

COUNCIL WORKSHOP ITEM

ITEM: Plan Commission Recommendations regarding Flag Lots
DATE: September 17, 2002
PREPARED BY: Kenneth J. Rathje, Director; Amanda Browne, Planner
Department of Planning Services
PURPOSE: To forward the Plan Commission's recommendations regarding flag lots for consideration by the Council.

DISCUSSION:

As requested by the Council, the Plan Commission has conducted a series of public discussions regarding flag lots, and the Commission's recommendations were presented to the Council at the workshop meeting on August 27, 2002.

As a matter of background information, the Council enacted a six-month moratorium regarding flag lot proposals on April 2, 2002 (Ordinance Number 4394), and asked the Plan Commission to consider revisions to the provisions regulating flag lots. The Plan Commission conducted three public discussions regarding this issue, and by a vote of 4:3 (with two members absent), the Plan Commission recommended that the Council lift the moratorium regarding flag lots, and continue to allow this type of land division with the following changes to the requirements of the Subdivision Control Ordinance: 1) that the minimum lot size of the parent parcel being considered to be divided into a flag lot should be 100 feet wide by 400 feet deep, and that the parent parcel must be a lot of record as of the date of the amendment to the Ordinance; 2) that the current setback requirements should remain the same; and 3) that landscaping screening should be required on the two resulting lots to screen them from each other.

Attached is a draft Ordinance for the Council's consideration, which reflects the changes to the Subdivision Control Ordinance as recommended by the Plan Commission.

ATTACHMENTS:

1. DRAFT "Ordinance Amending Flag Lot Provisions"

RECOMMENDATION:

Planning Staff recommends that this item be placed on an active agenda prior to the expiration of the Council's moratorium regarding flag lot proposals, which expires on October 9, 2002.

ORDINANCE NO. _____

AN ORDINANCE AMENDING FLAG LOT PROVISIONS

BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows: (Additions are indicated by shading; deletions by ~~strikeout~~.)

SECTION 1. That Section 20-302 of the Downers Grove Municipal Code is hereby amended as follows:

20-302. Flag Lots.

(a) A flag lot may be created as part of a lot split, a lot reconfiguration, or a subdivision where it is determined that the use of a flag lot would make it possible to better utilize irregularly shaped properties.

(b) A petition for a flag lot shall be processed as an exception as provided in this Chapter.

(c) A flag lot and the resulting front lot shall meet the following requirements:

(1) The pole of the flag lot shall be no less than twenty feet wide.

(2) An access corridor, including a paved surface not less than ten feet in width, shall be maintained along the length of the pole. No encroachments shall be permitted within this access corridor which would interfere with emergency vehicle access.

(3) The minimum depth of the flag lot, exclusive of the pole, shall be at least one hundred sixty-five feet deep and the lot size shall comply with the provisions of Section 20-301.

(4) The front yard setback shall be measured from a line parallel to the street, where the lot meets the minimum width of the underlying zoning district.

(5) The address of the flag lot must be clearly displayed within three feet of the property line adjacent to the public street, and shall be designed and maintained to clearly differentiate the flag lot from the adjacent property.

(6) The front lot shall comply with the requirements of this Chapter including minimum lot area, depth and width.

(7) A landscape screening plan shall be submitted at the time of application for a flag lot split, which shall depict a deciduous and/or evergreen landscape screen which provides visual separation between the front lot and the flag lot. The landscape screen shall be located on the flag lot, and shall be located as close as reasonably possible to the common lot line between the front lot and the flag lot. At a minimum, such landscape screen shall comply with the following: deciduous trees must be of no less than one and one-half (1 1/2) inches in diameter at time of planting, and shall be planted no less than fifteen (15) feet on center; evergreen trees must be no less than five (5) feet in height at time of planting, and shall be planted no less than fifteen (15) feet on center. The landscape screening plan shall be reviewed and approved by the Village Forester, who shall determine whether it is consistent with the concept of providing a visible separation between the front lot and the flag lot. The landscape screen shall be planted in conformance with the approved landscape screening plan prior to the issuance of a certificate of occupancy for any construction on the flag lot.

(d) A flag lot petition may be considered only on a single parcel of land which was legally in existence as of October 1, 2002 and which is not less than one hundred (100) feet in lot width and four hundred (400) feet in lot depth.

(de) No exceptions shall be permitted from the provisions of this section for any flag lot or front lot.

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk

[flaglot]