

CHAPTER 10A

PLANNING COMMISSION adopted in Ordinance 1998-9 on July 15, 1998

.01 ESTABLISHMENT OF PLANNING COMMISSION.

The City of Fairbury hereby establishes a Planning Commission to exercise powers granted by this Ordinance and by Division 12 of Article XI of the Illinois Municipal code (65 ILCS 5/11-12-1 et seq.)

.02 MEMBERSHIP.

The members of the Planning Commission shall be appointed by the Mayor subject to confirmation by the City Council. All members of the Planning Commission shall reside within the City of Fairbury or within territory contiguous to the City of Fairbury and not more than one and one-half miles beyond the corporate limits, and not included within any other municipality. The Planning Commission shall consist of seven members. The members of the Commission shall choose one of their number to serve as Chairman. The members will serve a term of four years and until their respective successors are appointed and qualified. If a vacancy occurs in the office of any Commission member, a successor shall be appointed by the Mayor and subject to confirmation by the City Council to serve for the unexpired term of the vacancy.

Upon their first meeting the members of the Planning Commission shall draw lots to stagger their terms so that one member shall have an initial term of one year, two members shall have an initial term of two years, two members shall have an initial term of three years, and two members shall have an initial term of four years. Thereafter as each member's initial term expires, the succeeding member of the Planning Commission shall serve for a four year term.

In addition to said membership the Mayor may appoint from time to time with the consent of the City Council, non-voting advisory members who reside more than one and one-half miles beyond the corporate limits but who have a personal, business, or property interest in the City of Fairbury and the area within one and one-half miles of its corporate limits or who have knowledge, expertise or experience which would be beneficial to the work of the Planning Commission.

The Planning Commission may hire a secretary subject to approval of the City Council.

Compensation of the members of the Planning Commission and secretary of the Planning Commission shall be established from time to time by ordinance or resolution of the City Council.

.03 MEETINGS.

All meetings of the Planning Commission shall be held at the call of the Chairman and at such times as the Planning Commission may determine. The Planning Commission shall hold one meeting per year for the purpose of reviewing the official Comprehensive Plan and official map to determine whether any amendments or modifications should be made to them. The Planning Commission shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall also keep records of its hearings and other official actions. A copy of every rule or regulation, every amendment and every order, requirement, decision or determination of the Planning Commission shall be filed in the office of the City Clerk within three days of approval. The Planning Commission shall adopt its own rules and procedures not in conflict with ordinances of the City nor with the applicable state statutes.

.04 POWERS.

The Planning Commission shall have the following powers and duties:

- (a) To prepare and recommend to the City Council a comprehensive plan for the present and future development or redevelopment of the City of Fairbury. The plan may be made applicable by the terms thereof to the land situated within the corporate limits and contiguous territory not more than one and one-half miles beyond the corporate limits and not included in any other municipality. The

plan may include reasonable requirements with reference to streets, alleys, public grounds, and other improvements hereinafter specified. Such a plan may establish reasonable standards of design for subdivisions and for re-subdivisions of unimproved land and of areas subject to re-development in respect to public improvements; may establish reasonable requirements governing the location, width, course, and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, storm water drainage, water supply and distribution, sanitary sewers, and sewage collection and treatment; and may designate lands suitable for annexation to the municipality and the recommended zoning classifications for such land upon annexation. Such recommended zoning classifications shall be made only after consulting with the Zoning Board of Appeals. Such plan and recommendations shall be implemented by ordinances adopted by the City Council.

- (b) To review all pre-annexation agreements and the subdivision plans and plats for compliance with the official comprehensive plan and map and to make recommendations to the City Council in regard to such pre-annexation agreements and plans and plats of subdivisions.
- (c) To recommend changes from time to time in the official comprehensive plan.
- (d) To prepare and recommend to the City Council from time to time plans for specific improvements in pursuance of the official comprehensive plan.
- (e) To give aid to the municipal officials charged with the direction of projects for improvements embraced with in the official plan, to further the makings of these projects, and generally, to promote the realization of the official comprehensive plan.
- (f) To employ the services of the City Engineer and City Attorney as necessary in the performance of the Commission's duties subject to approval of the City Council.
- (g) To hold public hearings on its own initiative or upon recommendation by the City Council to review and make recommendations to the City Council concerning (a) the comprehensive plan of the City; (b) development needs that will be occasioned by future growth of the City; (c) proposed apartment, planned unit or cluster development or subdivision of property; (d) proposed annexations to the City; (e) policies and procedures concerning planning and development; (f) other related projects as directed by the City Council or raised by the Planning Commission on its own initiative. Hearings shall be open to the public except where such matters may be legally heard in closed session under the Illinois Open Meetings Act and the Planning Commission moves to go into closed session in accordance with the Illinois Open Meetings Act. Any person may appear and testify at a hearing, either in person or by an attorney.
- (h) To exercise such other powers germane to the powers granted by this ordinance as may be conferred by the City Council.
- (i) To provide the Planning Commission and Zoning Boards of Livingston County with copies of the official comprehensive plan and official map when they have been adopted by the City Council and to seek the input of drainage districts and other governmental units whose territory would be affected by the official comprehensive plan and official map.

.05 OFFICIAL COMPREHENSIVE PLAN AND OFFICIAL MAP.

- (a) No official comprehensive plan or amendment thereto or official map or amendment thereto shall be adopted that has not been first submitted to the Planning Commission. The official comprehensive plan and map shall be adopted in accordance with the provisions of 65 ILCS 5/11-12-7.
- (b) No official comprehensive plan, or and amendments thereto, or additions thereto, proposed by the Planning Commission shall be effective in the City of Fairbury and contiguous territory not more than one and one-half miles beyond the corporate limits and not included in any municipality only after its formation adoption by the City Council. Such plan shall be advisory and in and of itself shall not be construed to regulate or control the use of private property in any way, except as such part thereof as has been adopted by ordinance duly enacted by the City Council. The City Council may designate by ordinance an official map as provided in Section 65 ILCS 5/11-12-6 of the Illinois Municipal Code.
- (c) The official comprehensive plan and official map may be adopted in whole or in separate geographical or functional parts, each of which, when adopted by City Council shall be the official comprehensive plan or map, or part thereof, of the City of Fairbury.
- (d) The official map or parts thereof as adopted by City Council, shall specifically state the standard requirements of the City relating to size of streets, public ways, parks and other public grounds and

ways for public service facilities and shall contain the standards required for drainage and sanitary sewers. The official map shall also identify existing and proposed streets and recommended names of proposed streets, existing and proposed drainage systems, existing and proposed parks and playgrounds, permanent monuments, existing and proposed section corners and numbers, streams and other waterways, and other existing and proposed public improvements scheduled for immediate or imminent acquisition or construction. The official map shall be drawn to scale.

.06 SUBDIVISIONS AND PLATS TO COMPLY WITH OFFICIAL PLAN AND MAP.

- (a) The City Council shall not approve any subdivision or plat of territory within the corporate limits or within contiguous territory not more than one and one-half miles beyond the corporate limits and not included in any municipality until such subdivision or plat has been submitted to the Planning Commission for its recommendations.
- (b) In the case of the approval or disapproval by the Planning Commission of any such subdivision or plat, the reasons for such approval or disapproval shall be submitted to the City Council. The City Council may accept or reject the Planning Commission's recommendation or may make amendments or changes thereto and accept such subdivision or plat, as amended or changed. The approval of the Planning Commission, confirmed by the City Council, shall be deemed an acceptance of the proposed plat or dedication of land. No sewers, water or gas mains or pipes or other improvements shall be voted or made, nor shall any public money be expended for such improvement, until the plat is approved in the manner prescribed. The approval of the plan or plat by the City Council shall be sufficient to entitle the plan or plat to be reviewed for record.