

**VILLAGE OF PECATONICA, ILLINOIS
MUNICIPAL CODE
ARTICLE FOURTEEN
PLANNING COMMISSION**

ARTICLE FOURTEEN	PLANNING COMMISSION (Revised Ord. 2009-8)	
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Chapter One General

Section 1 Definitions

A. For the purpose of this Article the following words shall have the meanings respectively ascribed to them by this section:

1. "Board" means the Village Board of Trustees of the Village of Pecatonica.
2. "Chairperson" means the Chairperson of the Planning Commission.
3. "Commission" means the Village of Pecatonica Planning Commission.
4. "ICC" means the Illinois Commerce Commission.
5. "President" means the President of the Village Board of Trustees of the Village of Pecatonica.
6. "Village" means the Village of Pecatonica.

Section 2 Creation and Membership

- A. The Planning Commission is hereby created, which Commission shall be appointed by the President subject to confirmation by the Corporate Authorities. The Village President shall designate the Chairperson.
- B. Said Commission shall consist of no less than five (5) and no more than eight (8) members.
- C. Members of the Commission shall reside within the Village or within territory contiguous to the Village and not more than one and one-half miles beyond the Village limits in territory not included within any other municipality.
- D. In appointing members to the Planning Commission, the President and Village Board shall consider recommendations, and to the extent possible, appoint members as suggested by the following entities: Village Board; Pecatonica School District Board of

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Education; Pecatonica Township Board; Pecatonica Fire Protection District; Local Business Group; Pecatonica Library District; and the Sumner Park District Board.

- E. No member of the Commission shall hold an elective office within the Village of Pecatonica.
- F. The Chairperson and three members of the Commission shall serve four-year terms after appointment; said appointment shall occur within sixty (60) days after the first regular Village Board meeting of the newly-elected Village Board and Village President.
- G. The other members of the Commission shall serve four-year terms after their appointment; said appointment shall occur at the first regular Village Board meeting to occur mid-term of the Village President's then current term in office.
- H. Each member of the Commission, including the Chairperson, shall be entitled to vote on any question coming before the Commission.
- I. Vacancies upon the Commission shall be filled for the unexpired term of the member or the Chairperson whose seat has become vacant by appointment by the President with the confirmation of the Corporate Authorities. In filling such vacancies, the President and Village Board shall consider any recommendations made by representatives of the respective entities designated in subparagraph D above.
- J. When members propose to resign, if reasonably feasible, said members shall give notice of his or her intent to the Chairperson and make the date of resignation effective in such a manner as to allow time for appointment of a replacement.
- K. Failure to attend three consecutive regular monthly meetings, or three of any seven consecutive regular monthly meetings, without the recorded consent of the Chairperson, shall be construed as cause for removal from the Board by absence.
- L. Compensation to Planning Commission members shall be thirty dollars (\$30.00) per meeting plus reimbursement of Village Board approved expenses. (Revised: Ord. 2007-7-3)

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Chapter Two Organization

- A. The President and Board may provide by ordinance for the compensation of the members and Chairperson of the Commission.
- B. Immediately upon its organization, the Commission shall select from its membership a Vice Chairperson and a Secretary.
- C. The Vice Chairperson shall serve as acting Chairperson whenever the Chairperson is absent from meetings.
- D. The Secretary shall oversee and shall be responsible for filing the most current rules of procedure of rules of the Commission, the minutes of the meetings, the record of hearings and the memoranda of decisions with the Village Clerk and copies thereof with the Plan Director.
- E. The Secretary shall perform such other duties as may be assigned from time to time by the Commission.
- F. The Secretary shall be given such clerical assistance as the President and Board may provide.
- G. The Commission shall adopt rules for the conduct of its meetings, which rules shall not conflict with this Article.
- H. A quorum shall be established by the presence of a majority of the then-existing appointed members of the Commission. The Commission may conduct business only when a quorum is present and established. For the purpose of determining a quorum, the Chairperson shall be considered as a member of the Commission.
- I. The Chairperson and all members of the Planning Commission shall be voting members.

Chapter Three Meetings

- A. All meetings of the Commission shall be open to the public and the record and minutes thereof shall be available for examination in the office of the Village Clerk during regular business hours.
- B. At the meetings of the Commission, any interested person may appear or may be represented by duly authorized agents or attorneys.

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- C. No testimony shall be taken and no witnesses heard except at a properly convened meeting of the Commission.
- D. All meetings of the Commission shall be held at the call of the Chairperson and at such other times as the Commission may determine by rule.
- E. The Commission shall keep minutes of its proceedings showing the vote of each member upon every question, or if absent or failing to vote, indicating that fact, and shall also keep records of its examinations and other official actions.
- F. At or following such meetings and within the parameters of its jurisdiction, the Commission shall make its decision or its recommendation on all matters presented to it within a reasonable time.
- G. The Commission shall adopt rules of order and procedure governing the conduct of business.
 - 1. In the absence of specific rules, meetings shall be conducted pursuant to "Roberts Rules of Order".
- H. Any exhibits containing plans and specifications requiring review and recommendation of the Commission shall remain part of the permanent record of the Commission.

Chapter Four Duties, Public Hearings and Maps

Section 1 Planning Commission Powers and Duties

- A. To prepare and recommend to the Village Board a Comprehensive Plan for the present and future development or redevelopment of the Village of Pecatonica.
 - 1. Said Plan may be adopted by the Board in whole or in separate geographical or functional parts, each of which, when adopted, shall be an official Comprehensive Plan, or part thereof, of the Village.
 - 2. This Plan may include reasonable requirements with reference to streets, alleys, public grounds, and other improvements hereinafter specified.

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3. The Plan, as recommended by the Commission and as thereafter adopted by the Board, may be made applicable, by the terms thereof, to 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 municipality.
 4. Such Plan may be implemented by ordinances establishing reasonable standards of design for subdivisions and re-subdivisions of unimproved land and of areas subject to redevelopment in respect to public improvements as herein defined.
 5. Such Plan may be implemented by ordinances establishing reasonable requirements concerning 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 distribution, sanitary sewers, and sewage collection and treatment.
 6. Such plan may be implemented by ordinances designating land suitable for annexation to the Village and the recommended zoning classification for such land upon annexation.
- B. To recommend changes from time to time, in the official Comprehensive Plan.
 - C. To prepare and recommend to the Board, from time to time, plans for specific improvements in pursuance of the official Comprehensive Plan.
 - D. To give aid to the municipal officials charged with the direction of projects for improvements embraced within the official plan, to further the making of these projects, and, generally, to promote the realization of the official Comprehensive Plan.
 - E. To prepare and recommend to the Board schemes for regulating or forbidding structures or activities which may hinder access to solar energy necessary for the proper function of solar energy systems, as defined in Section 725/1.2 of the Comprehensive Solar Energy

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Act of 1977 set forth in 30 ILCS, Section 725, or to recommend changes in such schemes.

- F. To exercise such other powers germane to the powers granted by this Article as may be conferred by the Board from time to time.
- G. Such powers shall include, but not be limited to, the review and recommendation of the following items:
 - 1. Tentative plats.
 - 2. Site development plans.
 - 3. Zoning map amendments.
 - 4. Street and alley vacation.
 - 5. Street extensions.
 - 6. Proposed ordinance amendments regarding subdivisions, zoning and flood control.
 - 7. Village plans and proposals concerning utilities and utility extensions and other improvements.
 - 8. Special Use Permits affecting changes in land use only.
 - 9. Additional concerns as deemed necessary by the Village Board of Trustees.
- H. Such powers shall not include zoning variances.

Section 2 Comprehensive Plan

- A. The official Comprehensive Plan, or any amendment thereof, or addition thereto, proposed by the Commission shall be effective in the Village and contiguous area herein prescribed only after its formal adoption by the Board.
- B. 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 to such part thereof as has been implemented by ordinances duly enacted by the Board.

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- C. The President and Board may initiate plans and maps by requesting the Commission to be prepare an official Comprehensive Plan and recommend the same, or may originate an official Comprehensive Plan, or a part thereof, or an amendment thereto, and may refer the same or suggested changes in an existing Comprehensive plan to the Commission for its consideration and recommendation thereon.
- D. No Comprehensive Plan or amendment thereto shall be adopted that has not been submitted to the Commission.
- E. The Board may adopt parts of a Comprehensive Plan recommended by the Commission without adopting the entire Comprehensive Plan as recommended, or may modify or amend portions of a recommended Comprehensive Plan without a re-reference of same to the Commission, and may adopt such Comprehensive Plan, as modified or amended.
- F. Such Comprehensive Plan, when adopted, shall be the official Comprehensive Plan, or part thereof, of the Village.
- G. Upon submission by the President and Board of any suggested Comprehensive Plan, part thereof, or amendment to an existing Comprehensive Plan, to the Commission for consideration and recommendation, the Corporate Authorities may require a report thereon from the Commission with its recommendation within ninety (90) days from the date of such submission, and if the Commission shall fail to make such report within such ninety (90) days, then the President and Board may proceed to consider such Comprehensive Plan, or part thereof, or amendment to an existing Comprehensive Plan, for adoption, including arranging for and holding of a public hearing thereon in the same manner as if the Commission had made its recommendation.

Section 3 Public Hearings

- A. The official Comprehensive Plan, or any amendment thereto, shall not be adopted by the Village until notice and opportunity for public hearing have first been afforded.
- B. Upon submission of a Comprehensive Plan by the Commission, or a proposed amendment to and existing Comprehensive Plan, the President and Board shall schedule a public hearing thereon, either before the Commission or the Board.

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- C. Not less than fifteen (15) days notice of the proposed hearing, and the time and place thereof, shall be given by publication in a newspaper of general circulation in the Village.
- D. The hearing shall be informal, but all persons desiring to be heard in support or opposition to the Comprehensive Plan or amendment shall be afforded such opportunity, and may submit their statements, orally, in writing, or both.
- E. The hearing may be recessed to another date if not concluded, if notice of the time and place thereof is publicly announced at the hearing or is given by newspaper publication not less than five (5) days prior to the recessed hearing.
- F. Within ninety (90) days after the conclusion of the hearing, the President and Board, after consideration of the recommendation of the Commission and such information as shall have been derived from the hearing, shall either adopt the Comprehensive Plan or amendment in whole or in part or reject the entire Comprehensive Plan or amendment.

Section 4 Adoption and Maps

- A. If adopted, the President and Board shall enact the Ordinance including a map or maps.
- B. At any time or times after the adoption of the official Comprehensive Plan by the President and Board, they may designate by Ordinance an official map, which map may consist of the whole area included within the official Comprehensive Plan or one or more separate geographical or functional parts, and may include all or any part of the contiguous unincorporated area within one and one-half miles from the Corporate Limits of the Village.
- C. Such map or maps may be made a part of the Ordinance, which Ordinance shall specifically state standard requirements of the Village relating to size of streets, alleys, public ways, parks, playgrounds, school sites, other public grounds, and ways for public service facilities; and kind and quality of materials which may be used in construction of streets and alleys; and the kind and quality of materials for public service facilities as may be consistent with the Illinois Commerce Commission (ICC) or industry standards, and shall contain the standards required for drainage and sanitary sewers and collection and treatment of sewage.

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- D. The map may be drawn to scale, and shall be reasonably accurate, and shall show north point, section lines and numbers, and streams.
- E. In adopting an official Comprehensive Plan, except as herein otherwise provided, the President and Board shall be subject to the same limitations on the subject matter as applied to the Commission.
- F. If at the expiration of such ninety (90) days, the Corporate Authorities have taken no formal action, the Comprehensive Plan or amendment thereto may thereafter not be acted upon by the Corporate Authorities without again complying with the conditions of notice and hearing heretofore provided.
- G. No official map, or amendment or addition thereto shall be grounds for rejection of any plat or subdivision or re-subdivision by the Corporate Authorities, if application for final approval of such subdivision or re-subdivision is filed with the Corporate Authorities fifteen (15) days or more prior to the date on which the Ordinance approving the official map, or amendment or addition thereto, is adopted.
- H. The Comprehensive Plan or amendment shall become effective upon the expiration of ten (10) days after the date of filing notice of the adoption of such Comprehensive Plan or amendment with the Recorder of Winnebago County.
 - 1. Whenever used in this Article, the words "Plans" or "Comprehensive Plan" shall be deemed to mean and include where applicable, an official map or maps.
- I. Said official Comprehensive Plan and the Ordinance or Ordinances including the official map shall be placed on file with the Village Clerk and shall be available at all times during business hours for public inspection.
 - 1. Copies of said Plan and all Ordinances implementing the same, and including the official map, shall be made available to all interested parties upon payment of the sum of ten dollars (\$10.00).

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Chapter Five Comprehensive Plan for the Village of Pecatonica and
 Official Map (added: Ord. 2000-3-3)

Section 1 Comprehensive Plan for the Village of Pecatonica

- A. The Comprehensive Plan for the Village of Pecatonica dated December 1999, following a public hearing before the Pecatonica Planning Commission with due notice as provided by law, is hereby adopted along with the Official Map thereof, a copy of which is attached hereto and made a part hereof and extra copies of which are on file and may be obtained from the Village Clerk of the Village of Pecatonica, Illinois. Said Official Map is labeled Pecatonica Comprehensive Plan (CP-1) and is dated December 1999, which map consists of the whole area included the official comprehensive plan, which includes the contiguous unincorporated area within one and one-half miles from the corporate limits of the Village of Pecatonica.

- B. Said Official Comprehensive Plan and Official Map shall be placed on file with the Village Clerk and shall be available at all times during business hours for public inspection. Copies of said Plan, all Ordinances implementing the same, and including the Official Map shall be made available to all interested parties upon payment of the cost of reproduction thereof. The Comprehensive Plan and Official Map shall become effective upon the expiration of ten (10) days after the date of filing notice of adoption of such Comprehensive Plan with the Recorder of Winnebago County, Illinois.