

ORDINANCE NO. _____

AMENDING THE COLLINSVILLE MUNICIPAL CODE,
TITLE 17, ZONING
(Definitions, Site Plan Review)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLINSVILLE as follows:

Section 1: That the Collinsville Municipal Code Title 17 (Zoning), Section 17.020.020, *Definitions*, shall be amended by adding the following definitions:

Civil Construction Plan - an engineered drawing and support documentation containing all information required for the site plan, locations, standard details, and specifications for the construction of all private infrastructure, and for the construction of required utilities or other public improvements where there has been no subdivision of land and/or improvement plans as required per Chapter 16.12, The Subdivision Process, of the Land Subdivision Control Regulations of Collinsville, Madison and St. Clair Counties, Illinois; and shall be subject to all the requirements contained therein.

Outlot, residential (Common land) - the land set aside for open space including stormwater, retention lakes, ponding or recreational use for the owners of residential lots in a subdivision as further delineated in Title 16, Subdivisions, of the Municipal Code of Ordinances.

Plot Plan - an engineered drawing that may be submitted in lieu of site plan for the construction, or improvements of a single-family detached structure. At a minimum, a plot plan shall depict all proposed improvements to the site, limits of the parcel, building setbacks and all existing uses located on the site.

Site Plan - an architectural plan, landscape architecture document, and detailed engineering drawings delineating existing and proposed improvements and uses for a parcel or group of parcels of land that includes all applicable existing and proposed features as required herein. Any required Preliminary Plat, Public Improvement Plan, Final Plat, or Civil Construction Plan shall substantially conform to the approved Site Plan.

Section 2: That the title of Section 17.120 shall read “~~Site~~ Plan Review”, and the following shall be added to Subsection 17.120.010, *Intent*:

- F. Consistency with the Comprehensive Plan, Zoning Ordinance, and the Municipal Code of ordinances.
- G. Impact on existing City infrastructure and public improvements. The proposed development shall not result in undue or unnecessary burdens on the City’s existing infrastructure unless arrangements are made to mitigate such impacts.

Section 3: That Section 17.120.020 shall be deleted in its entirety and reserved for future use.

Section 4: That Section 17.120.030, *Site Plan, When Required*, shall be amended as follows:

- A. A ~~final~~ site plan for the use or development of property must be approved by the City prior to any of the following events:

1. The grading of any site for development, unless so authorized by the City, or the issuance of any building permit for the construction of any principal structure other than a single-family ~~dwelling detached structure~~.
 2. A change in the principal or accessory use of a property, ~~or a change in any accessory use of a property~~ that results in additional parking requirements or other site requirements not reflected on any existing approved site plan as determined by the Director of Community Development.
 3. The redevelopment or expansion of a principal structure that enlarges the size of the original structure by more than twenty-five (25) percent.
 4. Any development within the City's "R-4" Manufactured Home District or within the City's Planned Districts, unless otherwise authorized by the City.
 5. ~~Conversion of a single family dwelling to a two family dwelling or more, unless otherwise authorized by the City. (Note: Single family dwelling conversions shall be subject to administrative site plan review, however, the Community Development Director may forward the review to the Planning Commission for review/approval if desired.)~~ As otherwise required in Title 17, Zoning, including but not limited to requirements contained in Sec. 17.040, Zoning District Regulations, Sec. 17.050, Use Regulations, Sec. 17.060, Supplementary District Regulations, Sec. 17.070, Off-Street Parking/Loading Regulations, Sec. 17.100, Special Use Permits, and Sec. 17.110, Planned Use Procedures.
- B. Exceptions. A site plan, as defined in Section 17.120.020, shall not be required in the following situations:
1. When the Director grants an exemption pursuant to Subsection C of this section;
 2. The construction of a single-family residential detached dwelling ~~or a duplex~~, including associated garages. ~~(This section does not apply to single family dwellings converted to two family dwellings or exempt residential development from application of a Sketch Plan (see Section 17.120.20)).~~
 - ~~3. A site plan satisfying all requirements for a site plan has been approved pursuant to a planned or special use procedure.~~
 3. Construction of a commercial structure or addition not exceeding five hundred (500) square feet.
- C. The Community Development Director may waive the requirement that a site plan be submitted when the applicant demonstrates to the Director one of the following:
1. That the proposed development, issuance of a certificate of occupancy, or change in the principal use of property will have no detrimental impact on adjoining property or otherwise would clearly comply with all regulations of the City without review of the plan and thereby eliminating the necessity for the establishment of or revision to a site plan; or

2. That the proposed development will conform in every respect to a site plan previously approved for the same property.

Section 5: That Section 17.120.040, Site Plan Review Procedures, shall be amended as follows:

Site plan review shall be conducted by City staff, however, the City may require, at the expense of the petitioner, site plan reviews conducted by the City's consultant or other professionals.

- A. Any person required to submit a site plan shall initially file the appropriate number of copies and a digital version of the ~~file seven (7) copies of the Application for site plan review~~ with the Community Development Director, upon with completed application forms furnished by the City and pay any required filing fee in accordance with ~~Section 17.180 "Fee Schedule."~~ Title 4 Fees.
- ~~B. The Community Development Director shall retain one (1) copy of the application for his file, forward one (1) copy to the Building Inspector, one (1) copy to the Fire Chief, one (1) copy to the City Engineer, and transmit the remaining copies to the Planning Commission.~~
- ~~B.C.~~ The site plan review shall be completed by the Community Development Director and all applicable Department heads and agencies within thirty (30) days of the date of filing. The Community Development Director shall provide the applicant with a comment letter delineating all plan deficiencies that need to be addressed prior to proceeding to the Planning Commission. The applicant shall resubmit a revised plan addressing identified deficiencies. When the Community Development Director determines the plan sufficient for Planning Commission review, he ~~the Community Development Director~~ shall prepare a staff report ~~for all permitted, special and planned uses~~ that provides an overview of the project's level of compliance with the Comprehensive Plan, the applicable review criteria set forth herein, the requirements of this title, and the input of appropriate City Departments and other associated jurisdictions and agencies. The staff report shall contain a written recommendation of approval, or approval with specific conditions, or disapproval, made to the Planning Commission for ~~final its~~ approval. A copy of the written recommendation shall be provided to the applicant.
- ~~C.D.~~ Upon notification by the Community Development Director, the petitioner shall submit at least twenty (20) copies of the site plan application and all other required exhibits fourteen (14) days prior to the scheduled Planning Commission's meeting. The Community Development Director shall provide written notification to the applicant of the Planning Commission's decision ~~either issue an approval certificate or written disapproval with specific reasons for disapproval~~ within seven (7) days of such decision ~~the receipt of the Planning Commission's decision and mail a copy thereof to the applicant.~~
- ~~D.E.~~ The applicant may appeal any written disapproval to the City Council by written notice of appeal, citing reasons for the appeal, delivered to the City Council within fifteen (15) days of the mailing of the written disapproval. The City Council shall examine the record and decide the appeal within thirty (30) days with or without additional input or

argument, and notify the applicant of the appeal decision within seven (7) days of the City Council decision. The appeal decision shall be considered to be a final order under the Illinois Administrative Review Act, subject to judicial review thereunder.

~~E.F.~~ The City Council shall be vested the power of review of any decision made by the Planning Commission on any site plan review application.

~~F.G.~~ Building permits shall not be issued for any use of land or proposed construction on a lot in the zoning districts in which site plan review is applicable, unless site plan review approval has been granted.

Section 6: That Section 17.120.050, *Application*, shall be amended as follows:

Each application for site plan approval shall be submitted to the City signed by the owner of record or his agent accompanied by the appropriate number of copies and a digital version of the site plan in a format compatible with the City's software. Additional submittal requirements that shall accompany a site plan where applicable, shall include, but ~~is~~ are not limited to:

Section 7: That the following shall be added to Section 17.120.060, *Submission Requirements*:

X. Required plan elements may be waived at the discretion of the Director of Community Development.

Section 8: That Section 17.120.090, *Revised Site Plans* shall be amended as follows:

Section. 17.120.090. - ~~Revised~~ Amended Site Plans.

Once a ~~preliminary-development~~ site plan has been approved, changes in the ~~preliminary development site~~ plan shall be made only after approval ~~of revised preliminary development plan~~ by the City.

Section 9: That section 17.120.100, *Procedure for Revised Site Plan Applications* shall be amended as follows:

Section. 17.120.100. - Procedure for ~~Revised~~ Amended Site Plan Applications.

When an application for ~~a revised~~ an amended site plan is filed, the Community Development Director shall determine whether the ~~revised amended~~ site plan involves substantial or minor changes, ~~minor changes, or reconfiguration of building locations~~, and shall notify the applicant within seven (7) working days of the nature of the requested changes and of the procedure that applies to consideration of the application for ~~a revised an amended preliminary-development~~ site plan. The determination of the Community Development Director may be appealed to the City Council, whose decision shall be final.

Section 10: That Section 17.120.120, *Minor Changes* shall be amended as follows:

Minor changes, as defined in this section, to the approved site plan shall be approved by the Community Development Director provided no more than two (2) amended site plans shall be approved that involve minor changes. ~~If the application for a revised site plan involves only reconfiguration of building locations and does not involve either minor changes or substantial changes, as defined in this section, the Community Development Director shall review the application and approve the application if the reconfiguration of building locations complies with the following standards:~~

- ~~A. The revised plan does not alter the density and intensity of uses, increase the total floor area of all nonresidential buildings, increase the lot coverage, increase the height of any buildings, change the architectural style of the project or buildings, change ownership patterns or stages of construction, decrease the setbacks, decrease the open space of the development, or modify or remove conditions of the approved preliminary development plan; and~~
- ~~B. The revised plan does not alter the external circulation patterns and does not alter the ingress and egress on the property;~~
- ~~C. Limitation on Revised Development Plans. No more than two (2) revised site plans shall be approved that involve either minor changes or a reconfiguration of the building locations.~~

Section 11: That Section 17.120.130, *Definition of Substantial Changes* shall be amended as follows:

For purposes of this Section 17.120, "substantial changes" to the approved ~~preliminary development-site~~ plan shall mean any of the following:

- A. A change in the number or sequence of phases, if any;
- B. Increases in the density or intensity of residential uses **greater than or equal to** ~~or more than~~ five (5) percent;
- C. Increases in the total floor area of all nonresidential buildings covered by the plan **greater than or equal to** ~~or more than~~ ten (10) percent;
- D. Increases of lot coverage **more greater than or equal to** five (5) percent;
- E. Increases in the height of any building **greater than or equal to** ~~or more than~~ ten (10) percent;
- F. ~~Changes of architectural style that will make the project less compatible with neighboring uses~~ **Changes to construction material, color palette, or architectural style as determined by the Director of Community Development;**
- G. Changes in ownership patterns or stages of construction that will lead to a different development concept;
- H. Changes in ownership patterns or stages of construction that will impose substantially greater loads on streets and other public facilities;
- I. Decreases of any setback **greater than or equal to** ~~or more than five (5) percent~~ **5 feet or 10 percent, whichever is less;**
- J. Decreases of areas devoted to open space **greater than or equal to** ~~or more than~~ five (5) percent, or the substantial relocation of such areas;
- K. Changes **to the ingress/egress to property or** of traffic or circulation patterns that will affect traffic outside of the project boundaries;
- L. Modification or removal of conditions to the site plan approval;
- M. Changes to the water or sanitary sewer plans that impact these utilities outside the project boundaries.

Section 12: That Section 17.120.150, *Definition of Minor Changes*, is amended as follows:

For purposes of this Section 17.120, "minor changes" to the approved site plan shall mean all changes that are not "substantial" including but not limited to any of the following:

- A. Increases in density or intensity of residential uses ~~between zero (0) and~~ that are less than five (5) percent;
- B. Increases in the total floor area of all nonresidential buildings covered by the plan ~~between zero (0) and~~ that are less than ten (10) percent;
- C. Increases of lot coverage ~~between zero (0) and~~ that are less than five (5) percent;
- D. Increases in the height of any building ~~between zero (0) and~~ that are less than ten (10) percent;
- E. Decreases of any ~~peripheral~~ setback ~~between zero (0) and five (5)~~ that are less than ten (10) percent or five (5) feet, whichever is the smaller distance;
- F. Decreases of areas devoted to open space ~~between zero (0) and~~ that are less than five (5) percent.
- G. Reconfiguration of building locations provided the following:
 - 1. The reconfiguration does not substantially increase the density or intensity of uses, increase the total floor area of all nonresidential buildings, increase the lot coverage, increase the height of any buildings, change the architectural style of the project or buildings, change ownership patterns or stages of construction, decrease the setbacks, decrease the open space of the development, or modify or remove conditions of the approved site plan; and
 - 2. The reconfiguration does not substantially alter the circulation patterns external to the site and/or the ingress and egress on the property;

Section 13: That the following Sections shall be added:

Section 17.120.140 - Civil Construction Plans; When Required.

- A. Civil construction plans must be approved by the Director of Community Development, or his designee, prior to the issuance of grading, clearing or any other construction permits for any proposed development other than a detached single-family dwelling.

Section 17.120.150 - Civil Construction Plans; Review Procedures.

- B. Civil construction plan review shall be conducted by City staff, however, the City may require, at the expense of the petitioner, reviews conducted by the City's consultant or other professionals.
- C. Any person required to submit a civil construction plan shall file six (6) copies of the plan with the Community Development Director, with completed application forms furnished by the City, and pay any required filing fee in accordance with Title 4 "Fees."

Section 17.120.160 - Civil Construction Plans; Submission Requirements.

The civil construction plan submittal shall include all information required for, and conforming to, the approved site plan except for minor modifications due to engineering calculations as authorized by the Director of Community Development, and the following on separate sheets as appropriate:

- A. The location, standard details, and specifications for all existing and proposed private infrastructure, and for the construction of required utilities or other public improvements where there has been no subdivision of land and/or improvement plans per Chapter 16.12, The Subdivision Process, of the Land Subdivision Control Regulations of

Collinsville, Madison and St. Clair Counties, Illinois, including, but not limited to:

1. Sewage system;
 2. Water supply system;
 3. Telephone, cable and electrical systems;
 4. Storm drainage system including existing and proposed drain lines;
 5. Culverts, catch basins, head walls, end walls, hydrants, manholes, and drainage swells.
 6. Streets, right-of-ways, alleys, sidewalks, and other paved surfaces.
- B. Plans to prevent the pollution of surface water or groundwater, erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable.
- C. Existing topography and finished grade line elevations at 2-foot contour intervals as well as the proposed finished floor elevation for all structures referenced to the National Geodetic Vertical Datum of 1929 or 1982. Said reference and benchmark shall be clearly stated on any plans or drawings showing such datum;
- D. If any portion of the parcel is within the 100-year floodplain, the area shall be shown, with base flood elevations; and the developer shall present plans for meeting Federal Emergency Management Agency (FEMA) requirements;
- E. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract;
- F. Locations, dimensions and purposes of any locatable, easements including the easement statements defining the use and rights conveyed with each type of easement;
- G. Location and purposes of any sites, other than private lots, which are dedicated or reserved;
- H. Location, dimension and area of all parcels reserved or used for green space or public space, and their intended use;
- I. Applicable 100-year flood elevations as determined by FEMA or as determined by the highest applicable downstream culvert, roadway or other drainage way overflow elevation and the lowest allowable finished floor elevations for all lots subject to said flood elevations along with references to the nearest established USGS, FEMA or published benchmark;
- J. A statement that the City, by approving the drainage plans or by requiring certain standards with respect to drainage, accepts no responsibility for damages caused by the drainage or drainage facilities, to the owners or occupants of real estate affected, nor does the City guarantee that the improvements or changes in drainage will not cause damage to the owners or occupants of real estate affected, nor does the City accept drainage facilities or improvements for maintenance. The responsibility for change in drainage and for the maintenance of drainage facilities or improvements remains that of the developer, subdivider or landowner or occupant;
- K. Street and other public right-of-way lines with accurate dimensions, angles or bearings and curve data including radii, arcs or chords, points of tangency, and central angles;
- L. Street names, right-of-way widths and other pertinent data;

M. Application for land disturbance (grading) permit.

N. Required plan elements may be waived at the discretion of the Director of Community Development.

Section 14: That any other section, page or reference throughout the zoning code that is affected by the amendment(s) described herein is amended as necessary.

Section 15: This Ordinance shall become effective upon its passage and publication by the City Clerk.

PASSED by the City Council on _____, 2017.

Ayes:

Nays:

Absent:

Approved: _____, 2017.

John Miller, Mayor

ATTEST:

Kimberly Wasser, City Clerk