

VILLAGE OF LILY LAKE

ORDINANCE NO. 2019-01

AN ORDINANCE AMENDING THE VILLAGE CODE

(Chapter 4—Development, Subchapter 5—Subdivision Control)

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF LILY LAKE

March 25, 2019

Published in pamphlet form by authority of the President and Board of Trustees of
the Village of Lily Lake, Kane County, Illinois

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ORDINANCE NO. 2019-01**AN ORDINANCE AMENDING VILLAGE CODE****(Chapter 4—Development, Subchapter 5—Subdivision Control)**

BE IT ORDAINED by the President and the Board of Trustees of the Village of LILY LAKE, Kane County, Illinois, that the Village Code, as amended, be further amended as follows:

§ 1. Amending Village Code

Chapter 4—Development, Subchapter 5—Subdivision Control, is amended by adding the following as § 453 and renumbering the remaining sections of the Code accordingly.

§ 453. Minor Subdivisions

(a) Intent. The Village's review of a minor subdivision is intended to ensure that the subdivision complies with the Official Comprehensive Land Use Plan of the Village, the Zoning Ordinance (if applicable), and the provisions of this chapter, and that it is laid out in accordance with the land's suitability and limitations for development. At the same time the Village's review is intended to provide a faster and less expensive alternative to the review and approval regularly required of other subdivisions.

(b) Definition. A "minor subdivision" is any subdivision with up to 4 lots that (1) does not involve the construction of any new public roads or easements of access, or the extension of any municipal facilities, or the construction or installation of any substantial stormwater facilities or other substantial improvements, (2) does not adversely affect the development of adjoining property; and (3) does not conflict with any provision of the Official Comprehensive Land Use Plan, the Zoning Ordinance or this chapter.

(c) Filing

(1) If the minor subdivision requires a map amendment or other relief under the zoning ordinance the application for approval of the minor subdivision may be filed at the same time as a petition for zoning relief. Approval of the minor subdivision may be given at the same time as approval of the zoning relief requested, or approval of the minor subdivision may be made conditional upon the later approval of the zoning relief. The applicant shall file one full copy of the preliminary plan with the clerk along with a filing fee of \$500 and an additional \$1000 as a review escrow to be held by the Village as security for the payment by the applicant of all costs incurred by the Village in connection with its review of the preliminary plan, including the fees of any retained professional or consultant.

(2) The clerk shall transmit a copy of the preliminary plan to each member of the plan commission and the Village Board and notify the applicant in writing of the date of the meeting of the plan commission at which the preliminary plan will be considered. The clerk may also transmit a copy of the preliminary plan to the Village engineer, Village planner, and Village attorney. The plan commission, Village engineer, or Village planner may ask the applicant for additional information and, if so, shall notify the applicant in writing and include a list of the additional items required. The Village may, but is not required to, suspend the approval process until the additional information is provided.

(3) If at any time during the review process the amount in escrow falls below \$500, the Village shall notify the applicant to deposit an additional amount sufficient to bring the escrow up to \$1000. The Village may suspend the review process if the applicant fails to make such a deposit. When the review process has been completed the Village shall refund any surplus over and above the cost of the review to the applicant, provided, however, that \$500 will be retained against the costs of the review and approval of the final plat.

(d) Review.

(1) The plan commission shall consider the preliminary plan at its next regular meeting that is not less than 30 days after the date of filing. The preliminary plan will be reviewed for its compliance with the Official Comprehensive Land Use Plan and this chapter. The plan commission shall recommend approval, approval with conditions, or disapproval of the preliminary plan within 60 days after the date of the initial meeting at which it was considered. The time may be extended by mutual consent of the applicant and the plan commission. If the plan commission recommends disapproval, the plan commission shall advise the applicant and the Village Board in writing of the reasons for its recommendation for disapproval.

(2) The Village Board shall consider the application at its next regular meeting that is not less than 7 days after its receipt of the plan commission's recommendation. The Village Board shall approve, approve with conditions, or disapprove the preliminary plan within 60 days after the date of the initial meeting at which it was considered. The time may be extended by mutual consent of the applicant and the Village Board.

(3) The Village shall notify the applicant in writing of any conditions of approval or reasons for disapproval of the preliminary plan. Upon approval by the Village Board, the clerk shall mark the preliminary plan "APPROVED" and distribute copies to the plan commission, Village engineer, Village attorney, Kane County Health Department, and the applicant. The clerk shall retain two copies for filing.

(4) Upon approval of the preliminary plan, the applicant may submit the final plat for approval. The final plat must conform to the requirements of § 451(c) of this chapter and must set forth on its face any soils limitations found to be present on the site and any comments or conditions made or imposed by the Village Board or the Kane County Health Department with respect to the use of on-site waste disposal systems.

(5) Approval of the preliminary plan is effective for a period of one year. Unless an extension is requested by the applicant within the one-year period and granted by the Village Board, if the final plat is not submitted for approval within the one-year period, the applicant must file a new application, pay a new filing fee and make a new deposit for the costs of review.

§ 2. Repealer

Any ordinance or any provision of any ordinance in conflict with the provisions of this ordinance is, to the extent of such conflict, repealed.

§ 3. Effective Date

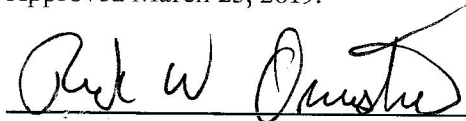
This ordinance is fully effective after its passage, approval and publication as provided by law.

Adopted on March 25, 2019 pursuant to a roll call vote as follows:

[Signature page follows.]

Trustee	Yes	No	Absent	Abstain
Conn	X			
Dell	X			
Damisch	X			
Marlovits			X	
Vaughn	X			
Walsh	X			
Overstreet				
Totals	5	0	1	0

Approved March 25, 2019.



President

Attested, Filed in my office, and published in pamphlet form on March 25, 2019.



Clerk of the Village of Lily Lake, Kane County, Illinois