

ORDINANCE NO. 2025-_____

**AN ORDINANCE ADOPTING FEES FOR ZONING APPLICATIONS AND
AUTHORIZING THE USE OF A CONSISTENT ZONING APPLICATION FORM FOR
THE VILLAGE OF WINNEBAGO, ILLINOIS**

WHEREAS, the Village of Winnebago ("Village") has established zoning and development procedures under the Village of Winnebago Unified Development Ordinance ("UDO") to promote the orderly development of land and to protect the health, safety, and welfare of its residents; and

WHEREAS, the Village desires to adopt a uniform fee schedule for zoning-related applications to ensure the Village recovers costs associated with processing, reviewing, and managing such applications; and

WHEREAS, the Village recognizes the need to maintain a standardized Zoning Application Form that reflects the requirements of the UDO and is consistent with any amendments to the Village ordinances or procedures;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Winnebago, Illinois, as follows:

SECTION I DEFINITIONS

The following definitions apply within this Ordinance and are consistent with the Unified Development Ordinance (UDO):

- A. **Application Form:** The standardized form authorized for use by the Village for zoning-related applications as detailed in the UDO.
- B. **Appeal:** A request made by an applicant to review a decision or interpretation made by the Village's zoning or administrative authorities. An appeal seeks reconsideration by a higher authority or body, such as the Zoning Board of Appeals, to determine whether the original decision aligns with the provisions of the UDO.
- C. **Special Use:** A use that would not be appropriate generally or without restriction throughout the zoning district but, if controlled as to number, area, location, or relation to the neighborhood, would not be detrimental to public health, safety, or general welfare.
- D. **Variance:** A variance is a modification of the requirements of the ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the requirements would result in unnecessary and undue hardship. The conditions and procedures under which the Zoning Board of Appeals may grant a variance is outlined within Article 15 of the UDO.
- E. **Zoning Map Amendment:** A modification to the official zoning map as maintained by the Village, altering the zoning classification of particular parcels in accordance with UDO procedures.
- F. **Planned Unit Development (PUD):** A tract of land, the development of which is approved and authorized by Village Board ordinance, and contains two (2) or more

principal buildings or has an area of two or more acres, and is developed as a single unit or under single ownership or unified control. A PUD may contain a mixture of principal uses and dwelling types and is designed specifically for the conditions on the site and to achieve a unified overall development. A PUD may not completely conform to all the regulations of the zoning district in which it is located. A PUD development should blend densities and design features with surrounding uses and may, based upon good design, combine uses not normally permitted together.

- G. **UDO:** Refers to the Village of Winnebago Unified Development Ordinance, which governs zoning, land use, and development within the Village.

SECTION II ADOPTION OF FEE SCHEDULE

The following base fees are hereby adopted for zoning applications, to be paid at the time of submission. Based on the complexity of the application and subsequent review required, in addition to the listed fees below, at the village's sole discretion applicants may be responsible for additional professional fees incurred by the village during the application process, including but not limited to engineering, legal, or planning review fees.

- A. **Zoning Map Amendment** (Zoning Change): \$400.00 plus \$10.00 per acre or part thereof, plus any additional professional fees.
- B. **Special Use Permit:** \$450.00 plus \$20.00 per acre or part thereof, plus any additional consultant fees.
- C. **Variation:** \$350.00, plus any additional consultant fees.
- D. **Planned Unit Development (PUD):** \$450.00 plus \$20.00 per acre or part thereof, plus any additional consultant fees.
- E. **Appeal:** \$250.00, plus any additional consultant fees.
- F. **Text Amendment / Future Land Use Plan Amendment:** \$400.00, plus any additional consultant fees.

Any fees incurred for state-required reports or publications as part of the zoning procedures shall also be the responsibility of the applicant.

SECTION III FEE WAIVERS

Fee waivers may be considered by the Village for zoning applications submitted by non-profit organizations or other local taxing districts. Applicants in these categories may request a waiver of applicable fees as part of their submission. All other applicants seeking a fee waiver must apply and receive approval from the Village Corporate Authorities before submitting their application, specifying the grounds for the waiver request.

SECTION IV AUTHORIZATION AND CONSISTENCY OF ZONING APPLICATION FORM

The Village Board hereby authorizes the use of a standardized Zoning Application Form (the "Form") for all zoning applications within the Village, included as "Exhibit A". The Form shall be maintained by the Village Administrator or his/her designee and shall include all required

information as specified in the UDO and any relevant Village ordinances, as may be amended from time to time.

The Form is authorized to be updated administratively by the Village Administrator or his/her designee to remain in compliance with current UDO standards and Village ordinances without further action by the Village Board, provided that any amendments are administrative in nature and do not materially alter the substantive requirements.

SECTION V SEVERABILITY

If any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION VI EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as required by law.

APPROVED this _____ day of _____, 2024

Franklin J. Eubank, Jr.,
Village President

ATTEST:

Sally Jo Huggins, Village Clerk

PASSED:

APPROVED:

**PUBLISHED IN
PAMPHLET FORM:**