



## REPORT TO PLANNING COMMISSION

### CITY OF COLLINSVILLE

APPLICATION NUMBER

**16-PZ-11-009**

APPLICATION NAME:

**AMENDMENTS TO THE SUBDIVISION ORDINANCE**

APPLICANT NAME:

**City of Collinsville**

APPLICANT'S REQUEST:

**A City-initiated request to amend multiple sections of the City of Collinsville Subdivision Ordinance (Ord. 3336), to modify definitions and regulations to establish platting procedures for minor subdivisions, boundary adjustments, and consolidations.**

PUBLIC HEARING OPENED:

**November 10, 2016**

CASE MANAGER:

**David B. Bookless, AICP**

RECOMMENDATION:

**APPROVAL**





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#### BACKGROUND

The City's Subdivision Ordinance (Ord. #3336) was adopted by the City Council on January 27, 2003. A number of amendments have been approved since that time with the most recent being on January 26, 2015. Even the best subdivision ordinances become out of date. Periodic revision is essential if the ordinance is to establish and maintain a rational land development pattern. Changes, however, should not be made in an arbitrary manner. Significant updates to the Subdivision Ordinance are best undertaken following an update of the Comprehensive Plan. The rationale for this approach is that the Subdivision Ordinance is one of the implementation tools of the Plan and should reflect its goals and policies. Nevertheless, clarification of information contained in the Subdivision Ordinance may be appropriate at any time. Occasionally, unforeseen issues may need to be addressed on an ad hoc basis (e.g. clarification, refinement of process, etc.).

A major update to the Comprehensive Plan is anticipated to be completed next year, and a significant update of the Subdivision Ordinance that may include significant policy or regulatory changes would likely follow. However, the purpose of this request is to provide clarification and consistency in interpretations of the Subdivision Ordinance.

#### DISCUSSION/ANALYSIS

##### **PURPOSE AND INTENT OF THE ZONING ORDINANCE**

###### **Sec. 16.04.020. - Intent and Purpose**

*In accordance with the laws of the State of Illinois, these regulations control the subdivision and future development of land in order to assist in achieving the following objectives:*

- A. To preserve, protect, and promote the public health, safety and welfare;*
- B. To conform to the Master Plan of the City of Collinsville;*
- C. To insure a pleasant living environment by furthering the orderly layout and use of land;*
- D. To avoid legal and other problems by requiring that subdivided land be properly monumented and recorded;*
- E. To conserve and increase the value of land, improvements, and dwellings and other buildings throughout the City;*
- F. To preserve the City's natural beauty and topography to the maximum feasible extent;*
- G. To protect against injury or damage caused by fire, pollution, stormwater runoff, erosion and sedimentation, and other hazards;*

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- H. To provide safe and convenient access to new developments, and to avoid traffic congestion and unnecessary public expenditures by requiring the proper location, design, and construction of streets;
- I. To insure the proper installation and maintenance of adequate water mains, sanitary sewers, stormwater sewers, and other utilities and services;
- J. To provide a means for making adequate parks, schools, and other public facilities available to the residents of new developments.

These regulations shall be deemed minimal. These regulations and aforementioned statutes shall be construed together in such a manner as to give full effect to both the regulations and the statutes except in a case of irreconcilable conflict. In case of irreconcilable conflict, the statutes passed by the Illinois General Assembly are controlling to the extent of such conflict.

(Ord. No. 3336, 1-27-2003)

#### **PROPOSED AMENDMENTS** (Additions in **bold, blue, underscore**)

##### **Sec. 16.08.005. — Approval of Plats.**

**Every subdivision of land within the corporate area of Collinsville shall be shown on a plat and submitted to the City for its approval or disapproval in accordance with the provisions of this Chapter. No plat shall be recorded in the office of the County Recorder of Deeds and no lots shall be sold from such plat unless and until it is approved as provided for in this Chapter.**

##### **Sec. 16.08.020. — Selected definitions.**

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Subdivision, Minor — Non-Residential means a subdivision which establishes not more than four (4) lots in a non-residentially zoned district which meets all of the following requirements:**

- 1. The proposed subdivision does not include, and this Chapter does not require any improvement other than sidewalks (a right-of-way dedication for the widening of an accepted public street shall not be considered an improvement for this purpose).**
- 2. The proposed subdivision does not include a provision for common land or recreational facilities.**
- 3. The proposed subdivision does not adversely affect the development of**



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#### PLANNING AND ZONING ANALYSIS

the parcel proposed for subdivision or of adjoining property.

4. The proposed subdivision is not in conflict with any provision of this Chapter, the Zoning Ordinance or any other ordinance of the City.

*Subdivision, Minor — Residential* means a subdivision which establishes not more than two (2) lots and meets all of the following requirements:

1. The proposed subdivision does not include, and this Chapter does not require any improvement other than sidewalks (a right-of-way dedication for the widening of an accepted public street shall not be considered an improvement for this purpose). On lots which will be developed as a result of the proposed subdivision and which front on streets already improved or up to City standards, then the proposed subdivision shall not be required to conform to the street design requirements stipulated within Section 16.16, Subdivision Design and Improvement Standards, of this Chapter.
2. The proposed subdivision does not include a provision for any common land or recreational facilities.
3. The proposed subdivision does not adversely affect the development of the parcel proposed for subdivision or of adjoining property.
4. The proposed subdivision is not in conflict with any provisions of this Chapter, the Zoning Ordinance or any other ordinance of the City.

#### Sec. 16.12.250. — Minor Subdivisions.

If the Director of Community Development and the City Engineer find and agree that a subdivision meets all of the requirements for a minor subdivision, as defined in this Chapter, the Director of Community Development and City Engineer shall waive the requirement of submission of all plats except the final plat.

#### Sec. 16.12.260. — Minor Boundary Adjustments.

- A. In the case of the sale or exchange of parcels of land to or between adjoining property owners, where such sale or exchange does not create additional lots and where the original lots are not reduced below the minimum sizes required by the Zoning Ordinance, and where, to the extent physically possible, other requirements

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of the Zoning Ordinance are complied with, such owners shall submit to the Director of Community Development a plat showing the proposed adjustment of lots lines together with easements, buildings and other improvements on the property. The information shown on the plat shall be attested to as to correctness by a registered engineer or land surveyor.

B. In the case of the consolidation of parcels of land where the pre-existing number of parcels or recorded lots is reduced, and where, to the extent physically possible, other requirements of the Zoning Ordinance are complied with, such owners shall submit to the Director of Community Development a plat showing the proposed consolidation of lot lines together with easements, buildings and other improvements on the property. The information shown on the plat shall be attested to as to correctness by a registered engineer or land surveyor.

C. If the Director of Community Development and the City Engineer find and agree such plat and adjustment in property lines to be in order and in compliance with the requirements of this Chapter and the Zoning Ordinance, the Director of Community Development and the City Engineer shall approve the plat by signing it on behalf of the City of Collinsville. The owners shall file the plat with County Recorder of Deeds within sixty (60) days after approval by the Director of Community Development and the City Engineer. If any such plat is not filed within this period the approval shall expire. The owners shall provide the City with a three (3) copies of the recorded plat, showing the County Document Number, as evidence of compliance with the above requirements.



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#### FINDINGS AND RECOMMENDATION

##### **CONSISTENT WITH THE PURPOSE AND INTENT OF THE SUBDIVISION AND ZONING ORDINANCES**

The Director of Community Development finds that the text amendments will have no substantial adverse impact on the intent and purpose of the Subdivision and Zoning Ordinances, and further provides clarification for the consistent interpretation of both Ordinances.

##### **HOW WILL CHANGE IMPACT AREAS MOST LIKELY TO BE AFFECTED**

The Director of Community Development finds that the text amendments will have no substantial adverse impact on areas impacted by the proposed changes; rather they represent simplified and rationalized processes.

##### **WARRANTED BY CHANGING CONDITIONS**

The Director of Community Development finds that the text amendments are warranted by changing conditions in the City, i.e. the ever-increasing development pressure throughout the City.

##### **RECOMMENDATION**

The Director of Community Development finds that the proposed text amendments advance the intent of the Subdivision and Zoning Ordinances by providing orderly, user-friendly, procedures for the minor subdivision, adjustments in boundaries, and consolidations of parcels within the City Of Collinsville. Based on this finding the Director of Community Development requests favorable consideration of the draft ordinance.

A handwritten signature in black ink, reading "David B. Bookless".

David B. Bookless, AICP  
Director of Community Development



# ATTACHMENTS

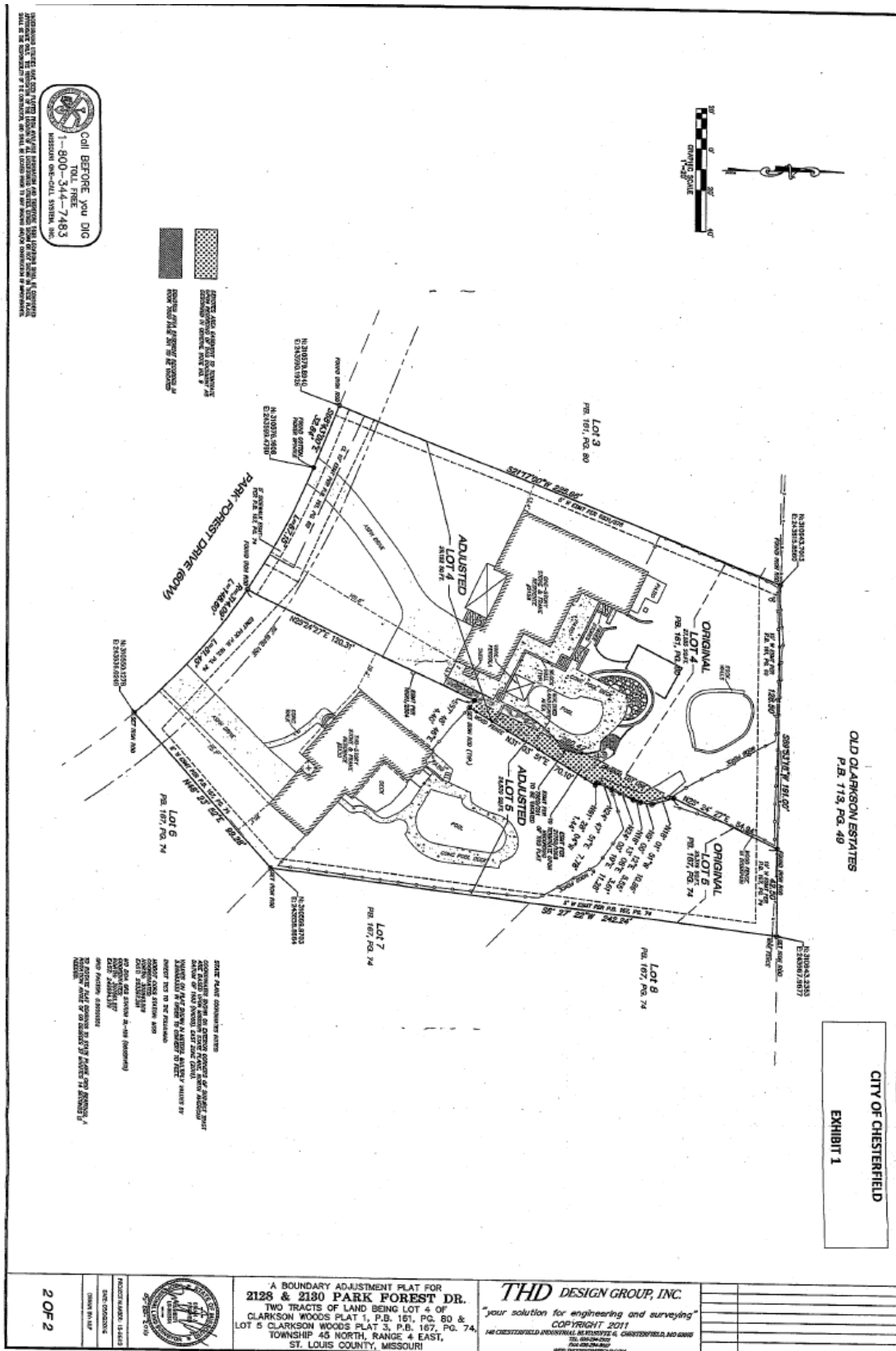
**SUPPLEMENTAL LETTERS, MAPS, PLANS, ETC.**





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**EXHIBIT B: ILLUSTRATIVE EXAMPLE OF BOUNDARY ADJUSTMENT**