

	PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY			
	Project Title/ Address:	Title 16 Rewrite		
	City Staff:	Matthew O'Rourke, Planner		
Please check appropriate box (x)				
	PUBLIC HEARING		MEETING 4/17/12	X
APPLICATIONS UNDER CONSIDERATION:				
N/A				
ATTACHMENTS AND SUPPORTING DOCUMENTS				
Staff Memo				
EXECUTIVE SUMMARY:				
<p>Over the course of the last year, the Community Development Staff has been working on a complete overhaul of Title 16 (Subdivision and Land Development) of the City's Code of Ordinances.</p> <p>Staff is presenting an overview of the proposed modification in order to advise the Committee of the more significant changes regarding the ordinance and to seek feedback before Staff begins the formal amendment process.</p>				
RECOMMENDATION / SUGGESTED ACTION <i>(briefly explain):</i>				
<p>Staff is presenting the proposed update to the Plan Commission for informational and discussion purposes. Staff would like to incorporate any of the Commission's input and recommendations before moving forward with the formal approval process.</p>				

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Staff Memo

To: Chairman Todd Wallace
And Members of the Plan Commission

From: Matthew O'Rourke, Planner

Re: Title 16 Subdivision and Land Development Ordinance Update

DATE: April 13, 2012

I. PURPOSE OF MEMO

Over the course of the last year, the Community Development Staff has been working on a complete overhaul of Title 16 (Subdivision and Land Development) of the City's Code of Ordinances. This memo will explain the rationale for the update and serve to highlight all significant policy and process changes.

II. BACKGROUND

A. WHAT IS TITLE 16?

Title 16 regulates the subdivision and resubdivision of properties and building or grading permits requiring the submittal of Engineering Plans. The primary purpose of Title 16 is to ensure that proposals to divide, assemble, or develop land compliant to the applicable standards enacted by the City.

The regulations of Title 16 fall into the following general categories:

- Procedures for the review and approval of subdivisions by Staff, the Plan Commission and City Council.
- Plans and studies required as part of the land development approval process.
- Standards for public infrastructure such as; right-of-way width, street/block length, location of water and sewer pipes, easements.
- Dedications of land for public purposes (school and park sites).

B. REASON FOR UPDATE

The primary reasons for the proposed update are as follows:

- The current title was originally adopted in 1963. Over the last 50-years sections of the title were amended to account for new technologies and development trends. However, these updates were somewhat sporadic and resulted in a disjointed ordinance. One example is the fact that a variance request process is located in no less than five locations.
- The current title is geared towards a community whose primary development is in greenfield locations. However, there is not an abundance of greenfield sites left in the City's planning area and in recent years the City has seen an increase in redevelopment proposals. Redevelopment proposals are generally more complex and require more detailed standards and specifications.
- Adoption of the Engineering Specification and Inspection Manual in 2011 as an official City Policy.
 - This document created an updated and consolidated location for all approved engineering design and inspection guidelines for use by residents, developers, and staff.
- Removal of conflicting requirements located within various City Ordinances.

III. **SUBDIVISION & LAND DEVELOPMENT APPROVAL PROCESS**

The following is a brief description of the current subdivision and land development process as set forth in Title 16 for informational and comparative purposes.

A. CONCEPT PLAN

The applicant can submit a Concept Plan Application. This plan is very conceptual and does not show much detail. The review process allows the Applicant to receive feedback on the viability of a proposed development from Staff, the Plan Commission, and Planning & Development Committee before investing a significant time and money in detailed plans.

B. PRELIMINARY PLAN

After the Concept Plan, if one was submitted, the applicant will submit a Preliminary Plat and Preliminary Engineering Plans. The purpose of a Preliminary Plat/Plan is for the applicant to receive approval for the subdivision/development layout, conformance to Title 17 (Zoning Ordinance), location of utilities, locations of easements, etc. Once the plans are reviewed by Staff they are forwarded to the Plan Commission and Planning & Development Committee for a recommendation, and are then formally approved by the City Council.

C. FINAL PLAN ENGINEERING

Once the Preliminary Plans are approved, the applicant will submit a Final Plat and Final Engineering Plan to Staff. The purpose of these plans is to finalize the technical details associated with the approved preliminary plans such as, the type of curbs to be utilized and fire hydrant location. These plans are reviewed by Staff. The Final Plat of Subdivision is forwarded to the Plan Commission and Planning & Development Committee for a

recommendation and then it is formally approved by the City Council. The Final Engineering Plans are approved administratively by Staff only.

D. FINANCIAL GUARANTEE & LAND IMPROVEMENT AGREEMENT

After the Final Plat and/or the Final Engineering are approved by Staff the applicant submits a financial guarantee for the completion of all public land improvements to ensure that the City has access to funding to complete the necessary land improvements if the developer cannot. As part of this guarantee, the applicant will sign a Land Improvement Agreement that commits them to completing all the improvements shown on the approved plans.

IV. SIGNIFICANT MODIFICATIONS TO TITLE 16

The following list describes the substantial modifications that are proposed to Title 16.

PROCEDURAL CHANGES

- **Creation of a Combined Preliminary-Final Review Process.** This is a process that Staff has informally implemented in the past, where Final Engineering Plans and Final Plats are reviewed at the same time as Preliminary Plat/Plan documents.
- **Creation of a Minor Subdivision Process.** This process has been created to accommodate small land divisions that do not incorporate any extension of public utilities or roads. This process states that the applicant is only required to submit the necessary Final Engineering Plans and a Final Plat of Subdivision and will not be required to submit any Preliminary Plans.
- Elimination of the Plan Commission review/recommendation of Final Plat when the City Council has already approved a Preliminary Plat of Subdivision and there are no substantive changes between the two documents.
- A letter of credit template is also being placed in the appendices for the first time. With this template is a new provision that accounts for cost increases for materials and other expenses to adjust for inflation.
- Traffic and Utility Studies are now required for land development projects unless it is determined by Staff or a licensed engineer that such a study does not meet warrants.
- Require that monuments get included in the financial guarantee.

ORDINANCE ORGANIZATION AND CLEAN-UP

- Plan submittal requirements associated with the various types of plans are all located in **Chapter 16.06 Plan Submittal Requirements** and all design specifications in the Title are located in **Chapter 16.08 Subdivision Design Standards and Specification**
 - The current Title 16 has plan submittal requirements mixed with design specifications relative to the plan being submitted.
- The majority of design specifications have been removed as they are repetitive with the Engineering Design and Inspection Policy Manual.
- As part of the Title 16 rewrite, Staff is also proposing amendments to **Chapter 12.30 Street Improvements** to eliminate duplicate or redundant requirements for street construction.

V. REVIEW PROCESS

A. REVIEW BY WBK ENGINEERING CONSULTANTS

The engineering firm of WBK has reviewed the draft of Title 16 to ensure that this update is consistent with current trends and best practices. WBK provided Staff with valuable input and found the update to be generally in conformance with the current best practices of other communities in the Chicago area.

B. LEGAL COUNSEL REVIEW

Staff has sent the draft update for Legal Counsel review. Staff anticipates their comments by the end of April 2012.

C. FORMAL REVIEW AND APPROVAL PROCESS

Once Staff has received feedback from the Planning and Development Committee, Staff will begin finalizing the Title 16 draft and move forward with the formal approval process. The anticipated future steps are as follows:

1. Receive comments from Legal Counsel and incorporate any necessary changes/modifications. (April 2012)
2. Present complete title draft to the Plan Commission for Commission comments, public comments, and recommendation. (May 2012)
3. Present complete title draft to the Planning and Development Committee for comment and recommendation. (June 2012)
4. Present revised Title 16 to City Council for approval. (June 2012)

VI. RECOMMENDED ACTION

Staff is presenting the proposed update to the Plan Commission for informational and discussion purposes. Staff would like to incorporate any of the Commission's input and recommendations before moving forward with the formal approval process.