

Agenda Item # 59

STATE OF ILLINOIS)
)
COUNTY OF LAKE) SS

COUNTY BOARD, LAKE COUNTY, ILLINOIS

June 10, 2003

Ms. CHAIRPERSON AND MEMBERS OF THE COUNTY BOARD:

Your Planning, Building and Zoning Committee presents herewith a Resolution relating to the proposed text amendments to Article 10, Subdivisions, of the Unified Development Ordinance (UDO) and recommends that the proposed amendments attached hereto as Exhibit A be approved and the attached resolution be adopted.

Respectfully Submitted,
PLANNING, BUILDING AND ZONING COMMITTEE

Suey Martine
CHAIRMAN
Samuel D. Newton
VICE CHAIRMAN
Simon M. ...
Randy Whitmore
Robert Sabon

RESOLUTION

WHEREAS, the Lake County Board adopted the Unified Development Ordinance (UDO) on April 11, 2000; and

WHEREAS, the UDO regulations require a periodic review and revision as may be necessary; and

WHEREAS, the staffs of the Department of Planning, Building and Development and the Division of Transportation have conducted a review of Article 10 of the UDO and have proposed certain amendments to correct deficiencies; and

WHEREAS, the Planning, Building and Zoning (PB&Z) Committee is of the opinion that the necessary steps should be taken to correct these deficiencies; and

WHEREAS, public hearings were conducted by the PB&Z Committee on Monday, March 24, 2003 and on Monday, May 5, 2003; and

WHEREAS, the PB&Z Committee finds that the proposed amendments meet the text amendment approval criteria specified in Article 3, Section 3.2 in the following manner: **A.** The proposed amendments correct inconsistencies or meet the challenge of changing conditions in Lake County; **B.** The proposed amendments are consistent with the purpose and intent of the UDO; **C.** The proposed amendments will not adversely affect the health, safety, morals and general welfare of the public; and

WHEREAS, the PB&Z Committee recommends that the text of Article 10 of the UDO be amended in accordance with the attached Exhibit A. A motion to approve was made by Member Newton, seconded by Member Mountsier and passed by a vote of 7 to 0.

NOW THEREFORE BE IT RESOLVED by the Lake County Board that the text of Article 10 of the UDO is hereby amended in accordance with the attached Exhibit A; and

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is hereby directed to keep a record of this Resolution.

DATED at Waukegan, Illinois this 10th day of June, 2003.

Exhibit A

Proposed Amendments to Article 10 of the Unified Development Ordinance

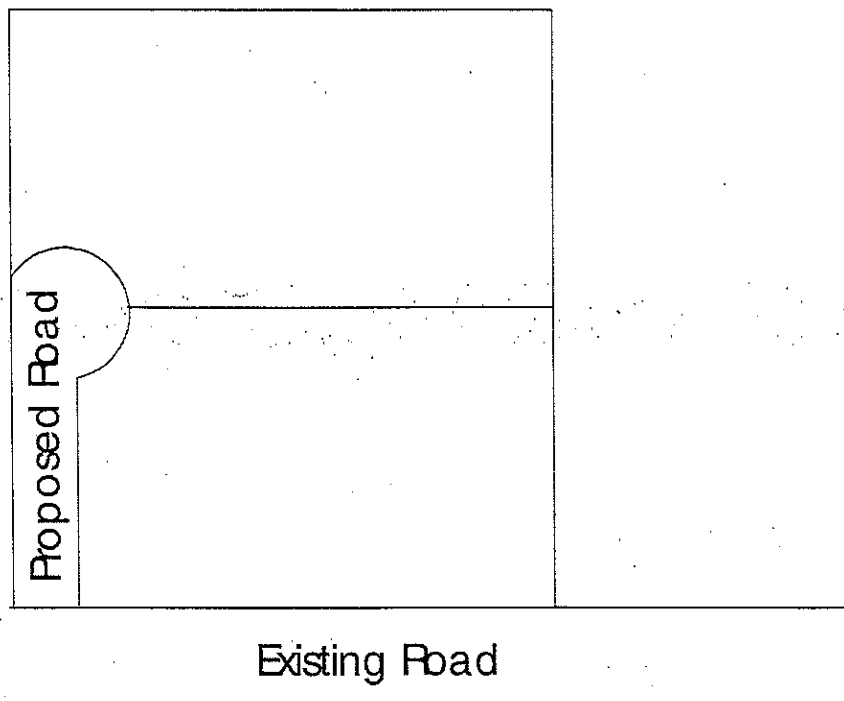
Amend Article 10, Section 10.2.1 as follows:

10.2.1/General

- A. **Relationship to Development Review Procedures of Article 3**
The "General" procedural requirements and standards of Sec. 3.1 shall apply to the subdivision procedures of this section.
- B. **Minor Subdivisions, Major Subdivisions, and Lot Splits and Plats of Consolidation**
 - 1. Applications that involve the creation of more than 5 lots shall be processed as "Major Subdivisions."
 - 2. Any application that involves the creation of 5 or fewer lots shall be processed as a "Minor Subdivision."

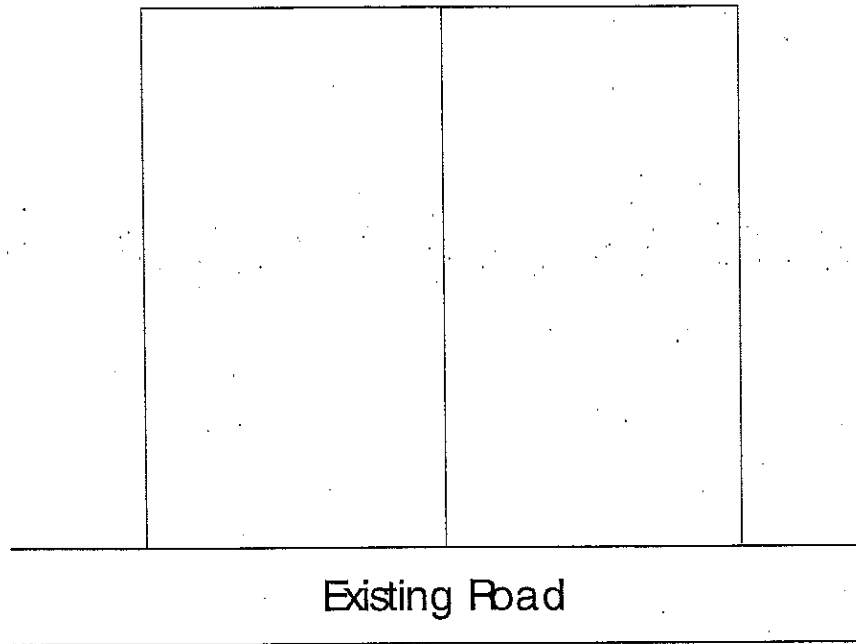
(Figure 10.2.1.B2)

Minor Subdivision



3. The following shall be processed as "Lot Splits":
 - a) The division of a single lot or parcel into no more than 2 lots; provided that the division does not involve any new streets or easements of access; and
 - b) The adjustment or movement of a common boundary line between lots that does not create any additional lots, provided that the lots are under common ownership.

(Figure 10.2.1.B3)
Lot Split



- ~~4. The consolidation of lots or parcels into a fewer number of lots or parcels shall be processed as Plats of Consolidation.~~

c. Overview of Review and Approval Process

1. Minor Subdivisions

There are 2 required steps in the Minor Subdivision process: (1) Preapplication Conference (see Sec. 10.2.2) and (2) Final Plat review and approval (See Sec. 10.2.4). Neighbor notice and a Planning, Building and Zoning Committee informational meeting shall be required after the Preapplication Conference.

2. Major Subdivisions

There are 3 required steps in the Major Subdivision process: (1) Preapplication Conference; (2) Preliminary Plat review and approval; and (3) Final Plat review and approval. Each step of the process shall be completed before initiating the next step. Neighbor notice of application filing is required at the time of Preliminary Plat review.

3. Lot Splits and Plats of Consolidation

There is one required step in the Lot Split and Plat of Consolidation Process: Final Plat review and approval. The Planning, Building and Development Director shall be authorized to require the submittal of any information otherwise required for a preliminary or final plat application and shall be authorized to impose any additional requirements of this Ordinance. The Planning, Building and Development Director shall have final decision-making authority on Lots Splits and ~~Plats of Consolidation.~~

4. Consolidation

There is one required step in the Consolidation Process: Review, approval and execution of a written vacation or covenant instrument, in accordance with Article 12, Section 12.4.4.B.3. The Planning, Building and Development Director shall be authorized to require the submittal of any information otherwise required for a subdivision process and shall be authorized to impose any additional requirements of this Ordinance. The Planning, Building and Development Director shall have the final decision-making authority on consolidations.

Amend Article 10, Section 10.2.3.O.2.b/Preliminary Plat/Application Requirements to add a new subsection 5) to read as follows; Renumber subsequent Subsections Accordingly.

5) Preliminary Natural Resource Inventory and Natural Resource Plan

- a) The location and extent of all natural resource protection areas and the location, type and nature of all temporary and permanent measures and practices to be utilized to protect natural resource protection areas from development activities, as required by this Ordinance; and
- b) A table indicating the gross area (pre-development area) of each identified natural resource, the net area (post-development area) of each identified natural resource and the percentage protection of each identified natural resource.

Amend Article 10, Section 10.2.4.H.2.O.1/Final Plat/Application Requirements to read as follows:

- 1) Final Natural Resource Inventory and Natural Resource Plan Natural Resource Protection Information
 - a) The location and extent of all natural resource protection areas and the location, type and nature of all temporary and permanent measures and practices to be utilized to protect natural resource protection areas from development activities, as required by this Ordinance; and
 - b) A table indicating the gross area (pre-development area) of each identified natural resource, the net area (post-development area) of each identified natural resource and the percentage protection of each identified natural resource.
-

Amend Article 10, Section 10.2.4.H.4.c/Final Plat/Application Requirements to read as follows:

- c. Boundary Survey
Unless already provided during the Preliminary Plat stage, a complete boundary survey for the subject property shall be provided showing:
 - 1) Angles, bearings, azimuths, dimensions and curve data of all existing property and right-of-way lines;
 - 2) The location of all existing recorded easements on the property, if any; and
 - ~~3) The location of all existing man-made features such as houses, barns and other constructed features including any historic buildings or designated historic areas, if any; and~~
 - 3) A description and location of all survey monuments sufficient to reproduce any line or re-establish any monument in the subdivision or enough information shall be provided so that the required data may be derived by simple calculation.
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Amend Article 10, Section 10.2.4.H.4.d/Final Plat/Application Requirements to read as follows:

- d. Proposed Platted Improvements
- 1) Lots. The layout, design and dimensions of all proposed lots. All lots shall be numbered consecutively. Gross and net lot areas and the minimum building setback line, as required by this Ordinance, shall be provided;
 - 2) Rights-of-Way. The layout and design of all proposed public and private road rights-of-way; right-of-way widths and cul-de-sac radii; proposed road names;
 - 3) Easements. The size and type of proposed utility, drainage, detention, access and other easements;
 - ~~4) Uses. The permitted use of each proposed lot;~~
 - 4) Open Space Areas. Open space areas shall be identified by type (e.g., natural resource protection, recreation) and ownership (e.g., common, deed restricted) as required by this Ordinance.
 - 5) Reservations. All areas of land to be reserved in accordance with the requirements of Section 510.C of this Ordinance; and
 - 6) Dedications. All lands to be dedicated for schools, recreational areas or other public purposes.
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Amend Article 10, Section 10.5.12 Street Layout to add subsection A3. to read as follows:

A. Arrangement

3. The center line of street pavements shall be centered in the right-of-way.
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Amend Article 10, Section 10.5.13.A/Street Design Standards to read as follows:

A. Grades

The maximum grade for collector streets and streets of higher classification shall not exceed 4 percent. The maximum grade for local streets shall not exceed 6 percent. The maximum grade for private streets shall not exceed 8 percent. The maximum grade for all driveways continuing outside of the right-of-way shall not exceed 8 percent unless written approval is obtained from the County Engineer. The grade of all streets shall be at least 0.4 percent.

Amend Article 10, Section 10.5.13.B.2/Street Design Standards/Geometrics/Vertical Curvature to read as follows:

2. Vertical Curvature

Vertical curves shall be required at all locations where the algebraic difference on the grades is 1 percent or greater. Crest vertical curves shall be designed with a minimum K value of 65, and sag vertical curves shall be designed with a minimum K value of 70. In no case shall a vertical curve at a street intersection be less than 50 feet.

Amend Article 10, Section 10.5.15/Pavement Structure-Material Specifications to read as follows:

This section establishes material specifications, as defined in the Standard Specifications for Street and Bridge Construction and Recurring Special Provisions, for subdivision pavement structure for detached house (single-family) and multi-dwelling subdivisions. It also establishes the minimum thickness of the pavement structure for detached house (single-family) and multi-dwelling subdivisions. The pavement structure of all commercial and industrial subdivisions shall be designed on a site-by-site basis, in accordance with Illinois Department of Transportation standards for 80,000 pound weight limits. Once the Binder Course has been placed, no open cutting of the pavement for the installation of storm sewer or utilities shall be permitted.

**~~Pavement Structure-Material Specifications
(For Detached House (Single-Family) and Multi-Dwelling
Subdivisions)~~**

**Pavement Structure- Material Specifications and Minimum Pavement
Thickness For Detached House (Single Family) and Multi-Dwelling
Subdivisions**

Collector street

Pavement structure requirements for a collector street shall be in
accordance with Illinois Department of Transportation standards for
80,000 pound street limits.

Local Street

<u>Material</u>	<u>Specifications</u>	<u>Thickness</u>
*Bituminous Surface Course	Mix C, Class I, Type 2 (No RAP) Superpave, Mix D, N50	<u>1.5"</u>
*Bituminous Binder Course:	Mix B, Type 2 Superpave, IL 19.0, Mix B, N50	<u>7.5"</u>
Bituminous Base Course	MS 1200	
** <u>Aggregate Base Course:</u> Prime:	CA-6 Type A IDOT Standard Specifications Aggregate (Prime Coat) Cleaning of Bituminous Materials	<u>4.0"</u>

Private Street***

<u>Material</u>	<u>Specifications</u>	<u>Thickness</u>
* <u>Bituminous Surface Course</u>	<u>Superpave, Mix D, N50</u>	<u>2.5"</u>
** <u>aggregate Base Course</u>	<u>CA-6 Type A</u>	<u>10.0"</u>

*Refer to Lake County Division of Transportation's latest specification revision on Superpave mixtures.

**Materials shall be limited to crushed gravel, crushed stone or crushed concrete. Plasticity index requirements for adding water at the central mixing plant will be waived.

***Permitted only in single family detached subdivisions with three (3) lots or less.

**Minimum Pavement Thickness
For Detached House (Single-Family) and Multi-Dwelling Subdivisions**

Street Classification _____ Minimum Thickness (inches)

Collector Street *

Local Street

Bituminous Surface _____	1.5
Bituminous Binder _____	2.0
Bituminous Base _____	5.5
Aggregate Base _____	4.0

Private Street **

Bituminous Surface _____	2.0
Aggregate Base, Type A _____	8.0

Driveway

Bituminous Surface _____	2.5
Aggregate Base _____	6.0

*Pavement structure requirements for a collector street shall be in accordance with Illinois Department of Transportation standards for 80,000 pound street limits.

**Permitted only in single-family detached subdivisions with three (3) lots or less.

Proposed Amendments to the UDO Relating to Alternate Street Standards

Add new Sec 10.6/ Alternate Street Standards For Existing Subdivisions as follows. Renumber subsequent Sections accordingly:

Each lot shall take access to an improved, approved street. The streets in subdivisions platted since January 1, 1959 shall comply with the standards contained in Sec 10.5 of this Ordinance.

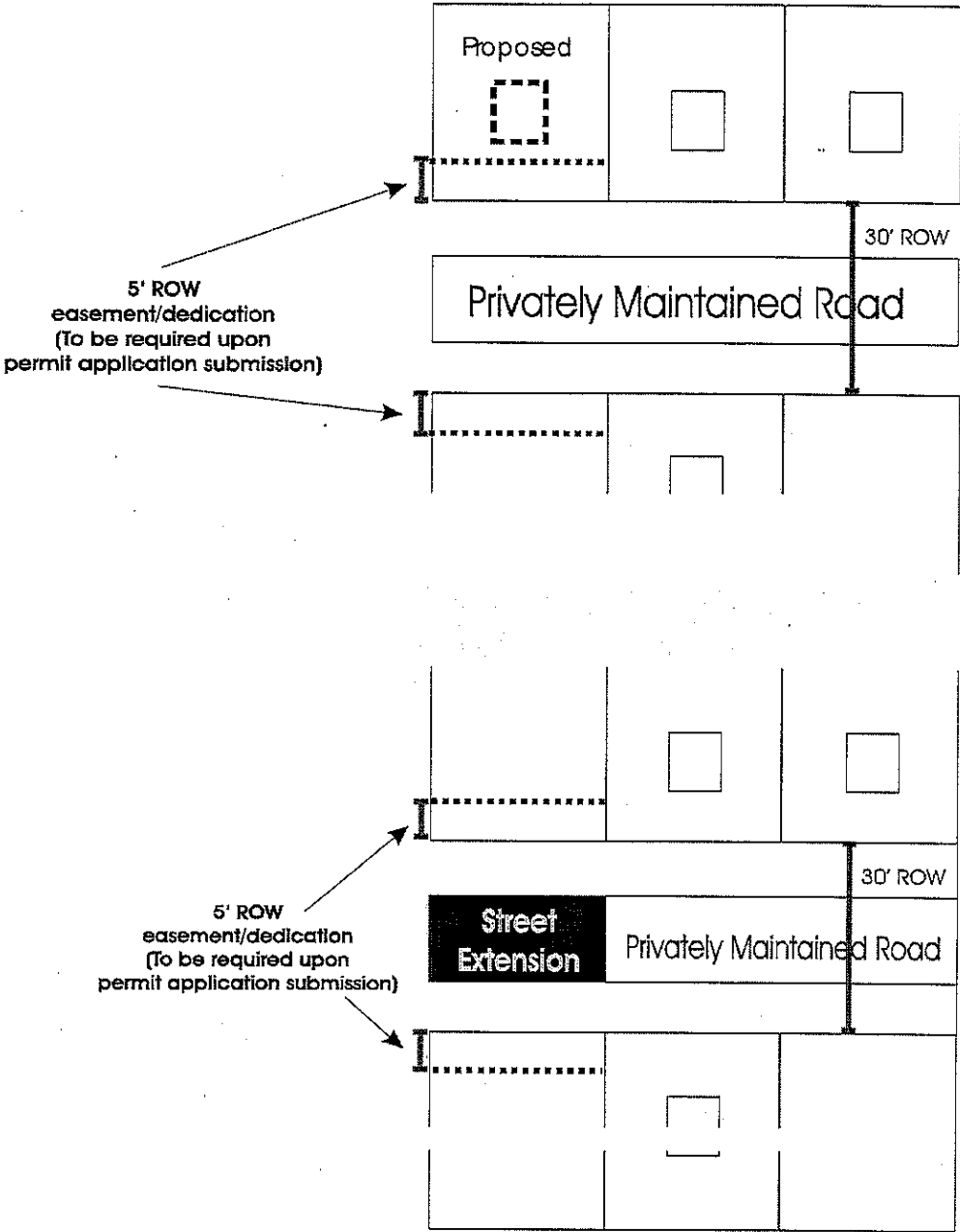
The following regulations shall be applicable for improvement of streets in subdivisions initially platted before January 1, 1959, but not constructed. These regulations shall be applicable in determining if these streets conform for inclusion into the township road system.

Sec 10.6.1/ Privately Maintained Streets

- A. Street Serving 3 or Fewer Dwelling Units**
Any platted street or street extension that serves or has a potential to serve no more than 3 single family residential lots may be improved to the private street standards of this Ordinance and may be privately maintained.

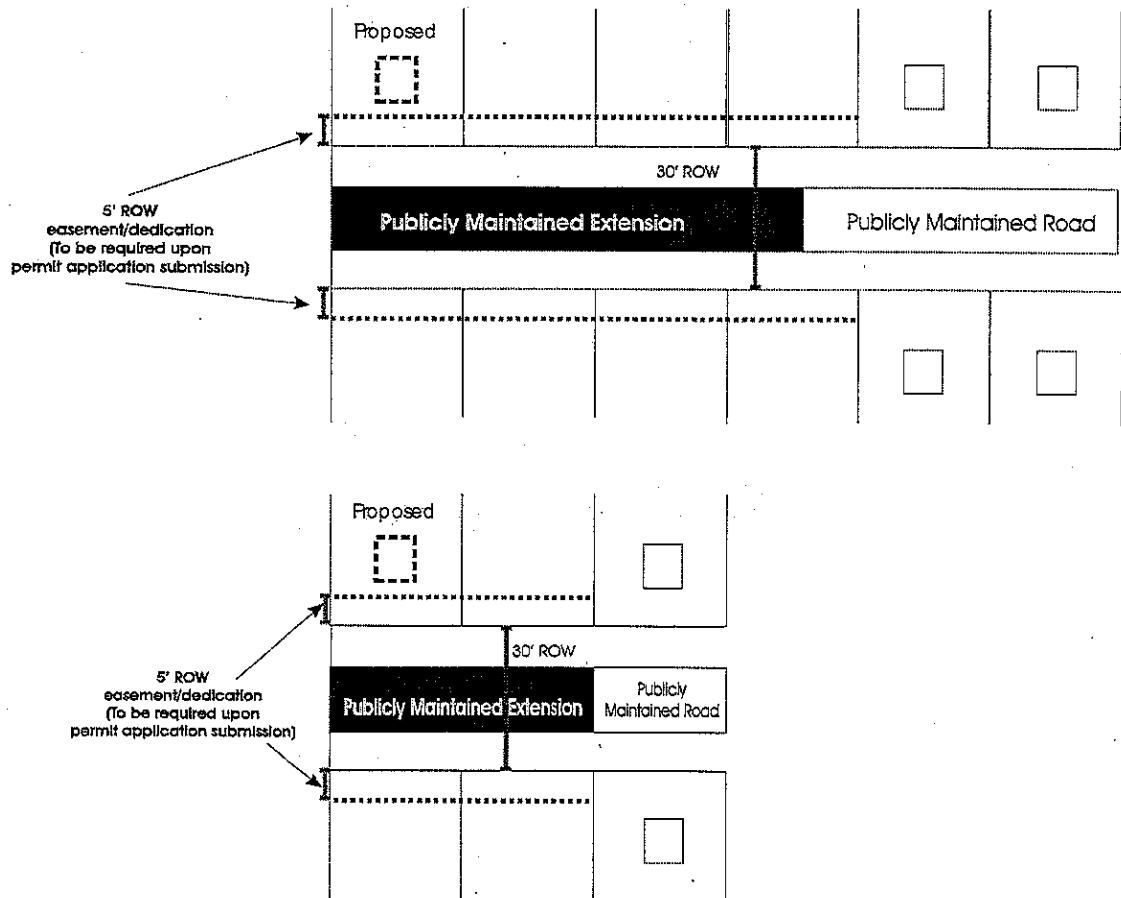
- B. Street Serving Infill Development**
 - 1. No street improvement shall be required for any existing privately maintained street, provided that the street does not have the potential to serve more than 6 lots, at least 50% of which are currently improved with principal structures. In this case, any required street extension shall comply with the private street standards of this Ordinance.**

(Figure 10.6.1.B1)



2. If the street has a potential to serve more than 6 lots, or if fewer than 50% of the lots adjoining an existing privately maintained street are improved with principal structures, the portion of the street along the lot for which permit is being sought shall be improved to the standards specified in Sec 10.6.2 for publicly maintained streets, up to a point where the street meets the publicly maintained street.

(Figure 10.6.1.B2)



C. Improvement Standards

The following improvement standards shall apply to platted and privately maintained streets.

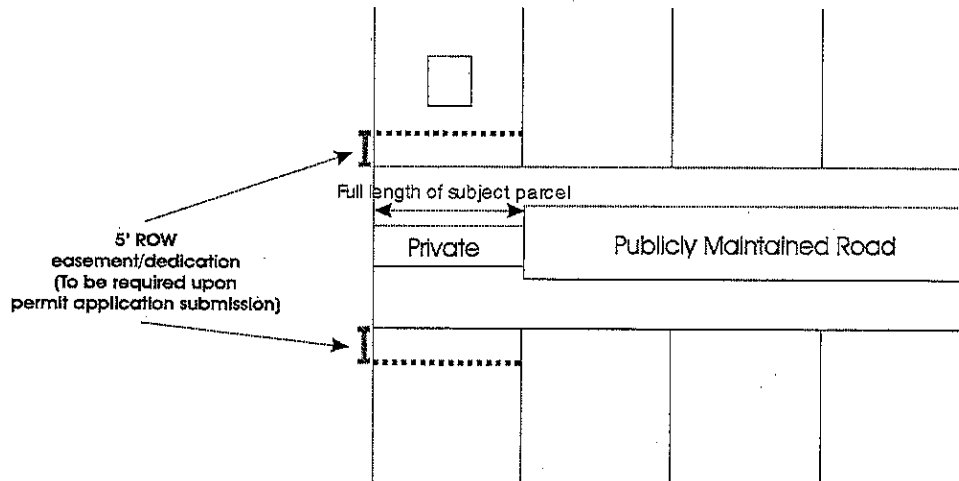
1. Right-Of-Way Dedication/Reservation Requirements:

A dedication or reservation of additional right-of-way shall be required along the portion of the lot for which permit is being sought to establish a minimum 40' right-of-way.

2. Construction of a Principal Structure:

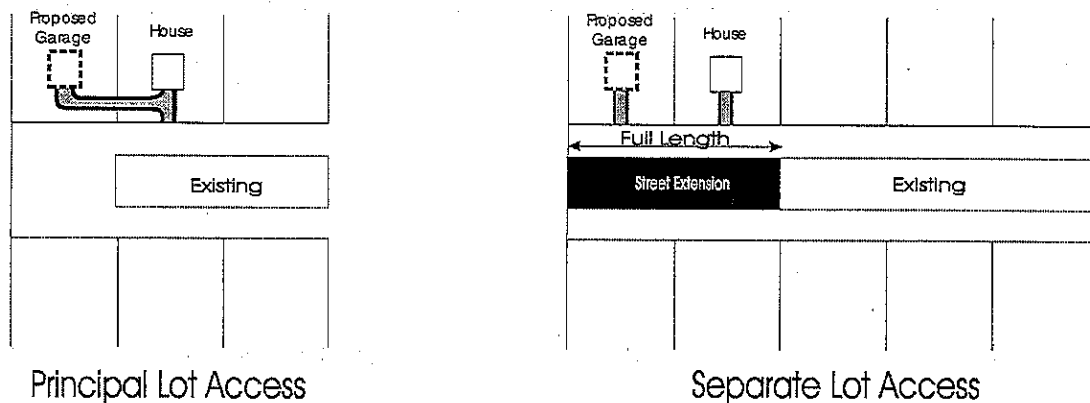
The applicant shall be required to improve the street to the minimum standards of the UDO for private streets, from the nearest point at which the existing private street intersects a public road up to and across the entire width of the subject lot for which a permit is being sought.

(Figure 10.6.1.C2)



- 3. Construction of a Garage/Other Accessory Structures:**
No street improvement is required to allow the construction of a garage, provided the garage uses the same access as the existing principal structure. In all other cases, the street shall be improved in accordance with Paragraph 2 above. No street improvement is required for any other types of accessory structures.

(Figure 10.6.1.C3)

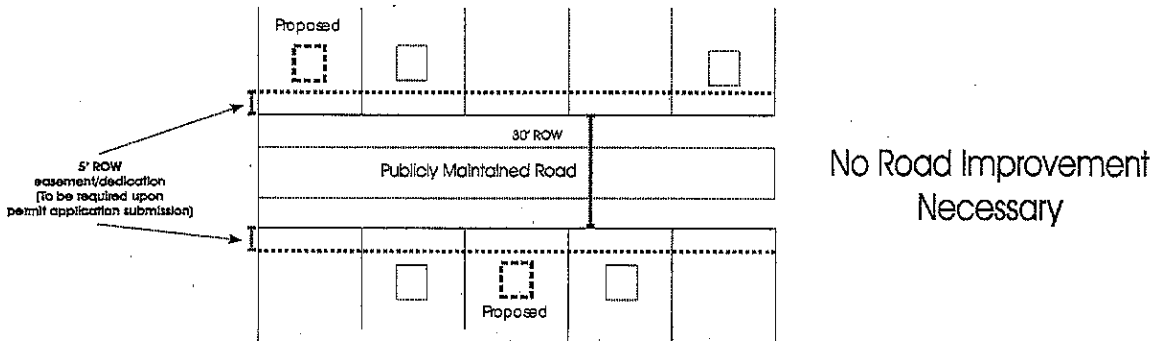


- D. Maintenance Agreement**
The applicant shall enter into an agreement with the property owners of parcels in the subdivision whose lots take access from the private street. If no agreement currently exists or can be reached, the applicant shall be responsible for the maintenance of that portion of the private street adjoining the lot for which a permit is being sought. The maintenance agreement shall be recorded in the Office of the County Recorder of Deeds prior to the issuance of a building permit.
- E. Engineering Plans and Construction Bond**
The Planning, Building and Development Director may require submittal of any engineering information required by Articles 8 and Article 10 of this Ordinance. The Planning, Building and Development Director may also require a performance/maintenance assurance from the applicant to cover the cost of street construction and/or any necessary repair of the existing street resulting from damage caused by construction equipment.

Sec 10.6.2/Publicly Maintained Streets:

- A. No street improvement is required to construct improvements on lots adjoining a street if the existing street from which access is sought is currently part of the township highway system. Any street extension shall be designed for incorporation into the township highway system.

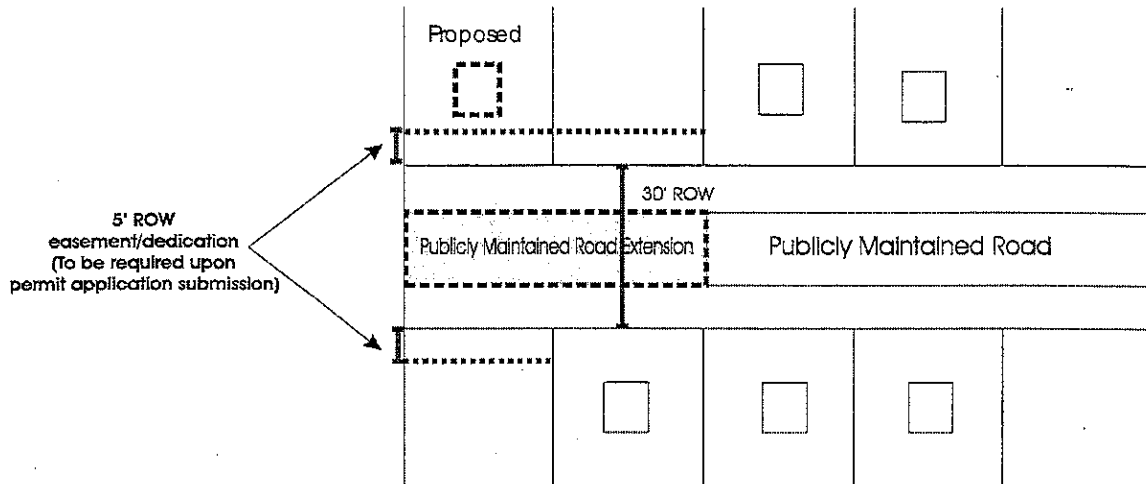
(Figure 10.6.2.A)



B. Improvement Standards:

1. **Right-Of-Way Dedication/Reservation Requirements:**
If the existing platted street has a right-of-way width of less than 40', the applicant shall be required to dedicate or reserve as an easement additional right-of-way along the subject parcel sufficient to meet a total right-of-way width of 40 feet. The applicant shall also secure additional right-of-way to meet a total right-of-way width of 40' from the owners of parcels between the subject parcel and the point at which the unimproved road intersects an improved public road.

(Figure 10.6.2.B1)



2. Construction of a Principal Structure:

- a. If the right-of-way width of the unimproved portion of the street is between 40' and less than 60', the street shall be improved in accordance with Appendix O, Figure 3, Alternate Typical Section (40 foot right-of-way) with the pavement structure constructed in accordance with Sec 10.5.15 for Local Street.
- b. If the right-of-way width of the unimproved portion of the street is 60' or greater, the street shall be constructed in accordance with Appendix O, Figures 1 and 2, Typical Sections for 60' and 66' right-of-way with the pavement structure constructed in accordance with Sec 10.5.15 for Local Street.

3. Construction of a Garage:

No street improvement is required to allow the construction of a garage as an accessory structure, provided the garage uses the same access as the existing principal structure. In all other cases, the street shall be improved in accordance with the relevant street improvement standards above (based on ROW width). No street improvement is required for any other types of accessory structures.

C. Other Applicable Requirements:

The Planning, Building and Development Director may require submittal of any engineering information required by Articles 8 and Article 10 of this Ordinance. All other applicable LCDOT and Township Highway Commission and Planning, Building and Development Department requirements, including but not limited to, permitting, dedication, improvement, maintenance and bonding of existing and proposed roads shall be met.