

February 17, 2011

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 11-02: Text Amendments to the Zoning Ordinance

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village requests an amendment to Section 154.703 (and any other relevant sections for clarity) of the Subdivision and Development Ordinance relative to plats of subdivision.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on January 24, 2011. Chris Stilling, Assistant Community Development Director, presented the petition. In order to provide clarity between the definition of Administrative Plat of Subdivision and the consolidation of land, the Planning Services Division has conducted a review of the plat regulations set forth in the Subdivision and Development Ordinance. As a result, staff is proposing to amend the definition of 'Administrative Plat' and any other relevant sections for clarity.

The administrative plat procedure affords staff the ability to approve plats of subdivision and consolidation without requiring Board approval. Administrative plats of subdivision are primarily associated with single-family residential development and are often needed to redraw legal boundaries to convert assessment divisions into legal lots-of-record. Any division of land into five or more lots could not be done administratively. Administrative plats of consolidation are more broadly used to create an assemblage of land involving two or more lots. Currently, if the area of land being consolidated is greater than one (1) acre, the plat of consolidation could not be done administratively. The intent of the proposed text amendment is to allow the consolidation of land to be done administratively, regardless of the size of land.

Staff believes that the consolidation of land (of any size) should be done administratively as the consolidation process and subdivision process are separate procedures and have different impacts on land use. Through the subdivision process, it is possible to create additional density on an area of

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land. Any division of land into five or more lots could not be done administratively because the Board should have the ability to review larger subdivisions of land to confirm adherence to all Village Codes and governing documents, such as the Comprehensive Plan. Conversely, the consolidation of land may actually create a situation where density is potentially being decreased.

It is important to note that while an administrative plat may not require the need for public improvements, the Subdivision and Development Ordinance requires certain public improvements for projects classified as Major and/or Minor Developments. For example, a water distribution system and sanitary sewer distribution system is required for both Major and Minor Developments. Staff notes that such public improvements would still be required, regardless of whether or not the property was assembled through a consolidation (of any size). More specifically, the development (major or minor) itself would trigger the need for such public improvements, not the actual consolidation.

Mr. Stilling stated that the amendments were further revised based upon counsel's comments. Staff is recommending approval, but will forward the information to the Board after counsel has reviewed the information. The intent of the case will remain the same; however, the language will have to be tweaked.

Attorney Wagner referred to language that needed to be amended and then read the amended language. The language was amended for consistency and to adhere to the Plat Act.

Chairperson Ryan opened the meeting to the Commissioners.

On a motion by Commissioner Sweetser and a second by Commissioner Burke, the Plan Commission voted 4 to 0 that the Village Board **approve** the text amendments associated with PC 11-02.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission