

## EXHIBIT A: AMENDMENTS TO THE LAKE COUNTY UNIFIED DEVELOPMENT ORDINANCE – Articles 10 and 11

### I. Streamlining Amendments

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#### **Amendment #1 (Streamlining)**

**Summary:** Delegates the authority to the Director to approve subdivision final plat extensions for each phase of a subdivision up to 12 months.

**Amend Article 10, Section 10.4.2.4/Phased Subdivisions (p.10-3) to read as follows:**

The entire area to be subdivided, as shown on the Preliminary Plat, may be platted with the first phase of the subdivision. Those areas to be subdivided as future phases of the subdivision may be reserved as outlots for future development. Such outlots shall reference the approved Preliminary Plat and Final Engineering Plans, and the resubdivision of such outlots shall be in accordance with the approved Preliminary Plat and Final Engineering Plans. The Final Plat approval for such outlots shall be received within the 24-month period during which the Preliminary Plat is valid. The Director may grant an extension not to exceed 12 months for each phase of the subdivision. When considering an extension, the Director shall consider the circumstances underlying the extension request and the extent of ordinance changes since preliminary plat approval.

#### **Amendment #2 (Streamlining)**

**Summary:** Classifies alterations to platted easements as minor modifications.

**Amend Article 10, Section 10.6.2/Dedications, Easements and Reservations/Easements (p.10-6,10-7) to read as follows:**

#### **10.6.2.4 Alterations to Platted Easements**

Any alterations to platted access, utility and drainage easements shall be processed as Minor Modifications in accordance with Section 10.8.2 of this Ordinance.

#### **Amendment #3 (Streamlining)**

**Summary:** Delegates the authority to the Director to hold Public Informational Meetings for Minor Subdivisions.

**Amend Article 10, Section 10.7.2 /Subdivision Procedures/Public Information Meeting (p.10-8) to replace the existing text to read as follows:**

~~10.7.2.1 A neighbor notice shall be provided and a Public Information Meeting shall be held before the Planning, Building and Zoning Committee for all Minor Subdivisions following the initial review of the Early Assistance Meeting application by the Multi-Disciplinary Team. For Major Subdivisions, the Public Information Meeting shall be held before the Planning, Building and Zoning Committee following the initial review of the Preliminary Plat by the Multi-Disciplinary Team. Unless required by the Director, Public Information Meetings are not required for Lot Splits, Consolidations or Plat Amendment applications.~~

Following the initial review of the Early Assistance Meeting application by the Multi-Disciplinary Team, a Public Information Meeting that includes a neighbor notice in accordance with Section 3.1.7.2., shall be held before the Director for all Minor Subdivisions, and before the Planning, Building and Zoning Committee for all Major Subdivisions. Unless required by the Director, Public Information Meetings are not required for Lot Splits or Plat Amendment applications.

**Amendment #4 (Streamlining)**

**Summary:** Delegates the authority to the County Engineer to act on certain requested modifications to street standards.

**Amend Article 10, Section 10.10.2/Streets/Modifications from Street Standards (p.10-41, 10-42) to read as follows:**

**10.10.2 Modifications from Street Standards**

1. ~~Unless otherwise stated in this Section,~~ The County Engineer may grant modifications from the provisions of this Section in accordance with the Minor Modification Procedures described in Sec. 10.8 and ~~Table 10.10, below.~~ Decisions rendered by the County Engineer shall take into consideration existing conditions, site limitations and whether in the professional opinion of the County Engineer the modification will negatively affect the function, structural composition, or the public health, safety or general welfare. All other modifications shall be vested in the Director unless otherwise reserved to the Planning, Building and Zoning Committee.

**Table 10.10 – County Engineer – Authorized Modifications**

Section	Description
10.10.12	Street Design Standards
10.10.13.3	Right-of-way and Pavement Standards
10.10.14.4.a	Cul-de-Sacs and Turnarounds

10.10.15.2	Curbs and Gutters
10.10.17.2	Sidewalks
10.10.18.3	Development Standards for Unimproved Existing
<del>10.10.18.4</del>	<del>Rights-of-way</del>
10.10.20	Street Lighting

**Amendment #5 (Streamlining)**

**Summary:** Delegates the authority to the Director to act on requested modifications to stormwater management facility standards.

**Amend Article 10, Section 10.13/Stormwater Management Facilities (p.10-55) to read as follows and renumber subsequent sections accordingly:**

**10.13.1 General**

10.13.1 General

10.13.1.1 Site Development Standards

All subdivisions shall be subject to the Site Development Regulations of Article 8.

10.13.1.2 Modification of Standards

The Director, after consultation with relevant county staff, shall be authorized to modify the standards of this section provided such modification is not in conflict with other provisions of this Ordinance.

**Amendment #6 (Streamlining)**

**Summary:** Delegates the authority to the Director to act on requested modifications to dam and impoundment structure standards.

**Amend Article 10, Section 10.14.1/Dams and Impoundment Structures/General (p.10-60) to read as follows:**

Dams and berms for water impoundments shall be planned, designed and constructed under the supervision of a structural or professional engineer and shall meet the requirements of Article 8. The Director, after consultation with relevant county staff, shall be authorized to modify the standards of this section provided such modification is not in conflict with other provisions of this Ordinance.

**Amendment #7 (Streamlining)**

**Summary:** Authorizes the Director to modify subdivision landscaping and street landscaping standards and makes other changes to street landscaping requirements.

**Amend Article 10, Section 10.15/Subdivision Landscaping/Street Landscaping (p.10-61) to read as follows:**

Landscaping within subdivisions shall be provided in accordance with the standards of this subsection. Unless otherwise provided in this section, the Director shall be authorized to modify the standards in this section.

**10.15.3.1 Street Landscaping**

- a. ~~A minimum~~ Plant quantities shall be calculated using a minimum standard of 2 trees shall be required for each 100 feet of street length. When applicable, each side of a street shall be calculated independently. Trees shall be arranged along the street right-of-way to create a natural-randomized appearance in the streetscape.
- b. Tree species shall be limited to those listed in Appendix A, and other tree types expressly approved by the Township Highway Commissioner.
- c. Trees shall be at least 3 inches in caliper size.
- d. The trees shall generally be placed between the sidewalk and right-of-way line for streets with closed drainage and at least 30 feet from the centerline of the right-of-way for streets with open drainage. Tree locations shall be approved by the Township Highway Commissioner and the County Engineer.
- e. All trees located in the street right-of-way shall be the property of the Township Road District.

**Amendment #8 (Streamlining)**

**Summary:** Authorizes the Director to modify standards for pedestrian walkways and trails.

**Amend Article 10, Section 10.16.1.2/Pedestrian Walkways and Trails/Location and Standards (p.10-62) to read as follows:**

**10.16.1.2** Pedestrian walkways or trails shall not be located within deed restricted open space. Pedestrian walkways or trails shall be a minimum of 5 feet in width. The Director may require modification of walkways and trails to improve the functionality of the trail system. The Director may increase the width or composition of the trail when the trail contained in the subdivision is part of a multi-modal trail system, a trail system integrated into more than one subdivision, a mixed use development or part of a regional trail system.

**Amendment #9 (Streamlining)**

**Summary:** Eliminates the one year limit on assurance term extensions and makes other changes.

**Amend Article 10, Section 10.19.3.3/Assurances/Restoration Assurances/Term (p.10-69) to read as follows:**

The restoration assurance shall be posted as a prerequisite to commencement of construction activities or Final Plat approval, whichever comes first. The assurance shall be posted for a minimum 2-year period. However, should the end of the 2-year period fall between December 1 and June 14, the assurance shall expire the first business day after June 14. In accordance with Section 10.19.6.3, the Director, for good cause and with the approval of the provider of the assurance, may extend the term of the assurance, ~~for not more than 1 year.~~

**Amend Article 10, Section 10.19.4.3/Assurances/Performance Assurances/Term (p.10-69) to read as follows:**

The performance assurance shall be posted as a prerequisite to approval of the Final Plat of subdivision. The assurance for each phase of the subdivision shall be posted for a minimum 2-year period. However, should the end of the performance period fall between December 1 and June 14, the assurance shall expire the first business day after June 14. In accordance with Section 10.19.6.3, the Director, for good cause and with the approval of the provider of the assurance, may extend the term of the assurance, ~~for not more than 1 year.~~

**Amend Article 10, Section 10.19.5.3/Assurances/Maintenance Assurances/Term (p.10-70) to read as follows:**

The maintenance assurance shall be posted as a prerequisite to releasing the performance assurance, unless waived by the Director. The assurance shall be posted for a period of 1 to 3 years, and may be longer for phased subdivisions, as deemed necessary by the Director. However, should the end of the maintenance period fall between December 1 and June 14, the assurance shall expire the first business day after June 14. In accordance with Section 10.19.6.3, the Director, for good cause and with the approval of the provider of the assurance, may extend the term of the assurance, ~~for not more than 1 year.~~

## II. Housekeeping Amendments

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### **Amendment #10 (Housekeeping)**

**Summary:** Corrects cross section reference error.

**Amend Article 11, Subsection 11.1.3.4.i/Schools/Ordinance-Based School Contribution Procedure/Objection Procedures/Appeals of Planning, Building, and Zoning Committee Actions (p.11-8) to read as follows:**

Appeals of actions or decisions of the Planning, Building and Zoning Committee under the School Contribution provisions of Article 11 shall be filed within 15 days of the date on the notice of the action or decision. With the exception of this filing deadline, such appeals shall be made in accordance with Section ~~10.2.6.2~~ 10.8.4.2 of the Unified Development Ordinance.

### **Amendment #11 (Housekeeping)**

**Summary:** Corrects a grammatical error within commentary.

**Amend Article 11, Subsection 11.1.3.1/Schools/Ordinance-Based School Contribution Procedure/Calculation of Required Contribution/Commentary (p.11-3) to read as follows:**

Commentary: For purposes of this subsection, active adult developments are generally synonymous with senior housing that is not accommodated by nursing or other medical care; independent living developments may or may not provide such services; and assisted/supported living facilities that are accommodated by such care. The age-restricted multiplier, above, applies to all such developments.

The restrictive covenants should incorporate provisions to ensure that an affected school district's school land needs are sufficiently addressed in the event such an age-restricted development ultimately generates students or otherwise no longer qualifies as an age-restricted development at any point following final plat approval (or initial contribution).

**Amendment #12 (Housekeeping)**

**Summary:** Makes minor changes to park and recreation area design guidelines and delete commentary.

**Amend Article 11, Subsection 11.2.4/Park and Recreation Areas/Design Guidelines (p.11-11) delete commentary as follows:**

**Amend Article 11.2.4.3, Park and Recreation Areas/Design Guidelines (p. 11-11) to read as follows:**

Recreation improvements shall be designed so they are appropriate to the population served and to maximize their use and enjoyment. Small strips or spots of recreation areas shall be avoided.