

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

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MEMORANDUM

TO: Chairman Burdette and Planning and Zoning Commission
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: Public Hearing – Sign Variances Zoning Code Text Amendment
DATE: October 28, 2024

Summary: Chapter 56, Article IX (formerly Chapter 154.156) addresses the process for handling any sign variance requests. While the zoning code generally states that the Planning and Zoning Commission is an advisory body to the City Council in such cases, the language is somewhat ambiguous. Staff recommends approval of the attached code amendment to update the process for sign variance requests to more clearly state that the PZC is the authoritative jurisdiction for such matters.

Background: The current language addressing the process for the handling of sign variance requests was adopted by the City Council in 2001. This draft amendment specifies the need to hold a public hearing with the PZC's recommendation to be sent to the Council for use in its decision to grant or deny the sign variance request. The amendment would also insert a baseline finding of fact determination to be utilized in the consideration of the request.

Staff recommends approval of the draft zoning code text amendment to revise the language pertaining to the handling of sign variance requests. This is scheduled for a public hearing at the November 6 PZC meeting to make a recommendation to the City Council as part of a first reading ordinance.

Attachment

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING REGULATIONS TO AMEND THE REQUIREMENTS RELATED TO SIGN VARIANCES

WHEREAS, the City of Washington, Tazewell County, Illinois (the “City”), is a home rule unit of government; and

WHEREAS, the City has established municipal zoning regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, within such zoning regulations are requirements for processing variances related to the City’s sign regulations; and

WHEREAS, the corporate authorities of the City, in the interest of the public health, safety and welfare have determined that it is appropriate to amend the requirements for processing variances related to the sign regulations; and

WHEREAS, public hearing(s) on the requested textual amendments were held before the Planning and Zoning Commission (the “Commission”) on November 6, 2024, in the manner prescribed by the City’s Municipal Code and by Illinois law; and

WHEREAS, after holding such public hearing(s), the Commission has recommended approval/denial of the adoption of the textual amendments as requested by the corporate authorities; and

WHEREAS, the corporate authorities of the City have determined that it is necessary and in the best interest to amend the zoning regulations to update the variance process for signs; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS AS FOLLOWS:

Section 1. The City of Washington hereby finds as fact the recitals set forth above and are incorporated herein as though fully set forth;

Section 2. That Chapter 56, Article IX, Sec. 56-273 of the City Code of the City of Washington, Tazewell County, Illinois, be, and the same hereby is deleted in its entirety and the following is substituted therein as follows:

“(a) Variances to this Article may be permitted by the City in appropriate cases, as described in this Chapter. Upon receipt of a variance request, the Planning and Zoning Commission shall hold at least one public hearing on the requested variance. Not more than thirty (30) days or less than fifteen (15) days in advance of such hearing, notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City. The Planning and Zoning Commission shall submit their recommendations on the

variance request to the City Council within thirty (30) days of said public hearing. The City Council thereafter may grant or deny any variance request.

(b) Notwithstanding anything herein to the contrary, a variance from the provisions or requirements of this Article shall be granted only where:

- (1) The literal interpretation and strict application of the provisions and requirements of this section would cause undue and unnecessary hardship to the applicant because of unique or unusual conditions pertaining to the specific building or property in question.
- (2) The granting of the requested variance would not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- (3) The granting of the variance would not be injurious to the use and enjoyment of other property in the immediate vicinity nor substantially diminish or impair property values within the adjacent area.
- (4) The unusual conditions applying to the specific property do not apply generally to other buildings or properties in the city.
- (5) The granting of the variance will not be contrary to the general objectives of this Article.”

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section 4. If any provision of this ordinance is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED AND APPROVED this _____ day of _____ 2024.

AYES: _____

NAYS: _____

ATTEST:

MAYOR

CITY CLERK