

## ARTICLE 13

### MATTERS ENTRUSTED TO THE PLANNING COMMISSION

#### **Section 13-1 PLANNING COMMISSION ESTABLISHED**

The Planning Commission of this municipality is hereby established in accordance with Illinois law.

#### **Section 13-2 MEMBERSHIP, APPOINTMENT, COMPENSATION**

The Commission shall consist of thirteen members, all of whom shall reside within the jurisdiction of this municipality. Each Commission member shall be appointed by the Mayor with the advice and consent of the City Council. The Chairman of the Commission shall be designated by the Mayor annually during the month of May, with the consent of the City Council. All members of the Commission shall serve without compensation.

#### **Section 13-3 TERM OF OFFICE, VACANCIES**

Each Commission member shall hold office for five years from the date of his appointment, and until his successor has been selected and qualified. With the advice and consent of the City Council, the Mayor may remove any member of the Planning Commission for cause, after a Public Hearing. Vacancies on the Commission shall be filled for the un-expired term of the member whose place has become vacant in the same manner for the appointment of new members.

#### **Section 13-4 AUTHORITY AND DUTIES**

The Commission shall have all the authority and duties prescribed by law and by this ordinance including the following:

- A) Prepare and recommend to the City Council a Comprehensive Plan;
- B) Prepare and recommend to the City Council plans for specific improvements in pursuant of the Comprehensive Plan. Such plans for improvements shall be prepared at the request of the City Council;
- C) Hold Public Hearings and submit to City Council a report and recommendations on each proposed annexation, Planned Unit Development, subdivision and kennel;
- D) To exercise such other powers and duties germane to Illinois Compile Statutes 1992, Chapter 65, Article 5/11, as conferred by the City Council.

**Section 13-5 MEETINGS, QUORUM**

All meetings of the Commission shall be held at the call of the Chairman and at such times as the Commission may determine. All Commission meetings shall be open to the public. The Commission may adopt their own rules of meeting procedures consistent with this ordinance and the Illinois Compiled. The Commission may select such officers as they deem necessary.

The Chairman, or in his absence the Chairman Pro-tem, may administer oaths and compel the attendance of witnesses. A quorum shall consist of one-half plus one of the appointed members of the Commission, and the affirmative vote of at least a majority of members present shall be necessary to authorize any Commission action.

**Section 13-6 RECORDS**

The Commission shall keep minutes of its proceedings and examinations. These minutes shall indicate the absence of any member, the vote of each member on each question, and any official action taken. A copy of every rule, order, or decision of the Commission shall be filed immediately in the Commission's records and shall be a public record. These records are available to the public through the City Clerk's office.

**Section 13-7 AMENDMENTS**

The City Council may amend this ordinance in accordance with State law and the provisions of this section. Proposed alterations of district boundaries or proposed changes in the status of uses (permitted, special, prohibited) shall be deemed proposed amendments. Amendments may be proposed by the City Council, the Administrator, the Board of Zoning Appeals, the Planning Commission, or any party in interest.

**13-7.1 Filing**

Every proposal to amend this ordinance shall be filed with the Administrator on a prescribed form. The Administrator shall promptly transmit said proposal, together with any comments or recommendations he may wish to make, to the Planning Commission for a public hearing.

**13-7.2 Public Hearing Notice**

The Commission shall hold a Public Hearing on every amendment proposal within a reasonable time after said proposal has been submitted. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of hearing, and the nature of the proposed amendment shall be given not more than thirty nor less than fifteen days before the hearing. The notice shall be given by:

- A) First-class mail to all parties directly affected by the amendment, including all property owners located within 250 feet of the proposed changes;
- B) Publication in a newspaper of general circulation with this municipality.

### **13-7.3 Advisory Report, Finding of Fact**

Within a reasonable time after the public hearing, the Commission shall submit their advisory report to the City Council. The report shall state the Commission's recommendations regarding adoption of the proposed amendment, and their reasons therefore. If the effect of the proposed amendment would be to alter district boundaries or to change the status of any use, the Commission shall include in their Advisory Report findings of fact concerning each of the following matters:

- A) Existing use(s) and zoning of the property in question;
- B) Existing use(s) and zoning of other lots in the vicinity of the property in question;
- C) Suitability of the property in question for uses already permitted under existing regulations;
- D) Suitability of the property in question for the proposed use;
- E) The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned;
- F) The effect the proposed rezoning would have on implementation of this municipality's Comprehensive Plan.

No rehearing shall be held on a recommendation to deny a proposal for a period of twelve months following the date of such denial or recommendation to deny. A proposal may be reconsidered at the discretion of the Zoning Administration for those projects that have been previously denied or recommended for denial that have significantly changed, altered, or provide new information. (Am. Ord. 01-3, passed 1-2-01)

### **13-7.4 Action by the City Council**

The City Council shall act on every proposed amendment at their next regularly scheduled meeting following submission of the Planning Commission's advisory report. Without further public hearing, the City Council may pass or reject any proposed amendment or may refer it back to the Planning Commission for further consideration by a simple majority vote.

Exception: The favorable vote of at least two-thirds of all the members of the City Council is required to pass an amendment to this ordinance when the proposed amendment is opposed, in writing, by the owners of twenty percent of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty percent of the frontage directly opposite the frontage proposed to be altered. Such written opposition shall be filed with the City Clerk's office. A copy of the written protest shall be served by the protesters on the applicant by certified mail.