

CHAPTER 21
PLANNING AND ZONING COMMISSION

21.01	Organization
21.02	Duties of the Commission
21.03	Official Plan
21.04	Subdivision Compliance with the Comprehensive Plan
21.05	General Provisions
21.06	Officers and Duties

21.01 ORGANIZATION

A. Creation: A combined Planning and Zoning Commission is hereby created for the Village to carry out the duties of a Plan Commission and Zoning Board of Appeals. When used in this Chapter 21, "Commission" shall be construed to mean the Planning and Zoning Commission and "Commissioners" shall be construed to mean the members of the Commission. Any ordinance, code or regulation of the Village or state statutes that references the Plan Commission and/or Zoning Board of Appeals shall mean the Planning and Zoning Commission.

B. Members: The Commission shall consist of seven Commissioners appointed by the President with the advice and consent of the Village Board. The President shall designate one of the Commissioners to serve as Chairperson. The position of the Chairperson shall be reviewed on an annual basis.

C. Term of Office: The first appointees shall serve for the following terms, or until their respective successors, in similar manner, have been appointed and qualified: two for one year, two for two years, one for three years, one for four years and one for five years. Successors to each member so appointed shall serve five year terms, except that vacancies shall be filled for the unexpired term of the seat vacated. The term of each Commissioner shall expire April 30 of the year of expiration of its respective term of office.

D. Compensation: All Commissioners shall be compensated, as determined from time to time by the Village Board.

21.02 DUTIES OF THE COMMISSION

The Commission shall have the power to:

1. Prepare and recommend to the Village Board a comprehensive plan of public improvements looking to the present and future development of the Village and unincorporated land situated within the corporate limits or in contiguous territory not more than 1½ miles beyond the corporate limits and not included in any municipality, and including a schedule of projects, estimate time when needed and methods of financing.
2. Study the possible growth and changes in land and building uses and in planning and zoning conditions within the corporate limits or in contiguous territory not more than 1½ miles beyond the corporate limits and not included in any municipality.
3. Recommend the regulations governing the development, maintenance and future changes or redevelopment of private property.
4. Consider and report on special and current matters relating to the development within the Village or contiguous unincorporated territory as may arise or be referred to the Commission by the Village Board prior to the passage and approval of the Comprehensive Plan.
5. Hear appeals from any order, requirement, decision or determination of the Building Commissioner, relating to the Lake in the Hills Zoning Code by any person, firm or corporation referred to it or upon which it is required to pass under the provisions of the Lake in the Hills Zoning Code.
6. Recommend to the Village Board after holding a public hearing on application for variations from the strict enforcement of any provisions of the Lake in the Hills Zoning Code, in accordance with the rules and standards set forth therein.

7. Recommend to the Village Board, after holding a public hearing, on petitions for amendment of the provisions of the Lake in the Hills Zoning Code and the boundary lines of zoning districts established therein.
8. Recommend to the Village Board, after holding a public hearing, on petitions for conditional uses, including planned developments.
9. Transmit to the Village Board, with every zoning recommendation, findings of fact and to refer to any plans and specifications relating to its recommendation, which plans and specifications shall remain a part of the permanent records of the Commission. The finding of facts shall specify the reason or reasons for its recommendation. The terms of relief recommended shall be specifically set forth in a conclusion or statement separate from the findings of fact of the Commission.
10. Review all plats of subdivision and site plans for compliance with the Subdivision Control Ordinance, the Lake in the Hills Zoning Code and the Comprehensive Plan.
11. File immediately in the office of the Clerk every rule, order, requirement, decision or determination of the Commission after any meeting or hearing, which shall be a public record.
12. Give aid to the Village officials charged with the direction of projects for improvements embraced within the Comprehensive Plan, to further the making of these projects and generally to promote the realization of the Comprehensive Plan;
13. Consider and report on current and special matters relating to the development within the Village and contiguous and unincorporated territory as may arise or be referred to the Commission by the Village Board.

14. Additional duties of the Commission are as outlined in the Lake in the Hills Zoning Code, this Code and the Illinois Municipal Code.

21.03 OFFICIAL PLAN

A. The Comprehensive Plan may be prepared in whole or in separate geographical or functional parts.

B. The Comprehensive Plan or any part thereof, when passed and approved by the Village Board, shall be designated as the official plan or as part thereof of the Village and shall be known as the Comprehensive Plan of the Village of Lake in the Hills. From time to time thereafter, changes in the Comprehensive Plan or any of its part may be recommended by the Commission.

21.04 SUBDIVISION COMPLIANCE WITH THE COMPREHENSIVE PLAN

No map or plan of subdivision presented for record affecting land within the corporate limits of the Village shall be entitled to record or shall be valid unless it conforms to the requirements hereof and to the Comprehensive Plan and to all other applicable ordinances of the Village.

Any map or plat of subdivision presented for record shall provide for streets, alleys and public grounds in conformity with the requirements of the Comprehensive Plan.

21.05 GENERAL PROVISIONS

A. These rules are supplementary to the provisions of the Lake in the Hills Zoning Code and as they relate to procedures of the Planning and Zoning Commission. For purposes of this Chapter 21, "Commission" shall mean the Planning and Zoning Commission and "Commissioners" shall mean the members of the Commission.

B. Any Commissioner who has any interest directly in a matter before the Commission shall not vote thereon and shall remove themselves from any meeting or hearing at which said matter is under consideration.

C. Nothing herein shall be construed to give or grant the Commission the power or authority to alter or

change the Lake in the Hills Zoning Code, including the zoning map, which authority is reserved to the Village Board.

D. The Village Attorney shall be consulted in cases where the powers of the Commission are not clearly defined.

E. The office of the Commission shall be located in the Lake in the Hills Village Hall.

F. The intent and purpose of the Commission are set forth in the Lake in the Hills Zoning Code, as amended.

21.06 OFFICERS AND DUTIES

A. Chairperson: The Chairperson, who shall be appointed pursuant to Section 21.01-B of this Code, shall:

1. Supervise the affairs of the Commission;
2. Preside at all Commission meetings, conduct all hearings before the Commission and decide all points of order, unless otherwise directed by a majority of the Commissioners present at the time.
3. Shall be the only Commissioner to respond to written or verbal communications;
4. Shall appoint such committees and sub-committees as may be necessary to carry out the purposes of the Commission, and be an ex-official member of all committees and sub-committees so appointed.
5. Shall provide for the oath to be administered to all witnesses in cases before the Commission; failing to do so shall void testimony.

B. Recording Secretary: The Recording Secretary shall be appointed by the Chairperson and have the following duties:

1. Record and maintain permanent minutes of the Commission meetings and hearings. Minutes shall show the vote of each Commissioner

upon every question, or if absent or failing to vote, indicating that fact.

2. All official records of the Commission shall be maintained by the Clerk. Before official records are turned over to the Clerk, the Recording Secretary shall be the custodian of the records and any exhibits submitted.

Recodified 02-14-02

Amended 05-26-05