

Section 5-108
Text and Map Amendments

SECTION 5-108. TEXT AND MAP AMENDMENTS.

- A. **Authority and Purpose.** The Board of Trustees is hereby authorized to amend the text of these regulations or the Zoning District Map in light of changing conditions and in light of changes to the Comprehensive Plan. The provisions of this Section are not intended to relieve particular hardships nor to confer special privileges.
- B. **Initiation of Amendment.** Amendments to the text of these regulations or the Zoning District Map may be initiated by the Board of Trustees, the Plan Commission, the Village Manager, any resident of the Village of Orland Park or any developer of any property located within the Village of Orland Park or its planning jurisdiction. Any amendment initiated by a resident which involves a single parcel of land shall require the submission of an application to the ~~Director of Community Development~~ **Services Department** in accordance with the provisions of Sections 5-101(B-D).
- C. **Review.** After receipt of a complete application for an amendment, the ~~Director of Community Development~~ **Services Department**, ~~in cooperation with the Development Review Committee,~~ shall complete the review of the application and shall send a written recommendation to a Committee of the Board of Trustees and to the Plan Commission, with a copy to the applicant, if any, setting forth whether the amendment should be granted or denied, setting forth a recommended zoning district classification, if any, and stating the grounds for any such recommendations as they relate to the standards and the purposes of the zoning district classifications of the Village, the standards in Subsection A, above, and the Comprehensive Plan and any adopted overlay plan. Such recommendation shall be submitted to a Committee of the Board of Trustees and to the Plan Commission at least five (5) days prior to the required public hearing.
- D. **Review by Committee.** The Committee of the Board of Trustees shall review the application for ~~an~~ amendments prior to the public hearing by the Plan Commission.
- E. **Action by Plan Commission.**
1. **Public Hearing.** The Plan Commission shall conduct a public hearing to consider any amendment to the text of these regulations or the Zoning District Map in accordance with the provisions of Section 5-101(E).
 2. **Text Amendment.** The Plan Commission shall review ~~the~~ **a** proposed **text** amendment, the recommendation of the ~~Director of Community Development~~ **Services Department**, and the testimony at the public hearing, and the Commission shall recommend to the Board of Trustees approval or denial of the amendment.
 3. **Map Amendment.** The Plan Commission shall review a proposed map amendment by considering the recommendation of the Development Services Department and the following factors, and shall recommend to the Village Board of Trustees approval or denial of the amendment.
 - a. **LaSalle Factors.** When reviewing an application for a map amendment (rezoning) the following factors apply for consideration. The factors below come principally from the 1957 case LaSalle v. County of Cook. The factors are known as the LaSalle Factors, which Illinois courts apply over rezoning

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issues.

1. The existing uses and zoning of nearby property;
2. The extent to which property values are diminished by a particular zoning classification or restriction;
3. The extent to which the destruction of property value of a petitioning property owner promotes the health, safety, morals, or general welfare of the public;
4. The relative gain to the public as opposed to the hardship imposed on a petitioning property owner;
5. The suitability of the subject property for its zoned purposes;
6. The length of time the property has been vacant as zoned, considered in the context of land development in the area;
7. The Comprehensive Plan designation and the current applicability of that designation; and
8. The evidence, or lack of evidence, of community need for the use proposed.

- F. **Action by Board of Trustees.** The Board of Trustees shall review the proposed amendment, the recommendations of the ~~Director of Community Development~~ **Services Department** and the Plan Commission, and shall grant or deny the amendment within thirty (30) days of receipt of the recommendation of the Commission.

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~~Diagram Text and Map Amendments Procedure~~

~~FOR VIEWING IN THE CLERK-S OFFICE~~