

ORDINANCE # 2376
OF THE COUNTY OF LAKE

AN ORDINANCE TO AMEND the Unincorporated Lake County Zoning Ordinance No. II, County of Lake, State of Indiana, more specifically, Section 2.2, Definitions and Section 9.0 Supplementary Regulations to make provisions for Development Plans under Indiana Code 36-7-4-1400.

BE IT ORDAINED by the County Council of the County of Lake, State of Indiana that the Unincorporated Lake County Zoning Ordinance be amended as follows:

INSERT: Section 2.2 Definitions

Site Development Plan - means the specific plan for the development of real property that requires administrative review and approval by the Commission under the 1400 series of IC 36-7-4 prior to the issuance of a Building & Zoning Permit, includes a site development plan, satisfies the development requirements specified in the zoning ordinance regulating the development, and contains any plan documentation and supporting information required by the zoning ordinance.

ALTA Survey or ALTA/ACSM Survey or Plat of Survey - is a boundary survey prepared to a set of minimum standards that have been jointly prepared and adopted by the American Congress on Surveying and Mapping and the American Land Title Association with the goal of promoting uniformity in survey information. Additionally, an ALTA Survey includes improvements, easements, rights-of-way, and other elements impacting the ownership of land.

INSERT: Section 9.0 Supplementary Regulations.

Section 9.11 Site Development Plans.

A. Applicability.

Site Development Plans shall be required in all commercial, industrial, and multi-family residential (over 4-units) zoning district classifications. These zoning districts include R-5, B-1, B-2, B-3, HS-1, HS-2, PO, M-1, M-2, PUD, PIC, and CDD.

In addition, Site Development Plans shall be required for any Variance of Use or Special Exception regardless of the zoning district classification where such Variance of Use or Special Exception involves any non-residential development.

Site Development Plan approval shall be required prior to the issuance of any Building and Zoning Permit.

Site Development Plan Review shall be conducted exclusively by the Commission consistent with the provisions of I.C. 36-7-4-1400.

B. Site Plan Review As Part Of Other Petition

When an application for any use requires approval of a zone change, special exception, variance of use, subdivision, or any planned development; or includes any development, redevelopment; or other application requiring a public hearing containing an associated site plan, such associated site plan shall not be interpreted in lieu of Site Development Plan review under this Section.

C. Application.

A petitioner shall submit an application for Site Development Plan review pursuant to adopted filing deadlines on forms approved by the Commission, signed by the owner of the petitioned property (if the petitioner is someone other than the property owner, a power-of-attorney shall accompany the application), containing a copy of the deed for the property involved, the required filing fee, and any other required supporting information or documentation to the appropriate Planning Staff. Supporting information shall include, but not be limited to the following (the Planning Staff or the Commission may request additional supportive information, which shall be provided by the petitioner):

1. Summary Statement

A summary statement of the characteristics and operation of the development. The statement shall include any written commitments being made or having been required regarding the Site Development Plan.

2. Site Description

A general description of the site and its ownership including:

- a. the name, address, telephone number, and e-mail address of the applicant,
- b. the name, address, telephone number, and e-mail address of any land surveyors, engineers, or other professionals responsible for the Site Plan design,
- c. the name, address, telephone number, and e-mail address of the primary contact individual for the application (it shall be indicated if the primary contact person is the applicant or contracted design professional),
- d. the legal description of the subject property and common address of the site, and
- e. the proposed name of the development (if applicable).

3. Vicinity Map

A vicinity map showing and clearly identifying the subject property and showing all land within 500 feet of the subject property. The location map should identify the current zoning and use of all property within 500 feet of the subject property.

- a. The vicinity map shall also show all property which is contiguous to the subject property that is owned and/or otherwise controlled by the owner or developer of the subject property.

- b. A conceptual drawing describing the future development of all contiguous holdings described in 154.03.05(C)(1) above shall be provided by the applicant upon the request of the Planning Director and/or the body conducting the public hearing. At a minimum the conceptual drawings shall include a description of general driveways and access points, general land uses, general lot arrangements, and general drainage conditions and plans.

4. Property Survey

An ALTA survey prepared by a land surveyor licensed by the State of Indiana, and drawn to a scale of not more than 1 inch = 100 feet, including the following:

- a. the boundary line and dimensions of the subject property;
- b. all structures (specifically indicating any structures recognized as notable, contributing, or outstanding by the Indiana Historic Sites and Structures Inventory, or listed on the National Register of Historic Places and/or Indiana Register of Historic Sites and Structures);
- c. topography interpolated from USGS sources and/or otherwise meeting the requirements of the Planning Director (provided topographic information should tie into horizontal and vertical control points);
- d. significant wooded areas and other isolated trees;
- e. 100-year floodplain and 100-year floodway boundaries and elevations;
- f. public and private streets (including street names), rights-of-way, and easements;
- g. building setback and any build-to lines;
- h. all known drainage areas, tiles, pipes, and structures;
- i. utility services (including water, fire hydrants, sanitary sewers, storm water drainage, and other utilities);
- j. street accesses;
- k. any other paved or otherwise improved areas; and,
- l. all land within 200 feet of the property lines of the subject property.

5. Site Plan

A site plan, drawn to a scale of not more than 1 inch = 100 feet, and bearing the seal of a professional engineer or land surveyor registered in the State of Indiana clearly showing all proposed aspects of the property and all features relevant to the site development plan, including:

- a. setbacks and buffers;
- b. topography (including elevation contour lines at 2 foot intervals);
- c. structures (including buildings, fences, and walls);
- d. all structure heights, dimensions, and floor areas, materials, and style of improvements;
- e. Building coverage;
- f. Building separation;

- g. areas of outdoor storage;
- h. permanent dumpsters and trash areas;
- i. locations dimensions, and design features (including all curb radii, tapers, and parking space dimensions) of road accesses, interior drives, parking spaces and ramps for the disabled, parking lots, loading docks or areas, sight visibility triangles, interior sidewalks, and vehicle and pedestrian circulation (all public road access shall be subject to any additional requirements of the Lake County Highway Department);
- j. open spaces, recreational spaces, landscaping, and landscaped areas;
- k. locations of public and private utilities;
- l. water meter clean out locations and elevations and top of casting elevations;
- m. sanitary sewer invert elevations;
- n. the location, width, and purpose of all easements;
- o. the use of each structure and the amount of parking allocated for those uses;
- p. public improvements including sidewalks, street trees, and right-of-way dedications; and
- q. locations for temporary uses, such as seasonal sales areas;

6. Landscaping Plan

A landscaping plan drawn by a—an Indiana registered engineer, land surveyor or landscape professional, drawn to a scale of not more than 1 inch = 100 feet, and showing the following:

- a. required and proposed landscaping in buffer yards and street trees;
- b. existing and proposed elevation contour lines at 2 foot intervals (or otherwise meeting the requirements of the Planning Director);
- c. 100-year floodplain and 100-year floodway boundaries and elevations;
- d. existing and proposed public and internal sidewalks and other pedestrian ways,
- e. the size and spacing of the plantings at the time of installation and the species proposed to be used to meet the requirements of this Ordinance; and
- f. all existing trees and vegetation to be preserved, and the driplines for such trees (in which no construction activity shall occur).

7. Sign Plan

A sign plan showing the location, height, method of illumination (if any) and dimension of all permanent signs and indications of appropriate locations, heights, and sizes of any temporary signs.

8. Drainage Plan

A site drainage plan bearing the seal of a professional engineer registered in the State of Indiana including all calculations required by the Planning Director. The drainage plan shall include the following:

- a. all natural streams, regulated drains, and watercourses;

- b. 100-year floodway and 100-year floodplain boundaries and elevations;
- c. all marshes, wetlands, and wooded areas;
- d. all drainage area features as described in the drainage calculations; and,
- e. compliance with the Lake County Stormwater Management & Clean Water Regulations Ordinance.

9. Traffic Management Plan that includes:

- a. management of traffic in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community;
- b. that the design and location of any proposed street and roadway access points minimize safety hazards and congestion;
- c. that the capacity of adjacent streets and roads is sufficient to safely and efficiently accept traffic and movements that will be generated by the new development;
- d. that the entrances, streets, and internal traffic circulation facilities in the development plan are compatible with existing and planned streets and adjacent developments;
- e. if requested by the Lake County Highway Department to verify the plan incorporates the above design features in the most favorable way possible, a traffic impact analysis to assess the effects that the proposed development's traffic will have on the transportation network in the community. The study preparer shall be an associate (or higher) member of one or more professional transportation related organizations, particularly the Institute of Transportation Engineers (ITE) or the Transportation Research Board (TRB).

10. Lighting Plan

A site lighting plan, drawn to a scale of not more than 1 inch = 100 feet, showing the type and location of all exterior lighting fixtures.

11. Construction Plan

A site construction plan, drawn to a scale of not more than 1 inch = 100 feet, showing:

- a. proposed erosion and sediment control measures;
- b. the location of any proposed construction trailer and worker parking;
- c. the location, height, and dimensions of any temporary construction-related signage;
- d. any temporary site accesses to be used during construction;
- e. any temporary utility connections; and

- f. the location of any stockpiles of dirt, construction materials, and construction waste dumpsters or storage areas.

12. Consolidation of Plans

The above required plans, including the site, landscaping, sign, traffic management, drainage, lighting, and construction plans may be consolidated into one or more separate drawings depending on the complexity of any project.

Plans shall be created so that they clearly, easily, and readily provide access to all required information. Individual plans shall not contain so much information that they become cluttered and difficult to read. Since this is more of a subjective decision, the Commission shall be the final entity to determine whether the plan(s) need to be redrawn for a better understanding of their content.

D. Fees

Fees for Site Development Plan review shall be two hundred dollars (\$200) plus twenty-five dollars (\$25) per acre or any portion thereof. The maximum fee for Site Development Plan review shall not exceed the cost to convene the Commission combined with the processing fees associated with the application for Site Development Plan review. The maximum fee is not to exceed seven hundred eighty dollars (\$780) per application.

E. Plan Commission Review

After submittal of the application and required material as described in this section, including any other supporting material and after review and acceptance of the complete Site Development Plan application by the Planning Staff, the item shall be placed on the agenda of the Lake County Plan Commission in accordance with adopted filing deadlines. No application shall be accepted or considered accepted until all criteria under this section are met.

The applicant or petitioner shall appear at the meeting of the Commission and proceed with their petition under the Plan Commission Rules of Procedure, as amended.

The Commission shall conduct an administrative review of the Site Development Plan and any supporting materials to determine whether the plan is consistent with the comprehensive plan, satisfies the development requirements specified in this ordinance, and is compatible with the development of surrounding land uses.

F. Action

After their review, the Commission may impose conditions on the approval of the Site Development Plan if the conditions are reasonably necessary to satisfy the development requirements specified in this ordinance. Also, the Commission may provide that the approval of the Site Development Plan is conditioned on the furnishing to the Commission of a bond or written assurance in the name of the Lake County Board of Commissioners that guarantees the timely completion of a proposed public improvement in the development and is satisfactory to the Commission. Finally, the Commission may

require the owner of the real property to make a written commitment regarding the development of the real property under consideration.

The Commission shall make written findings concerning each decision to approve or disapprove a Site Development Plan. The findings shall be prepared by the Planning Staff in the form of a letter to the petitioner signed by the Executive Director or President or Vice-President of the Commission.

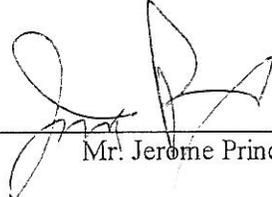
The decision of the Commission in approving or disapproving a Site Development Plan is a final decision that may be reviewed only as provided by I.C. 36-7-4-1016.

IS HEREBY X BY THE
 APPROVED DENIED NO ACTION

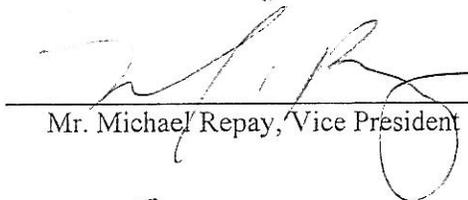
COUNTY COUNCIL OF LAKE COUNTY, INDIANA, THIS 11th DAY OF

September, 2012.

MEMBERS OF THE LAKE COUNTY COUNCIL



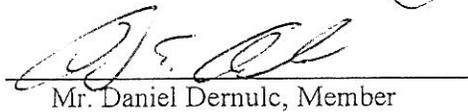
Mr. Jerome Prince, President



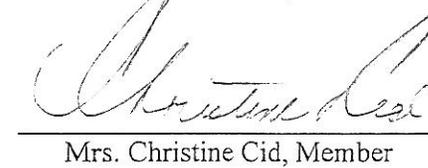
Mr. Michael Repay, Vice President



Mrs. Elsie Franklin, Member



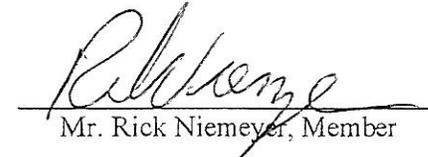
Mr. Daniel Dernulc, Member



Mrs. Christine Cid, Member



Mr. Ted Bilski, Member



Mr. Rick Niemeyer, Member