Section 3 below, substituting the PZBA for the CDHSC, which will allow the PZBA to consider fencing variations.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Aldermen of the City of Blue Island, Cook County, Illinois as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. That the Mayor and Aldermen find and determine that the adoption of this Ordinance is in the best interests of the City as well as in the public interest.

Section 3. That Title XV (“Land Usage”), Chapter 150 (“Building Regulations and Construction”), Section 150.117 (“Variances”) is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

§ 150.117 VARIATIONS.

(A) Purpose. The Community Development and Human Services Committee Planning and Zoning Board of Appeals may grant-recommend to the Mayor and Aldermen of the City a

variation in the regulations of this subchapter in harmony with its general purpose and intent, only in the specific instances and in accordance with standards and procedures hereinafter set forth.

(B) Procedure and notice of hearing. An application for a variation shall be filed in writing with the Building ~~Commissioner Official~~ on forms recommended by the ~~Community Development and Human Services Committee~~ Planning and Zoning Board of Appeals. Such application shall be forwarded from the Building ~~Commissioner Official~~ to the ~~Community Development and Human Services Committee~~ Planning and Zoning Board of Appeals with a request to hold a public hearing and thereafter set forth its findings and recommendations. The findings and recommendations of the ~~Community Development and Human Services Committee~~ Planning and Zoning Board of Appeals shall be made in writing and shall be ~~final~~ forwarded to the Mayor and Aldermen of the City. ~~A copy of the findings and recommendations of the Community Development and Human Services Committee shall be submitted to the applicant within 14 days of the date upon which they are made.~~ Notice of the time and place of such public hearing shall be published at least once, not more than 30 days or less than 15 days before the hearing, in a newspaper of general circulation published within the city.

Section 4. That Title XV (“Land Usage”), Chapter 166 (“Zoning Code”), is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

§ 166 ZONING CODE.

Section

- Administration and Enforcement
- 166.085 Various officials to enforce
- 166.086 Building ~~Commissioner Official~~
- 166.087 ~~Zoning Board of Appeals~~ Planning and Zoning Board of Appeals
- ~~166.088 Planning Commission~~
- 166.089 Zoning certificates
- 166.090 Occupancy certificates
- 166.091 Procedure for variances, special uses and the like
- 166.092 Variations
- 166.093 Appeals
- 166.094 Amendment of chapter
- 166.095 Special use permits
- 166.096 Fees

§ 166.003 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

~~PLANNING COMMISSION. The Planning Commission of the city.~~

(6) *YARD, TRANSITIONAL.* The yard which must be provided on a zoning lot in a commercial district, which adjoins a zoning lot in a residential district, or that yard which must be provided on a zoning lot in an industrial district, which adjoins a zoning lot in either a residential or commercial district.

ZONING ADMINISTRATOR. A City employee responsible for the interpretation of the City's land-use codes and bylaws, the coordination of enforcement efforts, and the promotion of zoning information.

ZONING BOARD. The Planning and Zoning Board of Appeals of the city.

§ 166.023 SCHEDULE OF USE CONTROLS

(E) *District I-1*

(2) *Special uses.*

- (a) Any permitted or special use in the C-1 or C-2 Commercial District;
- (b) Approval of the Planning and Zoning Board of Appeals ~~Commission~~ must also be obtained; and
- (c) Automobile body and fender shop.

§ 166.029 PARKING AND LOADING FACILITIES.

(E) Control of off-site parking facilities. In cases where parking facilities are permitted on land other than the zoning lot on which the building or use served is located, such facilities shall be in the same possession as the zoning lot occupied by the building or use to which the parking facilities are

accessory. Such possession may be either by deed or long term lease, the term of such lease to be determined by the Planning and Zoning Board of Appeals. The owner of the land on which the parking facilities are to be located shall be bound by covenants filed on record in the office of the County Recorder of Deeds or the County Registrar of Titles, requiring such owner, and his or her heirs and assigns, to maintain the required number of parking facilities for the duration of the use served or of the said lease, whichever shall terminate sooner.

§ 166.032 DWELLINGS CONTAINING 12 UNITS OR MORE.

(A) Application for a building permit to construct a multiple-family dwelling containing 12 units or more shall require approval of the ~~Planning Commission, the~~ Zoning Board of Appeals and a majority vote of the City Council. A site development plan shall be submitted by the applicant showing the location of the structure, driveways, walkways, parking layout, utility location, recreation areas, landscaping, existing uses and structures within 100 feet of the site, boundaries and any other elements deemed essential by the ~~Planning Commission, the~~ Zoning Board of Appeals and the City Council.

(B) All provisions of this chapter applying to the district in which the building is constructed shall be met as a minimum requirement. To assure the safety and welfare of the residents and neighbors and to enhance the natural qualities of the land, the ~~Planning Commission, the~~ Zoning Board of Appeals and the City Council shall make findings with respect to the following before approving the site plan.

§ 166.033 PLANNED DEVELOPMENT.

Planned development shall be permitted in appropriate zones only after specific recommendation of approval by the ~~Planning Commission, the~~ Zoning Board of Appeals and approval by City Council as set forth under § 166.095 of this chapter and as follows.

(A) The application shall show the proposed use or uses, dimensions and locations of proposed structures and of areas to be reserved for vehicular and pedestrian traffic, parking, public uses such as schools and playgrounds, landscaping and other open spaces; architectural drawings and sketches showing the design of structures and their relationship; and such other information as may be requested by the bodies referred to above for a determination that it is desirable to deviate from certain other provisions of this chapter.

(B) The application shall be filed with the City Clerk as provided in § 166.095(C) of this chapter. Where deemed advisable by the ~~Planning Commission and~~ Zoning Board of Appeals, all information required for preliminary approval of subdivision plats may also be required in the application for a planned development.

§ 166.053 BUILDING NOT IN CONFORMANCE WITH DISTRICT REGULATIONS; CONTINUANCE OF.

(8) Where the application of the amortization schedule of divisions (F)(1), (F)(2) or (F)(3) above would cause two or more buildings or structures in common ownership or possession and located upon the same lot or adjoining lots or parcels of land to be removed or reconstructed at different periods, the Planning and Zoning Board of Appeals shall have the authority, upon petition, to extend the amortization period for not more than the longest period permitted one of the buildings or structures.

(G) Condemnation.

(1) The city, at any time, and from time to time, by ordinance duly enacted and in accordance with the authority vested in it by state law, may:

(a) Acquire by condemnation of any non-conforming building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, and all land which is necessary or appropriate for the rehabilitation or redevelopment of the area blighted by such non-conforming building or structure;

(b) Remove or demolish all such non-conforming buildings and structures so acquired;

(c) Hold and use any remaining property for public purposes; and

(d) Sell, lease or exchange such property as is not held for public purposes, subject to the provisions of this chapter, or any amendment hereto.

~~(2) No such acquisition by condemnation shall be made until such time as the Planning Commission and Zoning Board of Appeals, at the request of the City Council, or upon its own initiative, has made a study of the area within which such non-conforming building or structure is located and has filed a written report on such study with the City Council.~~

§ 166.085 VARIOUS OFFICIALS TO ENFORCE.

(A) The administration of this chapter is hereby vested in ~~three~~ two offices of the government of the city, as follows:

(1) Office of the Building ~~Commissioner-Official~~; and

(2) the Planning and Zoning Board of Appeals

~~(3) City Planning Commission.~~

(B) This subchapter shall set out the authority of each of the above ~~three~~ two offices, and then describe the procedure and substantive standards with respect to the following administrative functions:

(1) Issuance of zoning certificates;

(2) Issuance of occupancy certificates;

(3) Variations;

(4) Appeals;

(5) Amendments;

(6) Special uses; and

(7) Fees.

§ 166.086 BUILDING COMMISSIONER OFFICIAL.

The Building ~~Commissioner~~ Official of the city and such deputies or assistants as have been, or shall be duly appointed by the Mayor, shall enforce this chapter and, in addition thereto, and in furtherance of such authority shall:

- (A) Issue all zoning certificates and make and maintain records thereof;
- (B) Issue all certificates of occupancy and make and maintain records thereof;
- (C) Conduct inspections of buildings, structures, and uses of land to determine compliance with the terms of this chapter;
- (D) Maintain permanent and current records of this chapter including, but not limited to, all maps, amendments, special uses, variances, appeals and applications therefor;
- (E) Provide and maintain a public information service relative to all matters arising out of this chapter;
- (F) Receive from the City Clerk copies of all applications for amendments, special uses, variances and appeals to review for compliance with applicable ordinances;
- (G) Issue permits regulating the erection and use of tents for periods not to exceed 15 days for specific purposes such as temporary carnivals, churches or charitable uses, which are not detrimental to the public health, safety, morals, comfort, convenience or general welfare; provided, however, that, said tents or operations are in conformance with all other ordinances and codes of the city; and
- (H) Review, from time to time, a study of the provisions of this chapter, and make reports of any recommendations to the Planning ~~Commission~~ and Zoning Board of Appeals not less frequently than once a year.

§ 166.087 PLANNING AND ZONING BOARD OF APPEALS.

(A) Creation and membership. There is hereby established ~~a~~ the Planning and Zoning Board of Appeals. The members of the Planning and Zoning Board of Appeals shall be appointed by the Mayor with the consent of the City Council. The Board shall consist of seven members to serve for a term of five years. One of the members so appointed shall be named as Chairperson at the time of his or her appointment. The Board shall elect from its members an acting Chairperson to act whenever the Chairperson is absent. The Chairperson and members of the Board shall serve until the expiration of their terms, or until their respective successors have been duly appointed and qualified. Vacancies shall be filled for the unexpired term of the member whose place has become vacant, in the manner herein provided for the appointment of such member. The amount of compensation and expenses of the Board or any member thereof shall be as provided by any appropriation ordinance.

(B) Jurisdiction. The Board is hereby vested with the following jurisdiction and authority:

- (1) Hear and decide appeals from any order, requirement, decision or determination made by the Building ~~Commissioner~~ Official under this chapter;
- (2) Hear and ~~pass upon the~~ make recommendations to the Mayor and Aldermen of the City regarding applications for variances and special use permits in the manner prescribed by and subject to the standards established in this chapter;
- (3) Review and hear all applications for text and map amendments to this chapter, including pre- annexation agreements, and report said findings and recommendations to the City Council in the manner prescribed in § 166.094 of this chapter for amendments;
- (4) Receive from the Building ~~Commissioner~~ Official his or her recommendations as to the effectiveness of this chapter and report its conclusions and recommendations to the City Council not less frequently than once a year; and
- ~~(5) Receive recommendations from the Planning Commission on applications for special use, text and map amendments; and~~

(6 5) Hear and ~~decide~~ make recommendations to the City Council with regard to all matters referred to it or upon which it is required to pass under this chapter, or prescribed by the applicable provisions of state law.

(C) Meetings and rules. All meetings of the Board shall be held at the call of the Chairperson and at such times as the Board may determine. All hearings conducted by the Board shall be open to the public. Any person may appear and testify at a hearing either in person or by duly authorized agent or attorney. The Chairperson or, in his or her absence, the acting Chairperson may administer oaths and compel the attendance of witnesses. The Board shall keep minutes of its proceedings and shall also keep records of its hearings and other official actions. A copy of every rule or regulation, order, requirement, decision or determination of the Board shall be filed in the office of the Building ~~Commissioner~~ Official, and shall be a public record. The Board shall adopt its own rules and procedures, not in conflict with this chapter or with applicable state law and select or appoint such officers as it deems necessary.

~~§ 166.088 PLANNING COMMISSION.~~

~~-(A) Creation. The City Planning Commission, as established under § 32.08 of this code of ordinances, is the Planning Commission referred to in this chapter.~~

~~-(B) Jurisdiction. The Planning Commission, in addition to the powers and duties set forth in § 32.08 of this code of ordinances or any other ordinance, shall have the following additional duties: to receive from the City Clerk copies of all applications for special use, text and map amendments or such other applications provided by ordinance or by state law; to review the same, and to make its recommendations to the Zoning Board of Appeals.
(1991 Code, § 162.78) (Ord. 2151, passed 6-28-1971)~~

§ 166.091 PROCEDURE FOR VARIANCES, SPECIAL USES AND THE LIKE.

(A) (1) Any applicant requesting a zoning amendment, a special use, a variation of bulk and coverage controls or any other type of zoning permit, pursuant to the terms and provisions of this chapter, as amended, shall publish notice of the public hearing to be held by the Planning and Zoning Board of Appeals to consider the application by erection of at least one, but not more than four, signs on the real property which is the subject matter of the application. The sign(s) shall be furnished and erected by the applicant at the applicant's sole cost and expense. The number, size, location and content of the sign(s) shall conform to the additional requirements of this chapter.

§ 166.092 VARIATIONS.

(A) Purpose. The City Council, by ordinance, may grant a variation in the regulations of this chapter in harmony with their general purpose and intent, only in the specific instances and in accordance with standards and procedures hereinafter set forth.

(B) Procedure. An application for a variation shall be filed in writing with the ~~City Clerk~~ Zoning Administrator on forms recommended by the Planning and Zoning Board of Appeals and prepared by the ~~City Clerk~~ Zoning Administrator. Such application shall be forwarded from the ~~City Clerk~~ Zoning Administrator to the Planning and Zoning Board of Appeals with a request to hold a public

hearing and thereafter set forth its findings and recommendations to the City Council. Notice of the time and place of such public hearing shall be published at least once, not more than 30 days, or less than 15 days, before the hearing, in a newspaper of general circulation published within the city. The published notice may be supplemented by such additional notice as Planning and Zoning Board of Appeals by rule, may require.

(1) Standards. The City Council shall not vary the regulations relating to use, construction or alteration of buildings or structures or the use of land as authorized in this chapter, unless the Planning and Zoning Board of Appeals shall have made findings based upon the evidence presented to it in each specific case that the following conditions have been complied with:

(a) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;

(b) The proposed variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship which would result if the strict letter of the regulations were carried out and which is not generally applicable to other property within the same district;

(c) The alleged hardship has not been created by any person presently having a proprietary interest in the premises;

(d) The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood;

(e) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire or endanger the public safety;

(f) The proposed variation will not alter the essential character of the neighborhood; and

(g) The proposed variation is in harmony with the spirit and intent of this chapter.

(2) The Planning and Zoning Board of Appeals may recommend the imposition of such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards established above, to reduce or minimize the effect of such variation upon other properties in the neighborhood, and to better carry out the general intent of this chapter.

(DC) *Authorized variations.*

(1) Variations from the regulations of this chapter shall be granted by the City Council only in accordance with the standards established in this section and only in the following instances:

(a) To permit any yard or setback less than a yard or a setback required by the applicable regulations;

(b) To permit the use of a lot or lots for a use otherwise prohibited solely because of insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than 75% of the required area and width;

(c) To permit the same off-street parking facility to qualify as required facilities for two or more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week;

(d) To reduce the applicable off-street parking or loading facilities required by not more than one parking space or loading space, or 20% of the applicable regulations, whichever number is greater;

(e) To increase by not more than 25% the maximum distance that required parking spaces are permitted to be located from the use served;

(f) To allow a fence, wall or hedge in excess of the height limitations specified in this chapter; and

(g) In such other instances as may be provided by law.

(2) No ordinance of the City Council granting a variance shall be valid for a period longer than six months from the date of such ordinance unless the building permit is obtained within such period and the erection or alteration of a building is started or the use is commenced within such period.

§ 166.093 APPEALS.

(A) An appeal may be taken to the Planning and Zoning Board of Appeals by any person, firm or corporation, or by any office, department, board or bureau aggrieved by a decision of the ~~Building Commissioner-Official~~. Such an appeal shall be taken within 30 days after the decision on the action complained of, by filing with the ~~Building Commissioner-Official~~ a notice of appeal specifying the grounds thereof. The ~~Building Commissioner-Official~~ shall forthwith transmit to the Planning and Zoning Board of Appeals all of the papers constituting a record upon which the action appealed from was taken.

(B) An appeal shall stay all proceedings in furtherance of the action appealed from unless the ~~Building Commissioner-Official~~ certifies to the Planning and Zoning Board of Appeals, after the notice of the appeal has been filed with him or her, that by reason of facts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life and property, in which case the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Planning and Zoning Board of Appeals or by a court of record.

(C) The Planning and Zoning Board of Appeals shall select a reasonable time and place for the hearing of the appeal and give due notice thereof to the parties by mailing notice thereof to the parties in interest, said mailing to be made at least ten days prior to the date of hearing. The Board shall thereafter reach its decision within 60 days from the filing of the appeal. The Board may affirm or may reverse wholly or in part, or modify the order, requirement, decision or determination, and to that end, shall have all the powers of the officer to whom the appeal is taken. The ~~Building Commissioner-Official~~ shall maintain records of all actions of the Board relative to appeals.

§ 166.094 AMENDMENT OF CHAPTER.

(A) Authority. The City Council may, from time to time, in the manner hereinafter set forth, amend the regulations imposed in the districts created by this chapter or amend district boundary lines; provided that, in all amendatory ordinances adopted under the authority of this section, due allowance shall be made for existing conditions, the conservation of property values, the direction of building development to the best advantage of the entire city and the uses to which property is devoted at the time of the adoption of such amendatory ordinance.

(B) Initiation of amendment. Amendments may be proposed by the City Council, the ~~Planning Commission and~~ Planning and Zoning Board of Appeals or by any owner or owners of property within a zoning district which would be affected by such amendment or the duly authorized agent or agents thereof.

(C) Application. An application for an amendment shall be filed with the ~~City Clerk~~ Zoning Administrator on a suitable form provided by the ~~City Clerk~~ Zoning Administrator, accompanied by such information and data as is recommended by the ~~Planning Commission and prescribed by the~~ Zoning Board of Appeals. Copies of such application shall be forwarded by the ~~City Clerk~~ Zoning

~~Administrator to the Planning and Zoning Board of Appeals with a request to hold a public hearing thereon, to said Planning Commission with a request that recommendations relative thereto be submitted to the Zoning Board of Appeals prior to or at the public hearing, and to the Building Commissioner Official for examination of the application and compliance with all applicable ordinances.~~

(D) Hearing. The Planning and Zoning Board of Appeals shall hold a public hearing on each application for an amendment at such time and place as shall be established by the Board. The hearing shall be conducted and a record of such proceedings shall be preserved in such manner as the Board shall, by rule, prescribe from time to time.

(E) Notice. Notice of time and place of such hearing shall be published at least once in one or more newspapers of general circulation within the city, not more than 30, nor less than 15, days before such hearing. Supplemental or additional notices may be published or distributed as the Planning and Zoning Board of Appeals may, by rule, prescribe from time to time.

(F) Findings.

(1) The Planning and Zoning Board of Appeals shall make written findings of fact and shall submit same together with its recommendations to the City Council within 30 days of the public hearing. Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, Planning and Zoning Board of Appeals shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:

- (a) Existing uses of property within the general area of the property in question;
- (b) The zoning classification of the property within the general area of the property in question;
- (c) The suitability of the property in question to the uses permitted under the existing zoning classification;
- (d) The trend of development, if any, in the general area of the property in question; and
- (e) Projected use of the property, as indicated in the comprehensive plan.

(2) The Planning and Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such amendment is in the public interest and is not solely for the interest of the applicant. The Board may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this division (F), the R-1 District shall be considered the highest classification and the I-2 District shall be considered the lowest classification.

(G) Action by City Council.

(1) The City Council shall not act upon a proposed amendment to this chapter until it shall have received a written report and recommendation from the Planning and Zoning Board of Appeals on the proposed amendment.

§ 166.095 SPECIAL USE PERMITS.

(C) Application. An application for a special use shall be filed with the ~~City Clerk Zoning Administrator~~ on a suitable form provided by the ~~City Clerk Zoning Administrator~~ and shall be accompanied by such plans and other data as are recommended by the ~~Planning Commission~~ and

~~prescribed by the~~ Zoning Board of Appeals, and shall include a statement in writing by the applicant and adequate evidence showing that the proposed special use will conform to the standards hereinafter set forth. Copies of such application shall be forwarded by the ~~City Clerk-Zoning Administrator~~ to the Planning and Zoning Board of Appeals with a request to hold a public hearing thereon, ~~to the Planning Commission with a request that recommendations relative thereto be submitted to the Zoning Board of Appeals prior to or at the public hearing,~~ and to the Building ~~Commissioner-Official~~ for examination of the application and compliance with all appliance ordinances.

(D) Hearing. Upon receipt in proper form of the application and statement, the Planning and Zoning Board of Appeals shall hold at least one public hearing on the proposed special use. Notice of the time and place of such hearing shall be published at least once in one or more newspapers of general circulation within the city, not more than 30, nor less than 15, days prior to such hearing. The published notice may be supplemented by such additional forms of notice as the Planning and Zoning Board of Appeals may, by rule, require.

(E) Authorization. For each application for a special use, the Planning and Zoning Board of Appeals shall report to the City Council its findings and recommendations, including the stipulation of additional conditions and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest. If an application for a proposed use is not acted upon finally by the City Council within 90 days of the date upon which such application is received by the City Council, it shall be deemed to have been denied.

(F) Standards. No special use shall be recommended by the Planning and Zoning Board of Appeals unless such Board shall find that:

(1) The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;

(2) The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

(6) The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Planning and Zoning Board of Appeals.

(G) Special conditions and guarantees. Prior to the granting of any special use, the Planning and Zoning Board of Appeals, and the City Council shall stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified herein. In all cases in which special uses are granted, the City Council shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

(H) Adult regulated special use.

(3) Locations near residential areas. It shall be unlawful to hereafter establish any adult book store, adult motion picture theater, adult mini theater or adult entertainment cabaret within 1,500 feet of

any area zoned for residential use or use by churches or schools. This prohibition may be waived if the person applying for the waiver shall file with the Planning and Zoning Board of Appeals a petition which indicates approval of the proposed regulated use by 60% of the persons owning, residing or doing business within a radius of 1,500 feet of the location of the proposed use. The petitioner shall attempt to contact all eligible locations within this radius, and must maintain a list of all addresses at which no contact was made.

(a) The Planning and Zoning Board of Appeals shall adopt rules and regulations governing the procedure for securing the petition of consent provided for in division (H)(3) above. The rules shall provide that the circulator of the petition requesting a waiver shall subscribe to an affidavit attesting to the fact that the petition was circulated in accordance with the rules of the Board, that the circulator personally witnessed the signatures on the petition, and that the same were affixed to the petition by the person whose name appeared thereon.

(b) The Planning and Zoning Board of Appeals shall not consider the waiver of locational requirements set forth in division (H)(3) above until the above described petition shall have been filed and verified.

(4) Application for adult regulated special use. An application for an adult regulated special use shall be filed with the City Clerk on a suitable form provided by the City Clerk, shall be accompanied by such plans and other data recommended by the ~~Planning Commission and prescribed by the~~ Zoning Board of Appeals, and shall include a statement in writing by the applicant along with adequate evidence showing that the proposed adult regulated special use will conform to the standards hereinafter set forth shall be supported by the waiver of location requirements as set forth in this division (H). Copies of such application shall be forwarded by the City Clerk to the Planning and Zoning Board of Appeals with a request to hold a public hearing thereon, ~~to the Planning Commission with a request that recommendations relative thereto be submitted to the Zoning Board of Appeals prior to or at the public hearing, and to the Building Commissioner-Official~~ for examination of the application and compliance with all applicable ordinances.

(5) Hearing on application. Upon receipt in proper form of the application and statement, the Planning and Zoning Board of Appeals shall hold at least one public hearing on the proposed adult regulated special use. Notice of the time and place of such hearing shall be published at least once in one or more newspapers of general circulation within the city, not more than 30, nor less than 15, days prior to such hearing. The published notice may be supplemented by such additional forms of notice as the Planning and Zoning Board of Appeals, by rule, requires.

(6) Authorization. For each application for an adult regulated special use, Planning and Zoning Board of Appeals shall report to the City Council its findings and recommendations, including the stipulation of additional conditions and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest. If an application for a proposed adult regulated special use is not acted upon finally by the City Council within 90 days of the date upon which such application is received by the City Council, it shall be deemed to have been denied.

(7) Standards. No adult regulated special use shall be recommended by the Planning and Zoning Board of Appeals unless such Board shall find that:

(f) The adult regulated special use, in all respects, conforms to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Planning and Zoning Board of Appeals.

(8) Conditions and guarantees. Prior to the granting of any adult regulated special use, the Planning and Zoning Board of Appeals may recommend, and the City Council shall stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the adult regulated special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified herein. In all cases in which adult regulated special uses are granted, the City Council shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

(I) Planned developments. Planned developments are of such substantially different character from other special uses that specific and additional standards and exceptions are hereby established to govern the report of the Planning Commission, the recommendation of the Planning and Zoning Board of Appeals and the action of the City Council.

(1) Purposes. Some specific purposes of the planned development procedure are:

(2) Required information. The developer shall be required to submit the following information, and any other information that may be required by the Planning and Zoning Board of Appeals ~~and the Planning Commission~~:

(3) Use exceptions. The Planning and Zoning Board of Appeals may recommend and the City Council may authorize that there be in part of the area of such development, and for the duration of such development, specified uses not permitted by the use regulations of the district in which said development is located; provided, the Planning and Zoning Board of Appeals finds that:

(4) Bulk regulations. In the case of any planned development, the Planning and Zoning Board of Appeals may recommend and the City Council may authorize exceptions to the applicable bulk regulations of this chapter within the boundaries of such development; provided, the Planning and Zoning Board of Appeals finds that:

(J) Denial of a special use. No application for a special use which has been denied wholly or in part by the City Council shall be resubmitted for a period of one year from the date of said order of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Planning and Zoning Board of Appeals and the City Council.

(K) Revocation. In any case where a special use has not been established within one year after the date of granting thereof, then without further action by the Planning and Zoning Board of Appeals or the City Council the authorization for the special use shall be null and void.

§ 166.127 NONCONFORMING SIGNS.

(B) As an incentive to encourage the removal of nonconforming signs, the City Council, after review and recommendation by the ~~Community Development Committee~~ Planning and Zoning Board of Appeals, is expressly authorized to waive sign permit fees and special use permit application fees and approve special use permit requests for replacement signs. In deciding such requests, the ~~Community Development Committee~~ Planning and Zoning Board of Appeals must consider whether the public benefit derived from removal and replacement will be generally proportionate to the fee waiver and/or deviation requested. The ~~Community Development Committee~~ Planning and Zoning Board of Appeals is also authorized to approve minor exception requests for replacement signs if the ~~Committee~~ Board determines that the public benefit derived from removal and replacement will be generally proportionate to the exception requested.

§ 166.127 SIGN VARIATIONS.

The ~~Community Development Committee~~ Planning and Zoning Board of Appeals shall hear and ~~decide~~ make recommendations to the City Council with regard to ~~upon~~ requests for variations from the city sign ordinance.

(A) *Determination of need for a variation.* It shall be the duty of the Zoning Administrator, after an application for any sign permit, to ~~determine and~~ advise the applicant whether under the provisions of this subchapter, a sign variation is required.

(B) *Preliminary conference.*

(1) Any applicant for a sign permit that requires a variance may file a written request for a preliminary conference with the ~~Community Development Committee~~ Planning and Zoning Board of Appeals. At the conference, the ~~Community Development Committee~~ Planning and Zoning Board of Appeals shall give consideration to preliminary exterior drawings, sketches or photographic examples, landscape and site plans and materials on a specific project, and shall provide the applicant with guidance in the development of a plan which would be consistent with the requirements and purposes of this subchapter.

(2) Notice of this preliminary meeting shall be provided to tenants within 250 feet of the subject property. Notice will be by mail and shall be given no more than 30 days nor less than 15 days before the meeting. Such notice shall include the time and place of the hearing, a general description of the contents of the request to be heard, and the address or location of the property to which the request applies.

(C) *Procedure.*

(1) An applicant for a sign permit that requires a variation shall apply to the ~~Community Development Committee~~ Planning and Zoning Board of Appeals for such variation and shall submit all items as required in subsection (3) below. Upon receipt of such application, the ~~Community Development Committee~~ Planning and Zoning Board of Appeals shall schedule a meeting where the applicant shall be given an opportunity to make a presentation and all interested parties shall be given the opportunity to comment.

(2) Notice of public hearings on requests for variances shall be given no more than 30 days nor less than 15 days before the hearing by publication in a newspaper of general circulation in the city. Such notice shall include the time and place of the hearing, a general description of the contents of the request to be heard, and the address or location of the property to which the request applies. The published notice may be supplemented by such additional form of notice as provided by rule of the hearing body.

(3) At the time of the public hearing, the applicant shall provide the ~~Committee Board~~ with the following documents depicting exterior design features:

- (a) Drawings which shall include plans, elevations, and site plans;
- (b) Landscaping and screening plans (when appropriate);
- (c) Renderings and specifications for signs;
- (d) A statement as to kind, color and texture of materials; and
- (e) All documents shall be drawn to scale.

(4) Based upon the findings of fact in division (D) below, the ~~Community Development Committee~~ Planning and Zoning Board of Appeals shall ~~render its decision~~ make its recommendation to the Mayor and Aldermen of the City within 30 days of the conclusion of the hearing and shall notify the Zoning Administrator, or his/her designee, and the applicant of its decision. The concurring vote of a majority of the members of the ~~Community Development Committee~~ City Council shall be necessary to grant a variance. The order of the ~~Committee~~ City Council shall be by written resolution and contain its findings of fact.

(5) Upon the granting of a variation by the City Council, the exterior drawings, sketches, landscape and site plans, renderings and materials upon which the variance was granted shall be turned over to the Zoning Administrator, whose responsibility it shall be to determine that, upon completion, there have been no deviations from the approval regarding sign design, aesthetics, or regulations contained within this subchapter.

(6) The Building and Zoning Department will be responsible for inspecting the built sign plans and built sign to ensure that it does not deviate from this and other city codes related to structural, electrical, and any other regulations contained in this subchapter or other city codes. Such deviations shall constitute a violation of this subchapter, in which event the Zoning Administrator or Building and Zoning Department may stop work on the project in the same manner as for a violation of the city code. Work may not be resumed until such deviations are corrected.

(7) It shall be the duty of the person to whom a variation has been granted to comply with the requirements and/or conditions of the variation and to obtain such inspections as are necessary to assure compliance. The Building Official shall give notice to said person of any deficiencies found to exist. Failure to correct any deficiencies within ten days after receipt of notification of such deficiency shall constitute a violation of this subchapter.

(D) *Findings of fact.* After hearing and considering the materials presented, the ~~Community Development Committee~~ Planning and Zoning Board of Appeals shall ~~grant~~ recommend a variation if it finds that:

(1) The applicant's plans are substantially consistent with the design criteria of this subchapter;

(2) The proposed exterior design features of the sign are suitable and compatible with the character of neighboring buildings and structures existing or under construction and with the character of the neighborhood and the applicable zoning district, and enhance the environment of the city;

(3) The exterior design features of the sign will not be detrimental to the harmonious and orderly growth of the city; or

(4) The exterior design features of the sign will not cause a substantial depreciation in the property values in the neighborhood.

~~(E) Appeal.~~

~~(1) Within 15 days of receipt of a denial of a variation, the applicant and/or his or her representative may appeal the Committee's decision to the City Council. The City Council, within 45 days of the applicant filing his or her appeal, shall affirm, reverse or modify the decision of the Committee after due consideration of the facts contained in the record, which the Committee shall submit to the City Council within ten working days of the filing of the appeal. The City Council may receive comments on the contents of the record, orally at the meeting or in writing, not less than ten days prior to the meeting at which the Council will first consider the appeal but shall not consider any new matters that were not presented during the Board hearings.~~

~~(2) The city shall, within seven days of its decision, advise the applicants and the Board, in writing, of its final decision and shall direct the Board to advise all affected departments of the city government.~~

~~(3) The failure of the City Council to affirm, modify or reverse the decision of the Board within 45 days of the applicant filing his or her appeal shall be considered as an affirmance by the City Council of the decision of the Board and a denial of the appeal, and the Board shall so notify the applicant and the affected departments of the city government. The decision of the City Council will be the final administrative decision of the city.~~

§ 166.130 ENFORCEMENT.

Any violation or attempted violation of this subchapter of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to city codes and state law.

(A) The Building ~~Commissioner~~ Official, Building and Zoning Department Inspectors and Code Enforcement Officers for the city are authorized to inspect all signs and to issue notices of violations and a summons to appear at a hearing conducted pursuant to the provisions of the local ordinance court of the city. The official issuing the notice of violation and summons shall photograph the violation as proof thereof and preserve said photograph for the hearing.

(B) In the event that any person, business, commercial or industrial establishment fails to pay any fine imposed, after a hearing and conviction for a violation of this subchapter, within 30 days of the date of the imposition of the fine, the business registration and license for the establishment shall be immediately suspended until payment is made.

(C) (1) In the event the licensee of any business or commercial establishment is convicted of three or more violations of this subchapter for violations occurring within any 90-day period, the licensee of the establishment shall be required to appear before the ~~Community Development Committee of the City Council~~ Planning and Zoning Board of Appeals for a hearing to show cause as to why the business registration and license should not be suspended or revoked. After such hearing the ~~Community Development Committee~~ Planning and Zoning Board of Appeals may act to recommend to the Mayor and Aldermen of the City suspension or revocation of the license.

(2) If the ~~Community Development Committee~~ City Council finds sufficient cause to suspend or revoke the establishment's business registration and license, the establishment shall cease operations for the period specified by the ~~Community Development Committee~~ City Council.

~~(3) If the establishment desires to appeal the decision of the Community Development Committee, it shall apply to the Mayor, in writing, for a hearing before the Mayor and City Council. The Mayor and City Council may affirm, reverse or modify the decision of the Community Development Committee.~~

Section 5. That the Blue Island Uptown Transit Oriented Zoning District Ordinance, adopted June 12, 2012 and incorporated within Title XV ("Land Usage"), Chapter 166 ("Zoning Code"), Section 166.007 ("Uptown-Transit Oriented Development (U-TOD) District Adopted by Reference"), is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

§ 4.06.4 General District Regulations

B. General Use Regulations

3) Interpretation of Use Lists

Land uses (special or prohibited) which though not contained by name in the Table of Use Regulations (Section 4.06.05), and are deemed to be similar in nature and clearly compatible with the listed uses, may be allowed. Such approval for non-listed uses shall not be approved by the Zoning Administrator until the application for such use has been reviewed by the Planning and Zoning Board of Appeals ~~Commission~~ and approved by the City Council. All non-listed uses which are approved by the City Council shall be added to the Table of Use Regulations by ordinance.

§ 4.06.6 Design Regulations

D. Lighting

- 1) All lighting mounted under a canopy or awning, including, but not limited to, luminaries mounted on or recessed into the lower surface of a canopy, shall be full cutoff, and shall not provide for internal illumination. Blue Island Uptown – TOD Code
- 2) Wall lights, where used, shall be full cutoff and fully shielded.
- 3) Task focused lighting is permitted at gas stations, ATM drive-through, and similar uses as approved by the Zoning Administrator, and must include an internal louver so the light focuses directly on the task area and does not spill onto the pavement.

H. Sign Standards

2) Large Signs and Murals on Existing Blank Walls

- a) Intent. Many existing buildings still have large expanses of blank windowless walls that can be a detriment to the streetwall, and can make the buildings look dull and vacant. These blank areas, however, do provide an opportunity for unique large signs and murals that can add interest and variety to the street.

Historically, Main Streets boasted a variety of large signs, especially in the Mid-20th Century Storefronts. As upper floors often went unused, the whole facade sometimes became an advertising “billboard” for the store. Giant signage proclaimed the name and was easily readable by a new fast moving, driving customer base.

These unique signs will be permitted by the Planning and Zoning Board of Appeals-Commission on a case by case basis, after review and recommendation by the City Staff, provided the following requirements are met:

- b) Large signs and Murals are only permitted on existing buildings that already have significant expanses of blank wall areas.
- c) Blank, windowless walls are not permitted in new buildings.

- d) Existing upper level windows are not allowed to be covered with a new fake blank facade to locate large signs. Blue Island Uptown – TOD Code
- e) Sign and mural size cannot exceed 60% of the blank wall area. Sign types include:
 - i) Painted signs and mural.
 - ii) Large Individual Letters.
- f) These have to be located on the upper floors of buildings, or the side facades facing streets or alleys. These are not allowed at the street level.

3) Sign Design Standards

d) Lighting

- i) Internally lit signs may be permitted only if approved by the Planning and Zoning Board of Appeals-Commission and consistent with the historic character of Uptown Blue Island and the sign guidelines in this Section 4.06.6.
- ii) The use of gooseneck lighting and signs lit by flood lights is encouraged
- iii) Only the illumination of the cut-out letters of internally illuminated wall or projecting signs is permitted.
- iv) Signs may be backlit or illuminated by spot lights; however, all light sources shall be located or shielded to ensure that the light source is not visible to the public from the sidewalk, street, or adjacent property to prevent glare.
- v) The use of neon lighting as an accent is permitted for projecting, window and wall signs in the U-TOD District, subject to the following:
 1. Neon lighting shall be used as an accent material on projecting and wall signs, such as for letters, logos and/or sign details. No projecting, window or wall sign may be entirely illuminated with neon.
 2. Neon lighting on projecting and wall signs shall not be illuminated during the daylight hours. When lit, neon

lighting must be continuously illuminated. Flashing neon is prohibited.

3. Neon lighting on projecting and wall signs shall not be combined with any reflective materials (e.g., mirrors, polished metal, highly-glazed tiles, or other similar materials) that would cause glare and increase the spread of light.
4. Neon lighting to outline buildings or building elements, such as doors and windows, is prohibited.

5) **Preservation of Old Signs**

Great signs can become an important part of a street's identity and heritage. The Zoning Administrator shall determine if certain signs qualify for preservation and can remain after the business has closed. Businesses and building owners shall contact the City prior to the removal of a sign to determine if the sign will qualify for preservation.

§ 4.06.8 Application Procedures

B. How to Obtain Project Approval. The intent of the City is to reward those projects that meet the intent of the *Blue Island Plan for Economic Development*, and all the requirements of the Section 4.06, with an expedited review and approval process.

1) **Pre-application Conference.** Prior to the official submission of any application, the applicant shall meet with the Zoning Administrator or her/his designee for a preliminary review of:

- a) The scope and nature of the proposed improvement;
- b) The types of building forms and uses proposed; and
- c) Any site or façade improvements proposed.

The applicant shall be prepared to present conceptual plans, sketches or any other information necessary to explain the proposed improvements, including any specific requests to deviate from the standards of this Ordinance. The Zoning Administrator or her/his designee will provide general information and direction relative to the long-range goals of the

Blue Island Plan for Economic Development and the regulations in this Section 4.06. The Zoning Administrator will provide direction on the applications, reviews, and meetings that will be required to obtain approval.

2) **Administrative Review and Approval.** Review of permitted uses and minor changes to existing structures or sites only require administrative review and approval by the Zoning Administrator.

a) Administrative approvals may comprise of reviews from City staff, including Community Development Department, Building Department, Public Works and Engineering, and Police Department, and the City's consultants. All administrative reviews and approvals will require an application be submitted to Zoning Administrator.

b) The Zoning Administrator may require an improvement that qualifies for administrative review to go through site plan review if the application does not comply with the standards herein, or if the Zoning Administrator determines that the scope of the project exceed his/her administrative authority.

3) **Site Plan/Design Review by Planning and Zoning Board of Appeals Commission.** Review of permitted uses and major changes to existing structures or sites require review and approval by the Planning and Zoning Board of Appeals Commission, without further review by the City Council.

4) **Planning and Zoning Board of Appeals Commission and City Council Review and Approval.** The Planning and Commission or Zoning Board of Appeals and City Council shall review all applications that involve a change in zoning, special use, variation, require a subdivision, and all Planned Development applications, and any other application requiring a public hearing before the Planning and Commission, Zoning Board of Appeals, and/or City Council.

	Administrative Review	Historic Preservation Commission	Planning and Zoning Board of Appeals Commission	Zoning Board of Appeals	City Council	Estimated Approval Time
New Development/Redevelopment	R		R	---	D	2 months
Major reconstruction/addition	R		DR	---	R	1 month
Minor remodeling	D			---		1 month
Change of use	D			---		1 month
Change of owner	D			---		1 month
Site improvement (landscape, parking)	D			---		1 month
Outdoor dining	D			---		2 weeks

Signs	D		—		2 weeks
Large Signs & Murals on existing buildings	R	DR		D	
Internally illuminated signs	R	DR		D	
Awnings & canopies	D		—		2 weeks
Lighting	D		—		2 weeks
Façade Improvements	D		—		1 month
Collective and shared parking	D		—		1 month
Parking waiver	R	R	—	D	6 weeks
Variation	R	<R>	—	D	2 months
Special Use	R	<R>	<R>	D	2 months
Zoning Change/Amendment	R	<R>	—	D	2 months
Subdivision Plats	R	<R>	—	D	2 months
Local Landmark buildings	R	D	—		1 month

"R" = Review and recommendation; "D" = Final approval; "<>" = Public hearing

C. Information that Must be Submitted for Approval

- 1) **Administrative Review.** For those projects requiring only administrative review the following information is required to be submitted to the Zoning Administrator:
 - a) Site Plan Review Application
 - b) Conceptual Site Plan
 - c) Plat of Survey
 - d) Preliminary architectural sketch drawings, if applicable
 - e) Any other information as deemed necessary by Zoning Administrator

- 2) **Site Plan Review.** For those projects requiring site plan review the following information is required to be submitted to the Zoning Administrator:
 - a) All information as required for administrative review
 - b) Detailed Site Plan with topography
 - c) Landscape Plan
 - d) Engineering plans – utilities and stormwater management
 - e) Photometric and lighting plans, including fixture cut-sheets
 - f) Architectural plan and elevation drawings, indicating materials and colors
 - g) Color renderings
 - h) Sign plan
 - i) Any other information as deemed necessary by the Zoning Administrator

3) Special Use, Variation, Zoning Amendments, and Subdivision Review.

For those projects requiring public hearings and review by the Planning and Commission, Zoning Board of Appeals, and City Council, the procedures and submittal requirements shall be as provided in Article VIII, and the City Subdivision Code.

Section 6. The Code of Ordinances of the City of Blue Island, Illinois, is hereby amended by deleting all references to “*Plan Commission*” or “*Planning Commission*” or “*Zoning Appeals Board*” or “*Community Development Committee*” and inserting in lieu thereof the term “*Planning and Zoning Board of Appeals*,” unless otherwise provided for in this Ordinance.

Section 9. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 10. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 111. This Ordinance shall be in full force and effect immediately upon its passage and approval to ensure the public health, safety and welfare of the residents of the City

(Left intentionally blank)

ADOPTED this 14th day of September, 2021, pursuant to roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman MONTOYA	X				
Alderman RITA			X		
Alderman FAHRENWALD			X		
Alderman MCGEE		X			
Alderman CARR	X				
Alderman ROLL	X				
Mayor BILOTTO					
	4	1	2		

APPROVED by the Mayor on September 14, 2021.

FRED BILOTTO
MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this
14th day of September, 2021.

RAEANN CANELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
14th day of September, 2021.

RAEANN CANELO-ZYLMAN, CITY CLERK

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE

I, RAEANN CANTELO-ZYLMAN, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **September 14, 2021** the Corporate Authorities of such municipality passed and approved Ordinance No. **2021 - 043** Entitled:

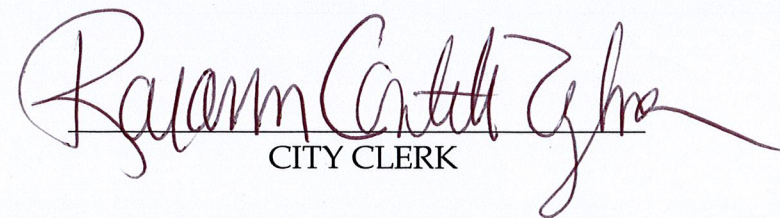
AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AMENDING TITLE XV, CHAPTER 150 AND TITLE XV, CHAPTER 166 OF THE CODE OF ORDINANCES OF BLUE ISLAND, ILLINOIS, REGARDING "PLANNING AND ZONING BOARD OF APPEALS".

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2021 - 43** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **September 14, 2021** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **14th** day of **September, 2021**.

CORPORATE SEAL


CITY CLERK

