

CHAPTER 4
SUBDIVISION REVIEW PROCEDURE

- 5B-4-1 General Review Procedure
- 5B-4-2 Step One: Sketch Plan
- 5B-4-3 Step Two: Tentative Plat
- 5B-4-4 Step Three: Final Plat
- 5B-4-5 Review by Board of Trustees and Recording
- 5B-4-6 Plats of Vacation

5B-4-1 GENERAL REVIEW PROCEDURE

The following procedure applies to subdivision plat review in the Village. All Plats shall be subject to a three step review procedure by the Staff and Plan Commission as established by this Ordinance, except Plats of Vacation which will require a one step review (Section 5B-4-6). The Plan Commission shall normally meet as needed to consider sketches, plats, drawings and reports. The Clerk shall be responsible for coordinating the process and arranging meeting dates and times.

5B-4-2 STEP ONE: SKETCH PLAN

A. Step One, Optional Sketch Plan Review:

1. A developer wishing to subdivide land shall submit 20 copies of a Sketch Plan prepared in accordance with the requirements of Appendix A to the Village, and one copy directly to the Village Engineer.
2. The developer may choose to have a Sketch Plan reviewed by the Village Board at an informal meeting for general input. In the alternative, he may choose to have a Sketch Plan reviewed by the Village Engineer.
3. A Sketch Plan will not be accepted for review unless the property is appropriately zoned for the intended use, or unless there is a petition on file for change in zoning with the Village and a hearing date has been scheduled pursuant to Section 5A-6-5 of the Hebron Zoning Ordinance.
4. Sketch Plans must be received at least 15 calendar days prior to the Staff or Village meeting at which they are to be considered.

B. It is desirable that the Sketch Plan consider the future potential of the surrounding area for subdivision purposes, particularly with regard to provisions for interconnecting roadways.

C. The owner or his designated representative is required to be present when the Staff or Village reviews and evaluates the Sketch Plan.

D. Several Sketch Plans may have to be evaluated before a subdivision design is developed which conforms to the Village ordinances and regulations.

E. Review of a Sketch Plan does not relieve a developer from compliance with any changes in the Village ordinances or regulations made after review of a Sketch Plan and prior to approval of a Tentative Plat by the Board of Trustees.

F. Endangered and Threatened Plant and Animal Species and their Habitat: In compliance with 520 ILCS 10/1 *et seq.*, a reply from the submittal of an Endangered Species Consultation Agency Action Report to the Illinois Department of Conservation (IDOC) is required. An example of the report can be found in Appendix H.

1. In the event a Detailed Action Report is received from the IDOC a copy of that report shall be submitted with the Sketch Plan.
2. In the event the IDOC biological opinion concludes there will be an adverse impact, the petitioner shall attempt to avoid, minimize or compensate for the impacts pursuant to the IDOC recommendations. The required written report to IDOC outlining what alternatives in the IDOC Detailed Action Report will be adopted shall also be submitted to the Village.

5B-4-3 STEP TWO: TENTATIVE PLAT

A. Submission of Tentative Plat:

1. A Tentative Plat shall be submitted within one year after review of the Sketch Plan by the Staff.
2. The Developer shall submit 20 copies of a Tentative Plat prepared in accordance with the requirements of Appendix B to the Village, and one copy directly to the Village Engineer.
3. If septic systems are to be used in the proposed subdivision, the Tentative Plat must also meet the requirements contained in Appendix G. In addition, a soils report prepared in accordance with the requirements of Appendix G shall be submitted along with each copy of the Tentative Plat required in Subsection 403.1-A.
3. Tentative Plats must be received at least 21 calendar days prior to the Plan Commission meeting at which they are to be considered.

B. The Clerk shall distribute a copy of the Tentative Plat, meeting agenda and soils map (if one is required) to each member of the Staff and the Plan Commission. The following individuals and organizations shall also be notified by the developer of the date of the meeting and the time at which the Tentative Plat will be considered. The developer shall provide the Clerk and the Village Attorney with an affidavit stating that each of the following individuals have been notified by U.S. Mail and indicating the address to which each notice was sent:

1. Village Attorney;
2. Village Engineer;
3. Fire Protection District;
4. Homeowners' associations (any which have indicated an interest in the review of the subdivision);
5. Plan Commission members;
6. School district(s);
7. Township Road Commissioner (if annexation is being considered);
8. Township Supervisor (if annexation is being considered);
9. Utility company representatives:
 - a. Cable TV,
 - b. Electric,
 - c. Gas,
 - d. Telephone and
 - e. Sewer and water utility(s);
10. U.S. Postmaster for the Village of Hebron;
11. Illinois Department of Conservation, Endangered Species Notification; and
12. Illinois Department of Transportation, driveway and/or access permit on any state road.
13. McHenry County Highway Department, driveway and/or access permit on any county road.

C. It shall be the developer's responsibility to contact the utility companies and the CATV company to obtain their easement requirements and other appropriate utility information concerning the proposed subdivision.

D. The owner or his designated representative is required to be present when the Plan Commission reviews the Tentative Plat.

E. After the Tentative Plat has been evaluated at a scheduled Plan Commission meeting, minutes from that meeting shall be prepared by the Plan Commission secretary. A copy of the minutes shall be sent to the owner or his technical representative, Village Engineer, Village

Attorney, Plan Commission members, President and Board of Trustees, Village Clerk and other parties requesting copies of the minutes.

F. Approval of Tentative Plat by Plan Commission:

1. Review of the Tentative Plat by the Plan Commission and payment of required fees (Section 5B-9-5) is required prior to submission of the Tentative Plat to the Board of Trustees for its review. The Plan Commission may recommend to the Board of Trustees that the Tentative Plat be approved, be approved with conditions or denied. *Amended, Ord. 2000-01-676*
2. Before a Tentative Plat can be approved by the Board of Trustees, the developer must submit a letter from each concerned school district indicating whether they request a school site or a cash donation in lieu of land.
3. It shall be the developer's responsibility to request the Clerk to submit the Tentative Plat, with the recommendation from the Plan Commission, to the Board of Trustees. The developer shall submit an appropriate number of copies of the Tentative Plat to the Clerk for distribution to the Board of Trustees. *Amended, Ord. 2000-01-676*
4. Approval of the Tentative Plat by the Board of Trustees is required prior to the submission of a Final Plat for consideration by the Plan Commission.
5. Approval of a Tentative Plat by the Board of Trustees shall expire one year from the date of approval. When such approval has expired, the Tentative Plat must be resubmitted to and reviewed by the Plan Commission and Board of Trustees prior to submission of a Final Plat. *Amended, Ord. 2000-01-676*

5B-4-4 STEP THREE: FINAL PLAT

A. Submission of Final Plat:

1. The Final Plat shall be submitted to the Clerk within one year after approval of the Tentative Plat by the Board of Trustees. If the subdivision is to be divided into units, the Final Plat for each unit shall be submitted within three years.
2. The developer shall submit 10 copies of the Final Plat, prepared in accordance with the requirements of Appendix C, and 10 copies of the engineering drawings and reports prepared in accordance with Appendix D, to the Clerk. In addition, one copy of the Final Plat and the engineering drawings and reports shall be submitted directly to the Village Engineer.

- 3 .Final Plats and required engineering drawings and reports must be received at least 21 calendar days prior to the Plan Commission meeting at which they are to be considered.

B. The Clerk shall distribute a copy of the Final Plat, engineering drawings and reports, and a meeting agenda to each Staff and Plan Commission member. The following individuals and organizations shall also be notified by the developer of the date of the meeting and the time at which the Final Plat will be considered. The developer shall provide the Clerk and Village Attorney with an affidavit stating that each of the following individuals has been notified by U.S. Mail and indicating the address to which each notice was sent:

1. Village Attorney;
2. Village Engineer;
3. Fire Protection District;
4. Homeowner's association (any which have indicated an interest in the review of the subdivision);
5. Plan Commission members;
6. School district(s);
7. Township Road Commissioner (if annexation is being considered);
8. Township Supervisor (if annexation is being considered);
9. Utility company representatives:
 - a. Cable television,
 - b. Electric,
 - c. Gas,
 - d. Telephone and
 - e. Sewer and water utility(s);
10. U.S. Postmaster for the Village of Hebron;
11. Illinois Department of Conservation, Endangered Species Notification; and
12. Illinois Department of Transportation, driveway and/or access permit on any state road.
13. McHenry County Highway Department, driveway and/or access permit on any county road.

C. The owner or his designated representative is required to be present when the Plan Commission reviews the Final Plat.

D. After the Final Plat has been evaluated at a scheduled Plan Commission meeting, minutes from that meeting shall be prepared by the Plan Commission secretary. A copy of the minutes shall be sent to the owner or his technical representative, Village Engineer, Village Attorney, Plan Commission members, President and Board of Trustees, Clerk and other parties requesting copies of the minutes.

E. Approval of Final Plat by Plan Commission:

1. Approval of the Final Plat by the Plan Commission and completion of all requirements of Appendix E, Section E-2, is required prior to submission of the Final Plat to the Board of Trustees. However, a rejected Final Plat may be submitted on appeal within 30 days, to the Board of Trustees for its consideration.
2. It shall be the developer's responsibility to request the Clerk to submit the plat, as approved by the Plan Commission, to the Board of Trustees. However, if a plat has been conditionally approved by the Plan Commission all conditions of approval must be met before the Final Plat may be submitted to the Board of Trustees.
3. The Final Plat must be approved by the Plan Commission before it can be submitted to the Board of Trustees for consideration, subject to Section 5B-4-4-E-1.

5B-4-5 REVIEW BY BOARD OF TRUSTEES AND RECORDING

A. Approval of the Final Plat by the Plan Commission is required prior to consideration of the Final Plat by the Board of Trustees.

B. Following its approval by the Plan Commission, a Final Plat may be scheduled for review by the Board of Trustees in accordance with its adopted agenda procedures.

C. After a Final Plat has been approved by the Board of Trustees it shall be in the custody of the Clerk, who shall obtain the signature of the President and attest to that signature on the plat.

D. When all signatures required on the plat have been obtained, the developer may obtain the Final Plat from the Clerk and present it to the Recorder for recording.

E. After a Final Plat has been recorded and photographed, the developer shall obtain the number of copies specified by the Building Inspector and Village Engineer and deliver them to them. The Building Inspector may refuse to issue building permits for lots in the subdivision until the required number of copies have been furnished.

F. A Final Plat may not be presented for recording without indicating whether any part is located within a flood hazard area as identified by the Federal Emergency Management Agency (see Appendix C, Section C-2-R-1).

G. A Final Plat which has not been recorded within six months after its approval by the Board of Trustees shall have no validity, and shall not thereafter be recorded.

5B-4-6 PLATS OF VACATION

A. Submission of Plats of Vacation (See also if Section 5B-5-8 is applicable):

1. A developer wishing to vacate all or part of an existing plat shall submit 10 copies of the plat prepared in accordance with the requirements of Appendix F to the Clerk, and one copy directly to the Village Attorney and the Village Engineer.
2. A Plat must be received at least 15 calendar days prior to the Plan Commission meeting at which it is to be considered.

B. The Clerk shall distribute a copy of the Plat of Vacation and meeting agenda to each member of the Plan Commission. The following individuals and organizations shall also be notified by the developer of the meeting date and time at which the Plat of Vacation will be considered. The developer shall provide the Clerk and the Village Attorney with an affidavit stating that each of the following individuals has been notified by U.S. Mail and indicating the address to which each notice was sent:

1. Village Attorney;
2. Village Engineer;
3. Fire Protection District;
4. Homeowners' associations (any which have indicated an interest in the review of the vacation);
5. School district(s);
6. Township Road Commissioner (if annexation is being considered);
7. Township Supervisor (if annexation is being considered); and
8. Utility company representatives:
 - a. Cable television,
 - b. Electric,

- c. Gas,
- d. Telephone and
- e. Sewer and water utility(s),

C. The owner or his designated representative is required to be present when the Plan Commission reviews and evaluates the Plat of Vacation.

D. After the Plat of Vacation has been evaluated at a scheduled Plan Commission meeting, minutes from that meeting shall be prepared by the Plan Commission secretary. A copy of the minutes shall be sent to the owner or his technical representative, Village Engineer, Village Attorney, Plan Commission members, President and Board of Trustees, Village Clerk and other parties requesting copies of the minutes.

E. Approval of the Plat of Vacation by the Plan Commission is required prior to submission of the Plat to the Board of Trustees.

F. Approval of a Plat of Vacation by the Plan Commission shall expire one year from the date of approval. When such approval has expired, the Plan Commission must again review and approve the Plat of Vacation before submission of the Plat to the Board of Trustees.

G. It shall be the developer's responsibility to contact the utility companies and the CATV company to obtain their written approval of any vacation of utility easements.

H. Approval of Plat of Vacation by Plan Commission:

1. Approval of the Plat of Vacation by the Plan Commission and completion of all requirements of Appendix F, Section F-2, is required prior to submission of the Plat to the Board of Trustees.
2. It shall be the developer's responsibility to request the Clerk to submit the Plat, as approved by the Plan Commission, to the Board of Trustees. However, if a Plat has been conditionally approved by the Plan Commission all conditions of approval must be met before the Plat of Vacation may be submitted to the Board of Trustees.
3. The owner or his designated representative is required to be present when the Plan Commission reviews the Plat of Vacation.
4. The Plat of Vacation must be approved by the Plan Commission before it can be submitted to the Board of Trustees for consideration.

I. Review by the Board of Trustees and Recording:

1. Approval of the Plat of Vacation by the Plan Commission is required prior to consideration of the Plat by the Board of Trustees.

2. Following its approval by the Plan Commission, a Plat of Vacation may be scheduled for approval by the Board of Trustees in accordance with its adopted agenda procedures.
3. After a Plat of Vacation has been approved by the Board of Trustees it shall be in the custody of the Clerk, who shall obtain the signature of the Board of Trustees President and attest to that signature on the plat.
4. When all signatures required on the plat have been obtained, the developer may obtain the Plat of Vacation from the Clerk and present it to the Recorder for recording.
5. After a Plat of Vacation has been recorded and photographed, the developer shall obtain the number of copies specified by the Building Inspector, and deliver them to him.
6. A Plat of Vacation which has not been recorded within six months after its approval by the Board of Trustees shall have no validity, and shall not thereafter be recorded.