

DIVISION 3 - SUBMISSION & REVIEW PROCEDURES

SEC.16.3-1 PRE-APPLICATION CONFERENCE. The owner or developer may schedule one or more pre-application conferences with the representatives of the Town Council, Planning Commission, school district administrative staff, when determined appropriate, and Town Staff for the purpose of reviewing development proposals, concept plans and comparable preliminary data by making a request for a pre-application conference to the Town Clerk. The purpose of a pre-application conference is to review material which is in a preliminary conceptual form and which may, after review and comment, be then refined by the owner or developer into a preliminary subdivision or Planned Unit Development Preliminary Development Plan. Thereafter, the Town Planner may furnish the applicant with written comments regarding the proposed subdivision; said communication may also include the staff's recommendation with respect to whether land shall be dedicated and/or a cash contribution shall be made by the developer to satisfy the Public Land Dedication Requirements as contained in Division 6. The pre-application conference may be waived by mutual agreement between the Town Staff and the owner or developer.

SEC.16.3-2 PRELIMINARY PLAN. Before subdividing any land subject to requirements of this Code, the owner or developer shall comply with the following:

SEC. 16.3-2.1 SUBMISSION. The owner or developer shall submit to the Town Clerk twenty-one (21) paper copies of a Preliminary Plan in the form and providing all information required by SEC. 16.4-2.

SEC. 16.3-2.2 FILING FEE. An application for approval of a Preliminary Subdivision Plan shall be filed with the Town Clerk and be accompanied by a fee receipt reflecting payment to the Town Treasurer of the appropriate fee as set forth in Division 16 of Chapter 25. (Amended 2/16/09 by Ord. No. 5236)

SEC. 16.3-2.3 SCHEDULING AND NOTIFICATION OF PUBLIC HEARING. Upon receipt of a Preliminary Plan and required filing fee, the Town Clerk shall schedule and give notice of a legislative public hearing before the Planning Commission in the manner prescribed by SEC. 15.12(D)(3). The legislative public hearing shall be scheduled not later than at the first regularly scheduled Planning Commission meeting occurring more than twenty-four (24) days after the filing date of the Preliminary Plan.

The Town Clerk's notice shall contain:

- A. The name of the proposed subdivision or planned unit development, its commonly known location and legal description;
- B. A statement of what the application is requesting the Council/Commission to approve;
- C. A statement of where copies of the application, the preliminary subdivision or

preliminary development plan and all other supporting documentation can be inspected by the public;

- D. A statement that all interested persons have the right to appear at the public hearing on such preliminary subdivision or preliminary development plan and present evidence; and
- E. The date, time and location of the public hearing.

The Town Clerk, on behalf of the Planning Commission, shall notify the owner or developer of the proposed subdivision or planned unit development as to the time and place of the public hearing thereon at least seven (7) days prior to the date of the said hearing.

SEC. 16.3-2.4 DISTRIBUTION OF PRELIMINARY PLAN FOR REVIEW AND COMMENT. The Town Clerk shall route one (1) or more copies of the Preliminary Plan to various Town staff members for review and comment. One (1) copy of the plan shall be provided to each member of the Planning Commission and each member of the Town Council prior to their respective consideration and review of the plan.

SEC. 16.3-2.5 ADMINISTRATIVE REVIEW & COMMENT. The Town Staff shall review such Preliminary Plan and shall submit their recommendations for approval, modification, or disapproval of said Plan to the Town Planner. The Town Planner shall review said Plan and shall submit a written report containing said recommendations to the Planning Commission for its consideration at the public hearing on such Preliminary Plan application. The Town Planner shall also send the owner or developer of the subdivision or planned unit development a copy of the said written report prior to the hearing.

SEC. 16.3-2.6 LEGISLATIVE PUBLIC HEARING AND RECOMMENDATION. The Planning Commission shall conduct a legislative public hearing on the Preliminary Plan during which it shall determine the extent to which the plan conforms or fails to conform with the standards of this Code and shall, not later than ninety (90) days after the adjournment of the legislative public hearing, transmit its recommendation on the plan to the Town Council. The Planning Commission may recommend approval of a Preliminary Plan with an approval recommendation conditioned upon the making of one (1) or more changes in the proposal, which such changes shall be enumerated in the Commission's transmittal to the Town Council, or may transmit the plan to the Council without recommendation. Should the Planning Commission fail to act within the ninety (90) days from the adjournment of the public hearing, or fail to adjourn the public hearing within one hundred twenty (120) days of its commencement, the plan shall be submitted to the Council without recommendation.

SEC. 16.3-2.7 COUNCIL APPROVAL OR REJECTION OF A PROPOSED PRELIMINARY PLAN. Within thirty (30) days after receipt of the Planning Commission's recommendation or within one hundred eighty (180) days from the filing date of the Preliminary Plan, whichever occurs first, the Town Council shall approve or reject the proposed Preliminary Plan. Failure of the Council to act within the prescribed time period shall constitute approval of the Preliminary Plan. Upon approval of the Preliminary Plan by the Council, the Town Clerk

shall secure from the owner or developer a reproducible mylar copy of the approved Preliminary Plan and shall cause the signatures required on the "Notice of Approval" as provided by SEC. 16.3-2 of this Code to be affixed thereon. The Town Clerk shall then cause six (6) copies of the approved Preliminary Plan with such signatures affixed thereon.

SEC. 16.3-2.8 EXTENSION OF TIME PERIODS BY MUTUAL CONSENT. Time periods for review by the Planning Commission or Council may be extended by mutual consent of the owner or developer and the Planning Commission or Council. Any such extension shall stay the running of all subsequent time periods.

SEC. 16.3-2.9 EXTENSION OF PRELIMINARY PLANS. Approved Preliminary Plans or portions thereof on which no Final Plat has been submitted for review and approval shall expire and be of no force or effect three (3) years after this approval, except:

- A. The filing of a Final Plat and necessary supporting documents pursuant to SEC. 16.2-3 and SEC. 16.2-5 shall extend the life of a remaining valid preliminary plan for three (3) years; or
- B. If the life of a Preliminary Plan is extended by action of the Town Council.

SEC. 16.3-3 PUBLIC IMPROVEMENT ENGINEERING PLANS AND SPECIFICATIONS. Before subdividing any land subject to the requirements of this Code, an owner or developer shall comply with the following:

SEC. 16.3-3.1 PREREQUISITES. Approval and continuing validity of a Preliminary Subdivision Plan;

SEC. 16.3-3.2 SUBMISSION. The owner or developer shall submit two (2) sets of engineering plans and specifications for all public improvements proposed in or necessary to serve lots depicted in an approved Preliminary Plan or portion thereof, which plans and specifications shall be in the form and include the content required by SEC. 16.4-3. Such plans shall be in compliance with the Preliminary Plan.

SEC. 16.3-3.3 REVIEW AND APPROVAL.

- A. The public improvement plans and specifications shall be reviewed and approved or disapproved by the Town Engineer.
- B. The Town Engineer will require the owner or developer to submit all data, plans, specifications and additional materials as may be necessary to completely and accurately determine the extent of compliance or noncompliance with the Town's public improvement design standards and accepted engineering practice and to demonstrate that the proposed manner of construction and installation will meet or exceed all Town Public Improvement Construction Standards as outlined in "A Manual of Practice for the Design of Public Improvements in the Town of Normal."

- C. The public improvement plans and specifications, whether they meet or exceed the Town subdivision, public improvement design standards and otherwise demonstrate good and acceptable engineering design and practice, shall be approved by the Town Engineer.
- D. Approval or disapproval by the Town Engineer shall be in writing and shall make reference to the public improvement plans and specifications.

SEC. 16.3-4 PUBLIC IMPROVEMENT INSTALLATION AND INSPECTION PROCEDURES. The owner or developer of property desiring to install public improvements in an area depicted on a proposed or approved Preliminary Plan or approved or proposed Final Subdivision Plat shall perform such installation in accordance with the following procedure:

SEC. 16.3-4 PREREQUISITES TO INSTALLATION.

- A. For Installations Before Final Plat Approval:
 - 1. Approval and continuing validity of an approved Preliminary Plan;
 - 2. Approval of public improvement engineering plans and specifications for any and all public improvements which are to be installed or the installation of which is to be commenced prior to the approval of a Final Plat;
- B. For Installation After Final Plat Approval:
 - 1. Approval of a Final Plat;
 - 2. Posting of a Final Plat, Public Improvement Payment, Performance and Workmanship Bond and security therefore, in the amount and form specified in SEC 16.4-6 for all public improvements depicted in, adjacent to or necessary to serve lots or outlots depicted in an area for which Final Plat approval has been obtained.

SEC. 16.3-4.2 INSPECTION. During installation of public improvements, either before or after Final Plat approval, the owner or developer shall comply with the requirements of Section 1.15 of “A Manual of Practice for the Design of Public Improvements in the Town of Normal” by which the Town Engineer or his Designate shall make periodic inspections. Failure to comply and install or maintain such installations in a manner that permits inspection shall constitute grounds for rejecting or revoking Preliminary Plan or Final Plat approval, forfeiting pledged security and, in addition, shall constitute a violation of this Chapter.

SEC. 16.3-4.3 PLAN REVIEW, INSPECTION AND TESTING FEE. The cost incurred by the Town for review of public improvement plan and specifications as required by SEC. 16.3-3 of this Code and the inspection and testing of public improvements as required by SEC. 16.3-4(B) of this Code, shall be paid by the owner or developer. Such cost shall be equal

to the actual cost incurred by the Public Works Department in labor, materials, transportation and overhead for such review, inspection and testing as calculated by the Town Engineer. At the time such plans and specifications are filed with the Town Engineer, the owner or developer shall pay to the Town a fee of two percent (2%) of the costs as estimated by the Town Engineer of such required land improvements. Said fee shall be applied as credit against the actual costs incurred by the Public Works Department for review of such plans and the inspection and testing of such improvements. The balance of the actual costs shall be paid to the Town by the owner or developer at the time such review and inspection has been completed by the Public Works Department. All land improvements to be installed under the provisions of this Code shall be inspected by the Public Works Department during the course of construction.

SEC. 16.3-4.4 GRADING PLANS RECORD DRAWINGS. The owner or developer shall submit to the Town Engineer for approval, prior to issuance of a building permit or prior to the installation of any utilities serving a proposed lot of record, whichever is earlier, a record drawing of the grading plan which is required by Section 1.05-B(2) of “A Manual of Practice for the Design of Public Improvements in the Town of Normal”. The record drawings submitted shall be one (1) clear and legible transparent mylar and one (1) photo static print of the approved grading plan and shall also depict the actual ground surface elevations on all lot corners and building pads in addition to the proposed elevations on the approved grading plan. (Added 4/19/93 by Ord. No. 4132)

SEC. 16.3-5 FINAL PLAT SUBMISSION AND REVIEW PROCEDURE. Before subdividing any land, subject to requirements of this Code, an owner or developer shall comply with the following Final Plat submission, review and approval procedure:

SEC. 16.3-5.1 PREREQUISITES.

- A. Approval and continuing validity of a Preliminary Subdivision Plan;
- B. Approval of the public improvement plans and specifications proposed in, adjacent to or necessary to serve lots or outlots depicted in the area for which Final Plat approval is sought;
- C. Payment of any and all applicable tap-on and street light fees prior to recording the Final Plat; and
- D. Prior to recording the Final Plat, the posting of any required Final Plat Public Improvement Payment, Performance and Workmanship Bond; filing and establishment of any required Adjacent Street Substandard Roadway Improvement Guarantees and security; making of any required Public Land Dedications or cash contribution in lieu thereof; and obtaining and filing with the Town of any off-site easements or right-of-way for public improvements serving the site.
- E. Submission of a fee receipt reflecting payment to the Town Treasurer of the appropriate following fee:

AREA IN SUBDIVISION FEE

Less than 2 acres	\$200.00
At least 2 acres but less than 15 acres	\$300.00
At least 15 acres but less than 25 acres	\$400.00
25 acres or more	\$500.00

SEC. 16.3-5.2 SUBMISSION. The owner or developer shall submit to the Town Clerk two (2) transparent mylars, one (1) digital computer-aided drafting file on disk, and fifteen (15) copies of a Final Plat, in a form and providing all the information, data and supporting material required by SEC. 16.4-4 and retaining the design characteristics of the approved Preliminary Plan and public improvement engineering plans and specifications.

SEC. 16.3-5.3 DISTRIBUTION OF FINAL PLAT FOR REVIEW AND COMMENT. The Town Clerk shall route one (1) or more copies of the Final Plat to Town Staff members for review and comment. One (1) copy of the Final Plat shall be provided to each member of the Town Council prior to the consideration of the plan.

SEC. 16.3-5.4 TOWN COUNCIL REVIEW, REFERRAL AND APPROVAL OR DISAPPROVAL. Within thirty (30) days from the submission of a Final Plat and supporting material, the Town Council shall review the Final Plat to determine the extent to which it conforms with the approved Preliminary Plan and approved public improvement plans and specifications and shall further review the supporting material to determine its conformance with the requirements of this Code. If the Final Plan substantially conforms with the approved Preliminary Plan and public improvement plans and specifications and if the supporting material meets all Code requirements, then the Council shall approve the Final Plat by Resolution within thirty (30) days from the date of its review. The Council may approve such plats subject to the subsequent posting of Final Plat Payment, Performance and Workmanship Bond; Adjacent Substandard Roadway Improvement Guarantee, and related security documents and reserves. If the Final Plat does not in some way substantially conform with the approved Preliminary Plan, or if the supporting material does not conform with all Code requirements, then the Council, within thirty (30) days from the date of its review, shall take one of the following actions:

- A. By Resolution, approve the Final Plat;
- B. By Resolution, approve the Final Plat with conditions;
- C. By Resolution, disapprove the Final Plat;
- D. Refer the Final Plat to the Planning Commission for legislative public hearing, at which time and place the Planning Commission shall determine the extent to which the (Revised) Final Plat conforms or fails to conform with the standards of this Code. The Planning Commission shall, not later than ninety (90) days after the adjournment of the legislative public hearing, transmit its recommendation on

the (Revised) Final Plat to the Town Council. Within sixty (60) days from the receipt of the Planning Commission's recommendation with respect to the (Revised) Final Plat, the Town Council shall, by Resolution, approve or disapprove the Plat.

SEC. 16.3-5.5 RECORDING. Within seven (7) days from the date of adoption of a Resolution approving the Final Plat, or within seven (7) days from the date on which the last event referred to this Code or characterized in the Resolution as a prerequisite to recording of the Final Plat occurs, whichever is later, the Town Clerk shall record a copy of the Final Plat, a certified copy of the Resolution approving the Final Plat, and any supporting certificates necessary to accomplish the recording in the Office of the Recorder of Deeds of McLean County. If such Final Plat is not recorded within ninety (90) days of Town Council approval, such plat shall become null and void.

SEC. 16.3-5.6 EXPEDITED FINAL PLAT SUBMISSION, REVIEW AND APPROVAL PROCEDURE - SUBDIVISION WITH THREE LOTS OR LESS. Notwithstanding the sequential procedure for subdivision plan submission, review and approval specified elsewhere in this Division, an owner or developer meeting the pre-requisites specified in this paragraph may utilize the expedited Final Plat process described herein:

A. Prerequisites.

1. The plat depicts a total of not more than three (3) lots and outlots;
2. The plat includes all contiguous property in common ownership or unified control.
3. The proposed subdivision shall not necessitate the construction or installation of public improvements.
4. That no waivers of this Code be requested.

B. Submission. Any person desiring to utilize the expedited final plat procedure, shall submit the following to the Town Clerk:

1. A written request to waive the preliminary plan, submission, review, and approval procedure.
2. Ten (10) copies of a utility plan and flood plain map. The utility plan shall show all information of existing and proposed utilities as required for a preliminary plan. The flood plain map will outline the area in the flood hazard area as described in Chapter 28 of the Municipal Code of the Town of Normal, 1969, as amended.
3. Two (2) transparent mylars, one (1) digital computer-aided drafting file on disk, and fifteen (15) photo static copies of the Final Plat in a form

providing all information, data and supporting material required by Section 16.4-4. (Amended 11/7/83)

4. A fee receipt reflecting payment to the Town Treasurer of the appropriate following fee:

AREA IN SUBDIVISION FEE

Less than two acres	\$200.00
At least two acres but less than fifteen acres	\$300.00
At least fifteen acres but less than twenty-four acres	\$400.00
Twenty-five acres or more	\$500.00

(Amended 2/4/08 by Ord. No. 5170)

- C. Distribution of Final Plat for Review and Comment. The Town Clerk shall route one (1) or more copies of the Final Plat to the Town staff members for review and comment. One (1) copy of the Final Plat shall be provided to each member of the Town Council prior to their consideration of the plan.

- D. Town Council Review, Referral and Approval or Disapproval. Within thirty (30) days from the submission of a final plan under this expedited review and procedure, the Town Council shall review the submission to determine the extent to which it conforms with the requirements of this Code. If the material meets all Code requirements, then the Council shall approve the Final Plat by resolution within thirty (30) days from the date of its review. The Council may approve such plats subject to the subsequent payment of any and all applicable fees and posting of a Final Plat Payment, Performance and Workmanship Bond; Adjacent Substandard Roadway Improvement Guarantee, Public Improvement Engineering Plans and Specifications and related materials, security documents and reserves. If the Final Plat in some way does not conform with all Code requirements, then within thirty (30) days from the date of its review, the Council shall take one or more of the following actions:
 1. By Resolution, approve the Final Plat;
 2. By Resolution, approve the Final Plat with conditions;
 3. By Resolution, disapprove the Final Plat;
 4. Require the submission of a Preliminary Plan;
 5. Refer the Final Plat to the Planning Commission for legislative public hearing, at which time and place the Planning Commission shall determine the extent to which the Final Plat conforms with the standards of this Code. The Planning Commission shall, not later than ninety (90) days after the adjournment of the legislative public hearing, transmit its recommendation on the Final Plat to the Town Council. Within sixty (60) days from the receipt of the Planning Commission recommendation with

respect to such Final Plat, the Council shall, by Resolution, approve or disapprove same.

E. Conformance with Other Requirements. Except as provided in this section, the recording of Final Plats, the posting of bonds, the submission of as-built plans and the release of bonds, shall be as provided in this Chapter.

SEC. 16.3-6 PLANNED UNIT DEVELOPMENT FINAL PLAN. Refer to SEC. 15.9-4 of this Code.

SEC.16.3-7 PAYMENT, PERFORMANCE AND WORKMANSHIP GUARANTEES. Either prior to the approval of a final subdivision plat or prior to its recording and within the time framework, if any, specified in the Resolution of approval, the owner or developer shall post, secure and file with the Town Clerk a Final Plat Public Improvement Payment, Performance and Workmanship Bond with appropriate evidence of security and file and establish an Adjacent Substandard Roadway Improvement Guarantee and security in the manner, amount and form described respectively in SEC. 16.4-6.

SEC. 16.3-8 SUBMISSION OF RECORD DRAWINGS. After installation, completion, inspection, testing and receipt of engineering approval, but before Town acceptance for maintenance of any public improvements within a subdivision, the owner or developer shall submit record drawings of the public improvement plans in the form and with the content required by Section 1.16 of “A Manual of Practice for the Design of Public Improvements in the Town of Normal”.

SEC. 16.3-9 ACCEPTANCE FOR MAINTENANCE.

SEC. 16.3-9.1 COMPLETION OF ALL PUBLIC IMPROVEMENTS. After the developer has complied with the requirements of Section 1.16 and 1.17 of “A Manual of Practice for the Design of Public Improvements in the Town of Normal” and within thirty (30) days after the Town Engineer’s written recommendation for acceptance, the Town Council shall, by resolution, accept for maintenance all public improvements within, adjacent to or serving lots or outlots depicted on a Final Plat.

SEC. 16.3-9.2 COMPLETION OF ALL PUBLIC IMPROVEMENTS EXCEPT SIDEWALKS. If the developer has complied with all of the requirements of Section 1.16 and 1.17 of “A Manual of Practice for the Design of Public Improvements in the Town of Normal”, except the completion and inspection of an approved sidewalk, then the developer may post a payment, performance, and workmanship guarantee in the manner and form described in Section 16.4-6.1 guaranteeing the construction of the proposed sidewalk, which guarantee shall be secured by posting a cash escrow with the Town of Normal in the amount determined by the Town Engineer. If the guarantee and security is posted for the approved sidewalk, then within thirty (30) days after the Town Engineer’s written recommendation for acceptance of all public improvements except sidewalk, the Town Council shall, by resolution, accept for maintenance all public improvements except sidewalk within, adjacent to, or serving lots or outlots depicted on a Final Plat.

If the developer constructs the approved proposed sidewalk as guaranteed, then the Town shall, upon approval by the Town Engineer, release to the developer the posted cash escrow securing such sidewalk construction. If the approved proposed sidewalk for which guarantee and cash escrow has been posted is not constructed within two (2) years of posting such guarantee and cash escrow, the Town may use the funds in the cash escrow to construct the approved proposed sidewalk, billing the developer for any deficiency and refunding to the developer any surplus from the cash escrow account.

SEC. 16.3-10 FINAL SECURITY RELEASE.

SEC. 16.3-10.1 FINAL PLAT PUBLIC IMPROVEMENT PAYMENT, PERFORMANCE AND WORKMANSHIP BONDS. One (1) year after the date on which a Resolution accepting a Final Plat for maintenance is adopted, unless a material or workmanship claim is submitted to the surety company or escrow agent, the security for Final Plat Public Improvement, Payment, Performance and Workmanship Bonds shall expire and may be released upon certification of satisfactory condition by the Town Engineer.

SEC. 16.3-10.2 ADJACENT SUBSTANDARD ROADWAY IMPROVEMENT GUARANTEES AND SECURITY. The adjacent substandard roadway improvement guarantee and security shall expire pursuant to SEC. 16.4-6.2 unless the Town Engineer has earlier certified completion of improvements to adjacent substandard roadways, and the security, plus interest at seven percent (7%) per annum may be released without further action by the Town Council.

SEC. 16.3-11 RESERVED.