

**PREPARED BY:**

**CITY OF NAPERVILLE  
LEGAL DEPARTMENT  
630/420-4170**

**RETURN TO:**

**CITY OF NAPERVILLE  
CITY CLERK'S OFFICE  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540**

**ORDINANCE NO. 17 -**

**AMENDING SECTION 5 (ADMINISTRATIVE PLAT PROCEDURES) OF CHAPTER 2  
(SUBDIVISION PLAT PROCEDURES) OF TITLE 7 (SUBDIVISION ORDINANCE) OF  
THE NAPERVILLE MUNICIPAL CODE PERTAINING TO  
ADMINISTRATIVE APPROVAL OF SUBDIVISION PLATS**

**WHEREAS**, the City of Naperville, pursuant to its authority as a home rule unit of local government under the Constitution and laws of the State of Illinois, has enacted municipal code regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the citizens of Naperville; and

**WHEREAS**, in 2006, the City established procedures to permit the administrative review and approval of subdivision plats that do not establish new buildable lots; and

**WHEREAS**, subdivision plats are commonly submitted for townhome developments for the purpose of permitting the assignment of parcel identification numbers (PINs) to reflect the separate ownership of each individual unit; and

**WHEREAS**, in accordance with the existing provisions of Section 7-2-5 (Administrative Plat Procedures) of the Naperville Municipal Code, said plats cannot be processed administratively due to their resulting creation of new lots; and

**WHEREAS**, the City has determined that Section 7-2-5 of the Naperville Municipal Code should be amended to permit the administrative approval of plats sought for the purpose of permitting assignment of parcel identification numbers to reflect separate ownership of dwelling units and/or property given that these requests need to occur in a timely manner and since the proposed plat will create additional lots but will not create any additional buildable units;

**WHEREAS**, the City Council concurs and finds that Section 7-2-5 of the Naperville Municipal Code should be amended accordingly.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS**, in exercise of its home rule authority, as follows:

**SECTION 1:** The recitals set forth above are incorporated in this Section in their entirety.

**SECTION 2:** Section 5 (Administrative Plat Procedures) of Chapter 2 (Subdivision Plat Procedures) of Title 7 (Subdivision Ordinance) of the Naperville Municipal Code is hereby amended by deleting the stricken language and adding the underlined language, as follows:

**7-2-5: ADMINISTRATIVE PLAT PROCEDURES:**

1. Intent: It is the intent of this Section to permit the administrative review and approval plats of subdivision, plats of easement, and plats of dedication which meet the criteria set forth in Section 7-2-5:2 below ~~of subdivision plats for parcels which were previously established through deed division, assessment plat or metes and bounds description, or easement plats for stormwater management areas, or utilities and drainage.~~ This Section should be administered without regard to land use or parcel size ~~and is intended to recognize only existing parcels.~~ It is not applicable to subdivision plats that establish new buildable lots or create new nonconforming lots resulting from changes in parcel size or width on the property which is the subject of the plat.

2. Procedures: Where a proposed ~~preliminary/final~~ plat of subdivision, or plat of easement, or plat of dedication is submitted on or after September 20, 2006, and includes the division of a lot, block or tract of property, which plat satisfies the following criteria, said ~~plat~~ subdivision shall be exempt from the procedures described in Sections 7-2-2, "Subdivision Plat Procedures" of this Chapter and shall instead be processed in accordance with the administrative resubdivision process described herein:

2.1. – 2.6.                                   \*                                   \*                                   \*

2.7. The plat is sought for the purpose of permitting assignment of parcel identification numbers to reflect separate ownership of dwelling units and/or property which does not increase the number of units or principal structures on any lot.

3. Process:                                   \*                                   \*                                   \*

**SECTION 3:** If any section, paragraph or provision of this Ordinance is held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 4:** This Ordinance shall be in full force and effect upon its passage and approval as required by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Steve Chirico

Mayor

ATTEST:

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Pam Gallahue, Ph.D.

City Clerk