



Agenda Memo

Crest Hill, IL

Meeting Date:	November 6, 2023
Submitter:	Ron Mentzer, Acting Community and Economic Development Director
Department:	Community Development
Agenda Item:	New Unconditional Agreement and Consent Requirements for Special Zoning Approval Ordinances

Summary: Acting City Administrator Gulden recently requested Community Development Department staff improve the City's special zoning approval process and related procedures to ensure:

1. Property owners, business owners, and developers (collectively "Applicant") who obtain City Council approval of a zoning variation, special use permit, or Planned Unit Development (collectively "Special Zoning Approvals") are made aware of (i) any special conditions the Special Zoning Approval is subject to and (ii) their obligation to comply with those conditions.
2. City Hall staff perform the inspections required to verify Applicant compliance with the conditions attached to Special Zoning Approvals.

To address Acting Administrator Golden's request, I recommend the City implement the following actions:

1. Incorporate a new standard condition in all future Special Zoning Approval ordinances presented for City Council approval that requires the Applicant to execute an Unconditional Agreement and Consent within 90 days of the City Council's approval of the Special Zoning Approval ordinance in order for the special approvals reflected in the ordinance to go into effect. Examples of how this standard condition would be incorporated into a Special Zoning Approval ordinance and the standard language of the recommended Unconditional Agreement and Consent are circled in red in the attached City of Warrenville Special Zoning Approval ordinance example.
2. Institute new steps in the Community Development Department's internal workflow processes and designate which staff position(s) will be responsible for (i) tracking the City's receipt of executed Unconditional Agreement and Consents before permits and licenses for the project or business are issued and (ii) ensuring the appropriate Special Zoning Approval ordinance conditions compliance inspections are performed.

3. Attach the executed Unconditional Agreement and Consent to the City Council-approved Special Zoning Approval ordinance and record that ordinance at the County Recorder's Office against the parcel numbers the Special Zoning Approval applies to.

Recommended Council Action: Authorize staff to implement the three above recommended actions.

Financial Impact: A relatively small amount of additional recording fees will be incurred to implement this recommendation.

Funding Source: Special zoning approval application fees.

Budgeted Amount: Not applicable.

Cost: Will vary depending on the number of Special Zoning Approval ordinances the City Council approves in any given year.

Attachments: Example City of Warrenton Special Zoning Approval ordinance.