

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 20-O-14

AN ORDINANCE AMENDING SECTION 16-13
OF THE LIBERTYVILLE ZONING CODE
RELATING TO PLANNED DEVELOPMENTS

Adopted by the
President and Board of Trustees
of
the Village of Libertyville
Lake County, Illinois
This 11th day of February, 2020.

Published in pamphlet form by direction
and authority of the Village of Libertyville
Lake County, Illinois
This 12th day of February, 2020.

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 20-O-14

AN ORDINANCE AMENDING SECTION 16-13
OF THE LIBERTYVILLE ZONING CODE
RELATING TO PLANNED DEVELOPMENTS

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered amending the Libertyville Zoning Code relating to required application materials for Planned Developments; and

WHEREAS, on December 16, 2019, the Development Review Committee reviewed and recommended approval of the requested zoning relief; and

WHEREAS, the Plan Commission of the Village of Libertyville, pursuant to notice duly published on December 21, 2019, in the *Daily Herald*, held a public hearing on January 13, 2020, at 7:05 p.m., at the Village Hall, 118 West Cook Avenue, Libertyville, Illinois for the purpose of hearing and considering testimony regarding the requested zoning relief; and

WHEREAS, on January 13, 2020, the Plan Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the President and Board of Trustees of the Village of Libertyville that the proposed text amendment be approved, all as is more specifically set forth in that certain Report of the Plan Commission on Case No. PC 20-01, dated as of January 21, 2020; and

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered the findings and recommendations of the Plan Commission and are fully advised in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LIBERTYVILLE, COUNTY OF LAKE, STATE OF ILLINOIS, AS FOLLOWS:

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated herein as if fully set forth.

SECTION TWO: Determination as to Findings. The Village Board finds the following:

- a. *The consistency of the proposed amendment with the purposes of this Code.* The proposed amendment is consistent with the purposes of the Code by clarifying requirements of Final Civil Engineering Plans to ensure consistency with the Development Concept Plan.
- b. *The existing uses and zoning classifications of properties in the vicinity of the subject property.* The proposed amendment is not site specific.
- c. *The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present zoning classification.* The proposed amendment is not site specific.
- d. *The extent to which the value of the subject property is diminished by its present zoning classification.* The proposed amendment is not site specific.
- e. *The extent to which such diminution in value is offset by an increase in the public health, safety and welfare.* The proposed amendment is not site specific.
- f. *The extent, if any, to which the use and enjoyment of adjacent properties would be adversely affected by the proposed amendment.* The proposed amendment is not site specific.
- g. *The extent, if any, to which the value of adjacent properties would be adversely affected by the proposed amendment.* The proposed amendment is not site specific.
- h. *The extent, if any, to which the future orderly development of adjacent properties would be adversely affected by the proposed amendment.* The proposed amendment is not site specific.
- i. *The suitability of the subject property for uses permitted or specially permitted under its zoning classification.* The proposed amendment is not site specific.
- j. *The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.* The proposed amendment is not site specific.

- k. *The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or specially permitted under its present and proposed zoning classification.* The proposed amendment is not site specific.
- l. *The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.* The proposed amendment is not site specific.
- m. *The community need for the proposed amendment and for the uses and development it would allow.* It is essential to clarify the need for Final Civic Engineering Plans to be submitted at the Planned Development Final Plan stage to ensure consistency with the Planned Development Concept Plan.

SECTION THREE: Amendment to Section 16-13. Section 16-13.4 entitled “**Forms of Submittal for Planned Developments and Procedures**” of Article 16 of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code to amend Section 16-13.4(e)(2)(viii), to remove the term “Preliminary engineering plan” and replace with “Final Civil Engineering Plans”, as follows:

- e. Final Plan Following Approval of Development Concept Plan.
 - 1) *Purpose.* The Final Plan is intended to particularize, refine, and implement the Development Concept Plan and to serve as a complete, thorough, and permanent public record of the planned development and the manner in which it is to be developed.
 - 2) *Application.* Subject to an extension of time granted by the Village Administrator pursuant to Section 15-1.12 of this Code, within one (1) year after the date of approval of the Development Concept Plan, the applicant shall file an application for Final Plan approval in accordance with the requirements of Section 16-1 of this Code. The application may include the entire area included in the approved Development Concept Plan or one or more stages or units thereof in accordance with the staging plan, if any, approved as part of the Development Concept Plan. The application shall refine, implement, and be in substantial conformity with the approved Development Concept Plan and at a minimum shall include, where applicable, the following
 - i) A land use application;
 - ii) Proof of ownership;
 - iii) Property Owner’s authorization;
 - iv) Narrative;
 - v) Plat of Survey;
 - vi) Site Plan;

- vii) Elevations of proposed structures;
- viii) Final Civil Engineering Plans;
- ix) Trees survey by a certified arborist;
- x) Landscape plan;
- xi) Lighting Plan;
- xii) Traffic study;
- xiii) Fiscal impact analysis;
- xiv) Sign plans; and
- xv) Aerial photograph of site and surrounding area.

SECTION FOUR: Amendment to Section 16-13. Section 16-13.4 entitled “**Forms of Submittal for Planned Developments and Procedures**” of Article 16 of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code to amend Section 16-13.4(f)(2)(viii), to remove the term “Preliminary engineering plan” and replace with “Final Civil Engineering Plans”, as follows:

f. Final Plan Following Approval of Master Plan.

- 1) *Purpose.* The Final Plan is intended to particularize, refine, and implement elements of the Master Plan and to serve as a complete, thorough, and permanent public record of the planned development and the manner in which it is to be developed.
- 2) *Application.* The applicant shall file an application for Final Plan approval with respect to those elements of the planned development as to which the applicant is seeking final approval. Said application shall be made in accordance with the requirements of Section 16-1 of this Code. The application may include a request for approval of any element of development within the approved Master Plan. The application shall refine, implement, and be in substantial conformity with the approved Master Plan and at a minimum shall include, where applicable, the following:
 - i) A land use application;
 - ii) Proof of ownership;
 - iii) Property Owner’s authorization;
 - iv) Narrative;
 - v) Plat of Survey;
 - vi) Site Plan;
 - vii) Elevations of proposed structures;
 - viii) Final Civil Engineering Plans;
 - ix) Trees survey by a certified arborist;
 - x) Landscape plan;
 - xi) Lighting Plan;
 - xii) Traffic study;

- xiii) Fiscal impact analysis;
- xiv) Sign plans; and
- xv) Aerial photograph of site and surrounding area.

SECTION FIVE: Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

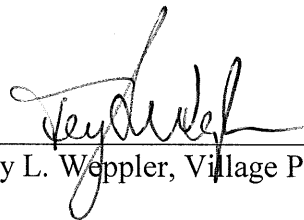
PASSED this 11th day of February, 2020.

AYES: Johnson, Moras, Justice, Adams, Carey

NAYS: None

ABSENT: Garrity

APPROVED this 12th day of February, 2020.



Terry L. Weppeler, Village President

ATTEST:


Sally Kowal, Village Clerk