



Legislation Details (With Text)

**File #:** 2023-0896    **Version:** 3    **Name:** Land Development Code - Substantive Amendment: Modify Entitlements Review Process

**Type:** MOTION    **Status:** IN BOARD OF TRUSTEES

**File created:** 11/14/2023    **In control:** Board of Trustees

**On agenda:** 2/19/2024    **Final action:**

**Title:** Land Development Code - Substantive Amendment: Modify Entitlements Review Process

**Code sections:**

**Attachments:** 1. Staff Report - Entitlement Review COTW

Date	Ver.	Action By	Action	Result
2/19/2024	3	Committee of the Whole		
2/13/2024	3	Development Services Department	INTRODUCED TO COMMITTEE	
12/18/2023	1	Committee of the Whole		
12/12/2023	1	Development Services Department	INTRODUCED TO COMMITTEE	
11/21/2023	0	Plan Commission		

Title/Name/Summary

Land Development Code - Substantive Amendment: Modify Entitlements Review Process

History

**AMENDMENT SUMMARY**

**SECTION 5-101.A.3 General Process**

Change the entitlement review process to have final engineering and final landscape plans approved administratively after the Board of Trustees approves a project.

**SECTION 5-101.A.3 Appearance Before the Committee of the Whole**

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation.

**SECTION 5-101.C Public Meeting Sequence with a Public Hearing**

Change language to allow for projects to proceed to the Board of Trustees prior to final plan review and preparation. Reorganize section in order of new process.

**SECTION 5-101.K.4 Review by Development Services Department**

Change language to new final approval method and clarify language associated with final engineering reviews.

**CHART 5-101.A (A)**

Remove chart at end of section as it will no longer correlate with proposed amendments.

## **AMENDMENT EXPLANATION**

The goal of this amendment is to make the development review process more efficient and effective, with an objective of implementing a Lean Enterprise Institute (LEI) recommendation of modifying the timing of the final plan review and preparation, including final engineering and final landscaping stages within the entitlements process. This case was tabled at the 12/18/23 Committee of the Whole meeting and has been revised to address concerns regarding the proposed amendment. Items corrected from the prior Committee of the Whole meeting include formatting issues, removal of the “80% plans” terminology, includes the state of “ready” development plans, and includes a revised explanation for better clarification of the proposed amendment.

Currently, Section 5-101 of the Land Development Code requires staff approval of final engineering and final landscaping before moving the project forward for the Board of Trustees to grant project approval. The proposed approach will enable petitioners to present plans to the Board of Trustees and subsequently address minor engineering and landscaping details administratively after project approval is granted and the ordinance is passed. This method streamlines the entitlements process, saves the development community time and money, and facilitates a more efficient project progression.

It is important to note that the Board of Trustees does not currently approve final engineering plans, but they do approve the site plan, landscape plan, and building elevations and any correlated special uses, modifications, and variances. Almost all changes made in the final engineering and landscape phase of a project do not alter the site plan or building elevations for a project, which will be viewed and approved by staff to assure that they comply with all code requirements. If the final engineering or final landscaping review results in substantial alterations to the Board-approved site plans, the petitioner must restart the development review process by republishing for a public hearing and returning to the Plan Commission and Board of Trustees for revision approvals.

Due to the time and expense associated with preparing final plans without knowing the project will be formally approved by the Board of Trustees, staff recommends having a project proceed to the Board of Trustees and finalizing engineering and landscape details after the Board of Trustees grant approval as of the building permit process. There will be a standard condition added to all projects to ensure that each project is in substantial conformance to the plans referenced in the approved ordinance passed by the Board.

Due to Legistar formatting limitations, the amendment text is located in the attached staff report.

This agenda item is being considered by the Committee of the Whole and the Village Board of Trustees on the same night.

## **Recommended Action/Motion**

I move to recommend to the Village Board to approve the Plan Commission recommended action for case number 2023-0896, also known as Substantive Amendment: Modify Entitlement Review Process.

THIS PART IS FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)

I move to recommend to the Village Board to approve the Land Development Code Amendments for Sections 5-101.A, 5-101.C, and 5-101.K, as presented in the attached amendment report titled "11/21/23 Land Development Code Amendments" dated November 15, 2023.