

Special License Application

For Use of Public Right-of-Way



SUBJECT PROPERTY INFORMATION

Property Address or Address of Property Nearest to the Right-of-Way:	
PIN Number(s) of Property or Property Nearest to the Right-of-Way:	
Legal Description (note if attached):	
Property's Current Zoning:	Property's Current Use:

FOR INTERNAL USE ONLY

Case #:
Date Received:
Assigned to:
Third Party Deposit:

PROJECT DESCRIPTION

Brief Project Description Identifying the Proposed Use of the Right-of-Way:

PETITIONER INFORMATION

Petitioner	
Petitioner's Name:	Phone:
Address (City, State, ZIP):	
Email:	
Signature:	

SUPPLEMENTAL MATERIAL

The following attached items include required forms, templates, and informational material to complete this application.

- Special License Information

APPLICATION CHECKLIST

Please submit the completed application form and all required materials to:

City of Highland Park
 Department of Community Development - Planning Division
 1150 Half Day Road, Highland Park, Illinois 60035

Questions? Contact the Planning Division at 847.432.0867 or visit cityhpil.com.

- | | |
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| <input type="checkbox"/> Completed Application Form
<input type="checkbox"/> Third Party Deposit <ul style="list-style-type: none"> - Make check payable to: City of Highland Park | <input type="checkbox"/> Project Narrative
<input type="checkbox"/> Other Exhibits* <ul style="list-style-type: none"> - Photos, letters, reports, sign plan, requested materials, etc. |
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Third Party Cost Recovery Fees

Third Party Cost Recovery

During the course of reviewing and processing development applications the City of Highland Park often incurs expenses for third party consulting costs. In order to efficiently process zoning applications, every filed petition is subject to certain cost recovery fees (“Cost Recovery Fees”) that are placed in a City escrow account (“Cost Recovery Fee Escrow”), as provided in Section 150.306 of “The Highland Park Zoning Code of 1997” as amended. Cost Recovery Fees are in addition to any and all other filing fees and other charges established by the City. Based on their typical complexity and need for third party consulting services, the Cost Recovery Fees for various projects are:

- Application Involving a Special Use: \$1,500
- Application Involving a Special Use w/exceptions: \$2,500
- Application Involving a Planned Unit Development: \$10,000
- Amendment to a PUD \$5,000
- Application Involving a Special Exception to Zoning: \$2,000
- Application Involving a Subdivision: \$750
- Application Involving a Major Subdivision: \$5,000
- Other Projects Not Herein Defined: Determined by Director of Community Development

The following items denote costs incurred by the City in processing a petition that would be deducted from the Cost Recovery Fee Escrow:

- Publication of notices
- Court reporter (if necessary)
- Professional and technical consultant services
- Document recordation Process
- Corporation Counsel, or other City retained attorney or law firm, consultation, meeting attendance, document preparation and review
- Copy reproduction

Process

Every petition must be accompanied by the required petition fee and Cost Recovery Fee. Cost Recovery Fees will be forwarded to the Finance Division and deposited in a Cost Recovery Fee Escrow.

Within 90 days following final action on a petition, a final accounting will be made and any remaining funds in the Cost Recovery Fee Escrow after payment of the total actual costs due will be returned to the owner or petitioner.

In cases where the Cost Recovery Fees exceed the original deposit, Community Development staff will notify the petitioner and request additional funds in increments of \$1,000. Such funds will be forwarded to Finance and added to the Cost Recovery Fee Escrow. The City shall maintain an accurate record of all drawings from the Cost Recovery Fee Escrow.

Failure to pay any portion of the Cost Recovery Fee or replenish the Cost Recovery Fee Escrow within 30 days of the mailing of notice shall be grounds for refusing to process a petition and for denying or revoking any permit.

Petitioner Agreement

By signing below, the owner or petitioner acknowledges that it is subject to all of the provisions contained in Section 150.306 of the Zoning Code and agrees to pay, and to have consented to, (i) the Cost Recovery Fees, (ii) any costs of collection that have not been paid within 30 days following the mailing of a written demand for payment to the owner or petitioner at the address set forth on the petition, and (iii) any additional Cost Recovery Fees assessed. No petition filed shall be considered complete unless and until all fees and deposits have been paid. Every approval granted and every permit issued, whether or not expressly so conditioned, shall be deemed to be conditioned upon payment of Cost Recovery Fees as required pursuant to City ordinance.

Responsible Party Signature: _____ Date: _____

Billing and Refund Information	
This information will be used for all billing and refunds.	
Name:	Phone:
Address	City, State, ZIP:
Email:	

Special License Information

SEC. 93.063. - APPROVAL REQUIRED FOR CONSTRUCTION ON CITY-OWNED RIGHT-OF-WAY.

- (A) City Council Approval Required. Except as provided in Section 93.063(B) of this Chapter, no person firm, corporation, trustee or legal entity or association, or any unit of local government, other than the City and other than a public utility holding a franchise granted by the City, shall install, construct, reconstruct, repair place or replace any structure or improvement of any kind upon or above the surface of ground which is upon any right-of-way owned by or under the control of the City, except upon the express prior approval of the City Council, by ordinance or resolution duly adopted, which approval shall not be granted prior to: (1) submission by the applicant to the City Engineer of detailed plans and specifications for the proposed structure or improvement; and (2) receipt by the City Council of a written recommendation from the City Engineer regarding the proposed structure or improvement.
- (B) Exceptions. No approval of the City Council shall be required for the installation, construction, reconstruction, repair, placement or replacement of any of the following structures or improvements:
- (1) Boulders and stones; but only upon the issuance of a special license therefor by the Director of Public Works or his or her designee pursuant to Section 93.063(C) of this Chapter, which license shall not be issued for any boulder or stone that is:
 - (a) Of a size greater than 18 inches in any linear dimension; (b) Placed or located within three feet of any other boulder or stone located within the same right-of-way; or (c) Placed or located less than two feet from the nearest back of curb or roadway, as that term is defined in Section 93.200 of this Chapter.
 - (2) Carriage walks, but only upon the issuance of a special license therefor by the City Engineer pursuant to Section 93.063(C) of this Chapter;
 - (3) Sprinklers and sprinkler systems, but only upon the issuance of a special license therefore by the City Engineer pursuant to Section 93.063(C) of this Chapter;
 - (4) Mailboxes, but only when mounted on a structure that is:
 - (a) No larger than either four inches by four inches, or two inches in diameter;
 - (b) Buried no more than 24 inches into the ground;
 - (c) Designed to bend, break, or fall away if struck by a vehicle;
 - (d) Located so that the mailbox door is located between six and eight inches from the front face of the curb or the road edge; and (e) In compliance with all applicable and then-current rules and regulations, if any, of the United States Postal Service;
 - (5) Trees and landscape materials, but only upon the issuance of a special license therefor by the City Forester pursuant to Section 93.063(C) of this Chapter, which license shall not be issued for any trees or landscape materials that are placed or located less than three feet from the back of curb or roadway, as that term is defined in Section 93.200 of this Chapter;
 - (6) Driveways and driveway approaches, installed in compliance with, and pursuant to, Sections 93.200 through 93.270 of this Chapter;
 - (7) Replacement or temporary sidewalks installed in compliance with, and pursuant to, Section 93.115 of this Chapter;
 - (8) Materials used for the outdoor sale of seasonal items or for outdoor dining, installed in compliance with, and pursuant to, Section 93.305(B) of this Chapter; and
 - (9) Temporary displays of artwork or seasonal items, but only upon the issuance of a special license therefore by the City Manager in accordance with Section 93.063 (C) of this Chapter, which special license shall not be issued unless:
 - (a) The City Manager determines, in his or her sole discretion, that the proposed temporary or seasonal display will not: (i) violate any applicable federal, state, or City laws or regu-

Special License Information Continued

- lations; (ii) unreasonably obstruct pedestrian or vehicular traffic; (iii) threaten the public health, safety, and welfare; or (iv) obstruct the performance of any service or function of the City or any other unit of government;
- (b) The delivery by the licensee to the City of a cash deposit, in an amount to be determined by the City Manager, but in no event less than \$500.00, as security for the restoration of the right-of-way after removal of the temporary or seasonal display; provided, however, that the City Manager may waive the requirements of this Section 93.063(B)(9)(b), in his or her sole discretion, if the City Manager determines that either: (i) a cash deposit is not necessary to assure restoration of the right-of-way; or (ii) this Section 93.063(B)(9)(b) would impose an unreasonable hardship on the proposed licensee; and
 - (c) Proof that the licensee has obtained all necessary permits and approvals from the City and other units of government; and (d) Payment by the licensee to the City of a non-refundable administrative application fee, in the amount set forth in the Annual Fee Resolution.
- (10) Donated benches and other types of street furniture, which may be affixed with memorial or commemorative plaques, but only upon the approval of the City Manager and only in accordance with the City's approved policies and procedures for the acceptance and maintenance of such benches, street furniture, and plaques.
- (C) Standard for Special Licenses. No special license shall be issued pursuant to Section 93.063(B) of this Chapter except upon a determination by the applicable City official, in his or her sole discretion, that the proposed structure or improvement will not be injurious to the public health, safety, and welfare.
 - (D) Disclaimer of Liability. The City assumes no liability for any structure or improvement located or placed in any City-owned right-of-way pursuant to this Section 93.063 by any person, firm, corporation, trustee or legal entity or association, or any unit of local government other than the City.
 - (E) Pre-Existing Structures in City-Owned Rights-of-Way. Any structure or improvement that existed lawfully within a City-owned right-of-way as of May 10, 2010 but that no longer conforms with the provisions of this Section 93.063 may be continued; provided, however, that:
 - (1) The City shall have the right, but not the obligation, to order the owner of any structure or improvement located within a City-owned right-of-way to remove the structure or improvement, or to cause the removal upon the failure of the owner to remove the structure or improvement, if the Director of Public Works determines, in his or her sole discretion, that the structure or improvement is injurious to the public health, safety, or welfare; and
 - (2) In the event that the structure or improvement is removed or is completely damaged or destroyed by any means, the structure or improvement shall not be reconstructed or replaced except in strict compliance with the provisions of this Section 93.063.
 - (F) Appeal. Any person, firm, or corporation aggrieved by a decision made by the Director of Public Works pursuant to Section 93.063(E)(1) of this Chapter that a pre-existing structure or improvement is or is not injurious to the public health, safety, or welfare shall have the right to appeal the decision to the City Council. Such appeal shall be made in writing and filed within five days after receipt by the appellant of written notice of the decision of the Director of Public Works. The City Council shall consider and decide such appeal within 30 days after the filing thereof. Any order of removal related to the decision shall be stayed during the pendency of any appeal filed pursuant to this Section 93.063(F).

(Ord. 91 -73, passed 11/26/73; Ord. 96-73, J. 10, p. 936, passed 12/10/73; Ord. 17-07, J. 33, p. 048-068, passed 1/22/07; Ord. 83-07, J. 33, p. 706-711, passed 11/26/07; Ord. 45-10, J. 36, p. 188-192, passed 5/10/10; Ord. 84-13, J. 39, p. 293-295, passed 8/12/13; Ord. 96-13, J. 39, p. 332-334, passed 09/23/13; Ord. 70-2017, § 2, passed 7-24-17)