

Chapter 16 – SUBDIVISION REGULATIONS

IN GENERAL

1.1 Title.

This Chapter shall be known and may be cited and referred to as the “Subdivision Regulations for the Village of Mapleton, Peoria County, Illinois.”

1.2 Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley means a strip of land, not less than twenty (20) feet in roadway width and not more than forty (40) feet along the side of or in the rear of properties, intended to provide secondary access to these properties.

Block means that property abutting on one side of a street between the two (2) nearest intersecting streets or other natural barriers.

Building line means a line within a lot so designed on the plat of the proposed subdivision, between which line and any street line upon which the lot abuts the erection of a building is prohibited.

Collector street means a street which carries traffic from minor streets to the major highways including the principal entrance streets of a residential development and streets for circulation within such a development as designated by the circulation plan.

Crosswalkway means a strip of land dedicated to public use, which is reserved across a block to provide pedestrian access to adjacent areas.

Cul-de-sac means a street having one open end and being permanently terminated by a vehicle turnaround.

Easement means a grant by a property owner for the use of a strip of land by the general public, a corporation or a certain person for a specific purpose.

Final plat means the map, drawing or chart on which the subdivider’s plan of subdivision is presented to the subdivision committee (with said members appointed on an as-needed basis) and then presented to the village board for final approval.

Frontage road means a minor street parallel to and adjacent to major highway that provides access to abutting properties and protection from through traffic.

Highway means the width of the highway right-of-way or easement, whether public or private, and shall not be considered as the width of the roadway or paving or other improvement on the highway right-of-way.

Intersection (street) means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. If such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

Lot means a building site shown on a plat of a subdivision identifiable by reference to the plat of subdivision rather than by metes and bounds.

Major highway means those streets that are used primarily for fast or heavy traffic.

Minor street means a street used primarily for access to abutting properties and leading into collector streets or major highways.

Parcel refers broadly to a lot, tract or any other piece of land.

Pedestrian crosswalk means easements to the public for the purpose of foot traffic.

Plat means a map, drawing or chart on which the subdivider's plans of the subdivision are presented and which he submits for approval first in preliminary, then final, form.

Plat officer means the officer appointed by the Village Board whose duty is to administer and enforce the provisions of this Chapter assigned to the office and any additional regulations assigned at a later time.

Preliminary plat means a map, drawing or chart on which the subdivider's plan of the subdivision is presented to the village board for review and preliminary approval.

Reserve strip means a parcel of land that passes through a platted subdivision that provides access to land adjacent to or within the subdivision.

Right-of-way means the shortest distance between the two (2) property lines contiguous to a strip of land used for a street or bed for railroad tracks.

Roadway or road means the paved area existing on the street right-of-way and not the street right-of-way width.

Street means a right-of-way for vehicular traffic, whether designated as a street, highway, road, lane, court, thoroughfare, parkway, freeway, throughway, expressway, place, boulevard or avenue, other than an alley, usually affording the principal means of access to abutting property.

Subdivision means the division of land in two (2) or more parcels for the purpose, whether immediate or future, of transfer of ownership or building development, including all public streets, alleys, easements for public service facilities, parks, playgrounds, school grounds or other public grounds. The following shall not be considered a subdivision and shall be exempt from the requirements of this Chapter:

(1) The sale or exchange of parcels of land between owners of adjoining and contiguous land.

(2) The conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access.

(3) The conveyance of land owned by a railroad or other public utility that does not involve any new streets or easements of access.

(4) The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.

(5) Conveyances made to correct descriptions in prior conveyances.

Subdivision ordinance means the “Subdivision Regulations for the Village of Mapleton, Peoria County, Illinois.”

1.3 Intent and Purpose.

It is the intent and purpose of this Chapter to:

(1) Provide one of several means for carrying out the intent of the evolving comprehensive plan and thus ensure sound, harmonious development and Village growth.

(2) Ensure the development of land to the highest possible standards of design with all the necessary protection against deterioration and obsolescence that would adversely affect the living environment or tax base.

(3) Provide a procedure for a sound working relationship between the Village and developers and to safeguard the interests of homeowners, subdividers, investors and the Village.

(4) Control the scattered and premature platting of lots beyond the effective operating range of existing public utilities and improvements.

(5) Ensure that the cost of design and installation of improvements in new platted subdivisions is borne by the persons developing the lots rather than by existing property owners.

(6) Coordinate new subdivision design with the design of the Village as a whole.

(7) Secure the rights of the public with respect to public lands and waters.

(8) Improve land records by establishing standards for surveys and plats.

1.4 Geographic Jurisdiction.

No person shall subdivide any tract of land within the corporate limits of the Village or within the adjacent 1½ mile area of the corporate limits of the Village that is not in conformity with the provisions of this Chapter.

1.5 General Requirements.

A. Wherever any subdivision of land shall be laid out, the subdivider thereof or his agent shall submit a preliminary and final subdivision plat to the subdivision committee. Such plats and plans of proposed improvements, and all procedures relating thereto, shall in all respects be in full compliance with this Chapter.

B. Until plats and plans for the subdivision are approved, properly endorsed and recorded:

(1) No land shall be divided, nor any street laid out, nor any improvements made to the natural land.

(2) No lot, tract or parcel of land within any proposed subdivision shall be offered for sale nor shall any sale, contract for sale or option be made or given.

(3) No improvements such as sidewalks, water supply, storm water drainage, sanitary sewage facilities, gas service, electric service or lighting, grading, paving or surfacing of streets shall hereafter be made by any owner or his agent, or by any public service corporation at the request of such owner or his agent.

C. All land offered to the Village for use as streets, alleys, schools, parks and other public uses shall be referred to the subdivision committee before being referred to the village board for review and recommendation.

D. No plat will be approved for a subdivision which is subject to periodic flooding or which contains poor drainage facility plans and which would make adequate drainage of the lots and streets impossible. However, if the subdivider agrees to make improvements which will in the opinion of the village board make the area safe for residential occupancy and provide adequate lot and street drainage, the preliminary plat of the subdivision may be approved. All plats shall comply with state drainage provisions.

E. In all subdivisions, due regard shall be given the preservation of historical sites and natural features such as large trees, watercourses and scenic views.

F. In the case of preliminary plats for parts of tracts, where it appears necessary to the village board for the satisfactory overall development of an area, an owner may be required to prepare at least a street plan of his entire tract based upon proper topographic surveys before approval of any portion of such plan.

G. Whenever an area is subdivided into lots of forty thousand (40,000) square feet or more which may at a later date be resubdivided, consideration shall be given to the street and lot arrangement of the original subdivision so that additional local streets can be located which will permit a logical arrangement of smaller lots.

1.6 Interpretation.

A. Where the conditions imposed by any provision of this Chapter upon the use of land are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this Chapter or of any other official policy, law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive, or which impose higher standards or requirements, shall govern.

B. This Chapter is not intended to abrogate any easement, covenant or any other private agreement; provided that, where the regulations of this Chapter are more restrictive or impose higher standards or requirements than such easements, covenants or other private agreements, then the requirements of this Chapter shall govern.

C. If any section, subsection, sentence, clause, phrase, or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Chapter.

ADMINISTRATION AND ENFORCEMENT

2.1 Enforcing Officers.

It shall be the duty of the Village Board and appropriate Village officials to enforce the provisions of this Chapter.

2.2 Variances and Exceptions.

A. The Village Board hereby reserves the authority to make variances or changes to any of the provisions contained in this Chapter, but any variances or changes shall only be exercised upon written recommendation of the Village Board, or upon unanimous vote.

B. The standards and requirements of this Chapter may be amended by the Village Board in case of a planned unit development or for a complete community or a neighborhood unit, possibly involving mixed land uses. Such amendment shall not be made until after written recommendation by the village board. Recommendations may be given when in the judgment of the village board the development provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan.

2.3 Penalty.

Any person violating any of the provisions of this Chapter shall be subject to punishment as provided in section 3.1 of Chapter One of this Code. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

2.4 Bonding and fees.

A. Required fees shall include Forty-five (\$45.00) Dollars for a preliminary plat and forty-five (\$45.00) dollars for a final plat. An additional fee of One (\$1.00) Dollar per lot shall be charged on the final plat.

B. The owner of a subdivision shall reimburse the Village for all engineering and inspection expenses. Engineering expenses shall include the review of water and sewer plans, plats and other plans specified by this Chapter. Inspection expenses shall be no less than Twenty-four (\$24.00) Dollars for a preliminary plat and no less than forty-eight (\$48.00) Dollars for a final plat, wherein new streets are required for access to abutting properties.

C. Bond.

(1) The village board shall not consider approval of the final plat unless and until the subdivider has guaranteed completion of all required improvements within a reasonable period and in compliance with approved working drawings and specifications and has guaranteed to maintain such improvements until they are accepted by the Village. As a guarantee, the subdivider shall post a performance bond prepared in a form approved by the Village attorney and underwritten by a surety company listed as approved by the village board. The amount of the bond shall not be less than one hundred fifteen (115%) percent of the final estimate of cost of the improvements as checked by the plat officer and the village board.

(2) The bond shall require the completion of the improvements within a maximum period of two (2) years following the approval of the final plat.

(3) The performance bond shall contain provisions and a date for completion within two (2) years for construction as the village board may specify. If the improvements do not meet the requirements of this Chapter to the satisfaction of the plat officer, the Village Clerk shall call for the sum necessary to complete the improvements under the provisions of the performance bond. The Village Clerk shall act within forty-five (45) days of the date for completion of construction stated in the performance bond.

2.5 Plat or Deed Recording.

No plat or plan of a subdivision of land within the Village planning jurisdiction shall be admitted or recorded by the recorder of deeds until the plat or plan has been reviewed under the provisions of this Chapter and received final approval in writing by the Village Board.

PLAT APPROVAL PROCEDURES AND SPECIFICATIONS

3.1 Preapplication Procedure.

A. Prior to filing an application for approval of a preliminary plat, the subdivider shall submit sketch plans and data as specified in Section 3.4. Within thirty-one (31) days of submitting data to the Village Clerk the subdivider shall be advised of the subdivision committee recommendations. The purpose of the preapplication procedure is to afford the subdivider an opportunity to avail himself of the advice and assistance of the village board and to consult early and informally with the village board before preparation of the preliminary plat and before formal application for its approval, in order to save time and money and to make the most of the developer's opportunities. This step does not require formal application, a fee or filing of the plat. The preapplication procedure can be waived at the discretion of the village board.

B. The subdivider may wish to engage a qualified specialist to help him resolve design problems for a workable and profitable subdivision plan. He should also consult with other parties potentially interested in his development plans, the ultimate users of the development, and lending and mortgage insurance institutions, with a view to reaching at this initial stage conclusions regarding what part of the market demand should be served, the suitability of the location of the proposed subdivision, the most advantageous subdivision plan, the arrangement of streets, lots and other features of the proposed development.

C. The Village Clerk shall submit the preapplication to the village board within five (5) days. The village board shall determine whether or not the plans and data as submitted or as modified do or do not meet the objectives of this Chapter. When the village board finds that the plans and data do not meet the objectives of this Chapter, it shall furnish a copy of the deficiencies to the subdivider.

3.2 Preliminary Plat.

A. The subdivider shall engage a land surveyor registered in the state to prepare a preliminary plat, together with improvement plans and other supplementary material as prescribed in Section 3.5.

B. The subdivider shall file nine (9) black or blue line prints of the plat with the Village Clerk and shall furnish therewith nine (9) copies of all data necessary to show compliance with all applicable Village and county regulations and shall make application for preliminary approval of the proposed plat.

C. All copies of the plat and supplementary data shall be transmitted to the Village Clerk and the plats and data shall be referred to the village board. Notification of the meeting time and place for review of the preliminary plat shall be given by the village board.

D. Applications for preliminary approval shall be approved or disapproved by the village board within sixty (60) days from the date of the application or the filing of the last item of required supporting data for that phase, whichever date is later, provided that the subdivider submits the required material to the Village Clerk at least fifteen (15) days prior to meeting date of the village board. Time extensions may be allowed by mutual consent of the parties involved.

E. If such plat is disapproved, within sixty (60) days of disapproval the village board shall furnish to the applicant and Village Clerk a copy of the plat with appropriate notations setting forth the reason for disapproval and specifying in writing the aspects in which the proposed plat fails to conform to this Chapter.

3.3 Final Plat.

A. Nine (9) copies of the final plat and other exhibits required for approval shall be prepared as specified in this Article and shall be submitted to the Village Clerk to be referred to the village board. Such application for approval of the final plat shall be made within twelve (12) months after approval of the preliminary plat; otherwise, such approval shall become null and void unless an extension of time is applied for and granted by the village board.

B. The applicant may elect to have final approval of a geographic part of the plat that received preliminary approval, and may delay application for approval of other parts until a later date beyond one year with the approval of the village board, provided all facilities required to serve the part for which final approval is sought have been reviewed and approved. In such case, only those parts of the plat that have received final approval shall be recorded.

C. The subdivision committee shall recommend approval or disapproval of the application for the final plat to the applicant within sixty (60) days from the date of application or the filing by the applicant of the last item of required supporting data, whichever date is later, provided that the subdivider provides the required material fifteen (15) days prior to the meeting date of the subdivision committee.

D. If such plat is disapproved, the village board shall furnish to the applicant in writing a statement setting forth the reason for disapproval and specifying the aspects in which the proposed plat fails to conform to this Chapter, and such other regulations that may apply.

E. If such plat is approved and all documents, drawings and maps necessary meet all requirements, the subdivision committee shall recommend that the village board approve the proposed plat. The Board shall have ninety (90) days from the date of application or the filing of the last required supporting data, whichever date is later, to act upon the final plat. The applicant and the village board may mutually agree to extend the sixty-day period. One copy of the resolution of approval shall be attached to the plat by the Village Clerk and returned to the applicant and another filed in the office of the Village Clerk.

F. If the Village Board fails to act upon the final plat within ninety (90) days, the plat shall be deemed approved.

G. The final plat shall bear certificate forms required under this Chapter.

H. Within ninety (90) days after the approval of the final plat by the Village Board, the plat shall be filed with the County Recorder by the subdivider and, if not filed, shall have no validity and shall not be recorded without recertification by the Village Board and reapproval.

3.4 Preapplication Plans and Data.

Required preapplication plans and data are as follows:

- (1) Fee: None.
- (2) Data:
 - a. Sketch map of subdivision location.
 - b. Sketch of proposed subdivision layout with roads and lots.
 - c. Proposed use of land.
 - d. Proximity of proposed subdivision to basic utilities.
- (3) Submittal: All material may be submitted to the Village Clerk in an informal sketch form fifteen (15) days prior to the meeting date of the village board.
- (4) Conference with subdivision committee.

3.5 Plats and Data for Preliminary Approval.

Required plats and data for preliminary approval are as follows:

- (1) Fee: Forty-five (\$45.00) Dollars.
- (2) Data:
 - a. Maps:
 1. Location map.
 2. Street and water and sewer profile and plan sheet.
 3. Contour map (at five-foot intervals).
 4. Drainage map.
 5. Soil test (as required).
 6. Percolation test (as required).
 - b. Subdivision plat:
 1. Scale: One inch to equal one hundred (100) feet.
 2. Proposed name of subdivision.
 3. Location by section, township and range or other legal description.
 4. Graphic scale.
 5. North point.
 6. Boundary lines; bearing and distance.
 7. Date of preparation.
 8. Name of owner.
 9. Name of surveyor.
 10. Name of engineer.
 - c. Improvement expenditure estimate.
 - d. Restrictive covenants (if any).
 - e. List of adjoining landowners (if subdivision borders an unsubdivided area).
- (3) The preliminary plat shall include existing conditions as follows:
 - a. Easements: Location, width and purpose.

b. Streets on and adjacent to the tract: Name and right-of-way width and location; type, width and elevation of surfacing; any legally established centerline elevations; gutters, culverts, approximate grades and gradients; similar data for alleys, if any.

c. Utilities on and adjacent to the tract: Location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles, and street lights; if water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to and size of nearest ones, showing invert elevation of sewers; proposed method of sewage and waste disposal.

d. Ground elevations on the tract: based on a datum plan, approved by the plat officer; for land that slopes less than approximately two (2) percent, show spot elevations at all breaks in grade, along all drainage channels or swales, and at selected points not more than one hundred (100) feet apart in all directions; for land that slopes more than approximately two (2) percent, show contours with an interval of not more than five (5) feet.

e. Subsurface conditions on the tract, if required by the plat officer; location and results of tests made to ascertain subsurface soil, rock and groundwater conditions; depth to groundwater unless test pits are dry at a depth of five (5) feet; location and results of soil percolation tests, if individual sewage disposal systems are proposed.

f. Other conditions on adjacent land; approximate directions and gradient of ground slope, including any embankments or retaining walls, character and location of buildings, railroads, power lines, towers and other nearby nonresidential land uses or adverse influences; owners of adjacent unplatted land; for adjacent platted land refer to subdivision plat by name, recordation data and number; and showing approximate percent built up, typical lot size and dwelling type.

g. Other conditions on the tract; watercourses, marshes, wooded areas, isolated preservable trees one foot or more in diameter, houses, barns, shacks and other significant features.

h. Lot lines, lot number, block numbers, number of residential lots and lot size.

i. Zoning on the tract and on land adjacent to the tract.

j. Sites, if any, for multiple-family dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of single family dwellings.

k. Minimum building setback lines.

l. Location and acreage of proposed and existing public use areas in or adjacent to the subdivision area.

m. Title and certificates: Present tract designation according to official records in office of recorder; title under which proposed subdivision is recorded, with names and addresses of owners, notation stating acreage, scale, north arrow, datum, benchmarks, certification of registered surveyor, date of survey.

(4) Other preliminary plans. The preliminary plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision; typical cross-sections of the proposed grading; and preliminary plan of proposed sanitary sewers and storm drains; water facilities with grades and sites indicated. All elevations shall be based on a datum plan approved by the general superintendent.

(5) Submittal: Nine (9) copies of the plat and nine (9) bound copies of all required data shall be submitted to the Village Clerk who shall distribute the materials to the plat officer (two (2) copies), and responsible individuals for water, sewer, the planning and zoning commission, general superintendent, Village Board and any other individuals deemed necessary. Within one year following approval of the preliminary plat, the subdivider shall submit the final plat, as referenced in Section 3.6 below.

(6) Draft of restrictive covenants (if any) whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.

3.6 Plats and Data for Final Approval.

Required plats and data for final approval are as follows:

(1) Fee: Forty-five (\$45.00) Dollars. An additional fee of One (\$1.00) Dollar per lot shall be required. In addition to the fees set forth above, the owner of a subdivision shall reimburse the Village for all engineering expenses of checking plats, water, sewer and other plans, and for inspection of construction of the facilities.

Note: Preliminary and final plats and documents shall be submitted with a cashier's check or money order in the amount prescribed above, payable to the Village Clerk.

(2) Data:

a. Maps:

1. Location map.
 2. Plat map (ready for recording).
 3. Street and sewer profile and plan sheets
 4. Contour map (if required by plat officer).
 5. Drainage map (if required by plat officer)
 6. Soil test (if required by plat officer).
 7. Percolation test (if required by plat officer).
- b. Improvement expenditure estimate.
 - c. Restrictive covenants (if any).

(3) Final plat shall be drawn in ink on tracing cloth or suitable equivalent material, at a scale of one hundred (100) feet equals one inch. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions, the final plat may be submitted for approval progressively in contiguous sections satisfactory to the subdivision committee and village board. The final plat shall show the following:

- a. Primary control points (section lines and corners or center) approved by the plat officer, or descriptions and ties to such control points, to which all dimensions, angles, bearings and similar data on the plat will be referred.
- b. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines or residential lots and other sites; with accurate dimensions, bearings or deflection and radii arcs, central angles of all curves. Reference to at least one previously established section corner shall be given.
- c. Name and right-of-way width of each street or other right-of way.
- d. Location, dimensions and purpose of any easements.
- e. Number to identify each lot or parcel.
- f. Purpose for which sites, other than residential lots, are dedicated.
- g. Minimum building setback line on all lots and other sites.
- h. Location and description of monuments.

- i. Names of recorded owners of adjoining unplatted land.
 - j. Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
 - k. Certification by a registered state land surveyor certifying to the accuracy of survey and plat.
 - l. Certification of title showing that applicant is the land owner.
 - m. Statement by owner dedicating street rights-of-way and any sites for public uses and accurately outlined on the plat. Streets and roads not dedicated should be marked “private street.” No publicly owned utilities will be constructed in a private street. A notary’s certification is required.
 - n. Title, scale, north arrow and date.
- (4) Additional requirements to be submitted with the final plat:
- a. Cross sections and profiles of streets showing grades approved by the general superintendent or plat officer.
 - b. A certificate by the general superintendent certifying that the subdivider has complied with the state standards for road and bridge construction.
 - c. Certificate by the village board, certifying that it has approved the plat.
 - d. Restrictive covenants (if any) in form for recording.
 - e. Other data: Such other certificates, affidavits, endorsements or deductions as may be required by the plat officer in the enforcement of this Chapter.
 - f. Prints: The subdivider shall submit the original tracing and seven (7) prints to the Village Clerk, who shall distribute the prints to the plat officer and village zoning chairman. When approved, the original tracing shall be certified as required in this Article. Following certification of the final plat, the Village Clerk shall distribute seven (7) black line or blue line prints of the final plat as follows: county recorder of deeds, one copy; Village Clerk, three (3) copies; plat officer, one copy; chairman, subdivision committee of the planning and zoning commission, one copy; and village zoning chairman, one copy.

(5) Conditional approval: When plat is approved by the subdivision committee, the village board will grant final approval or disapproval to the final plat within sixty (60) days. Disapproval of final plat shall be addressed in writing.

(6) Certification of final plat: After the subdivider has posted approved bond or security to guarantee completion of required subdivision improvements, the Village Clerk will certify the final plat for recording.

(7) Recording: Within sixty (60) days of certification of final plat, the subdivider shall record the plat at the offices of the Village Clerk and the county recorder of deeds.

(8) Submittal: The original tracing and seven (7) black prints of the final plat to the Village Clerk.

DESIGN STANDARDS

4.1 General Requirements.

The provisions of this Article are hereby adopted as the minimum standards of design for subdivisions. In addition, all subdivisions shall conform to all applicable elements of the Village's comprehensive plan including any change in these standards which is indicated by any applicable plan elements. The arrangement, character, width, grade and location of all streets shall conform to county, township and Village highway system as plans for the opening, widening or extension of any street, road or major thoroughfare as adopted by the Village Board in any public interest. Whenever a tract to be subdivided includes any part of such thoroughfares as approved or shown on an adopted Village major thoroughfare plan, such part shall be dedicated to the public for street purposes by the subdivider.

4.2 Interpretation.

In order to promote the best possible development and use of land, the village board shall interpret the standards, provisions and specifications contained in this Article liberally. Exceptions from these standards, provisions and specifications may be granted when shown conclusively and to the satisfaction of the plat officer that such exceptions will bring out a more logical and desirable result than would be obtained by strict compliance.

4.3 Land Subject to Inundation.

Land subject to flooding and land deemed by the village board reviewing authorities to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation, or shall not produce unsatisfactory living conditions.

4.4 Streets and Alleys.

A. Streets. Design standards for streets are as follows:

(1) The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing and planned streets, topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed users of the land to be served by such streets.

(2) The arrangement of streets in a subdivision shall either:

a. Provide for the continuation of appropriate projection of existing principal streets in the surrounding area; or

b. Meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.

(3) Local streets shall be so laid out that their use as through traffic will be discouraged.

(4) Where a subdivision abuts or contains an existing or proposed major highway, the plat officer may require marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with rear service alleys, or such other treatments as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(5) Where a subdivision borders on or contains a railroad right-of-way or limited access thoroughfares right-of-way, the plat officer may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separation.

(6) Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed with the Village Board under conditions approved by it.

(7) Street jogs will not be approved.

(8) A tangent at least one hundred (100) feet long shall be introduced between reverse curves on major highways and collector roads.

(9) When connecting street lines deflect from each other at any one point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to ensure a sight distance of not less than three hundred (300) feet for local streets and roads and collector roads, and of such greater radii as the village board shall determine for special cases.

(10) Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than sixty (60) degrees.

(11) Property lines at street intersections shall be rounded with a radius of fifteen (15) feet, or of a greater or lesser radius where the village board may deem necessary. Surface grading at street intersections shall be such as to permit unobstructed vision within the sight triangle formed by the center of the intersection and two (2) points seventy-five (75) feet distant, each point being on the centerline of an intersecting street.

(12) Minimum street standards shall be as follows:

Type	Right-of-way Width (feet)	Pavement Width (feet)	Curb and Gutter
Collector Road	66	24	No
Local Road	60	24	No
Collector Street	60	24	No
Local Street	50	24	No

(13) Half streets shall be prohibited, except when a half street is adjacent to a tract to be subdivided; then the other half of the street shall be platted within such tract.

(14) Permanent cul-de-sacs shall not be longer than five hundred (500) feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty (80) feet and a right-of-way at least one hundred (100) feet in diameter. Where an existing street terminates at the boundary line of a proposed subdivision, either the street shall be continued in the street pattern of the proposed subdivision or a turnaround shall be provided in the proposed subdivision. Temporary cui de-sacs may be granted a variance from the provisions of this Article provided that they are used no longer than two (2) years.

(15) No street name shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the village board and Peoria County.

(16) All new subdivisions along limited access roads will be arranged to provide access to such highways at intervals not less than eight hundred (800) feet, except where impractical or impossible due to existing property divisions or topography. There shall be no other access to a limited access street except as noted above. Also, roads and streets within such subdivision shall be arranged to permit access to adjacent future subdivisions without encroachment upon this Article.

B. Alleys. No provisions have been made for alleys in an effort to discourage their use within a subdivision. The village board feels that sufficient need for alleys in subdivisions cannot be demonstrated and their existence would consume additional land area.

4.5 Typical Street/Road Standards.

A. The village board and Village Board shall determine the required minimum dimensional standards of all rights-of-way, pavements, sidewalks and other public improvements as outlined in Section 5.9(C) of Article V.

B. As geometrical design, pavement and right-of-way widths may vary considerably over that of a typical local street, the village board shall decide upon the pavement widths and the portion of the major street construction that shall be done by the developer. In doing so, the subdivision committee shall take into account the location, extent and character of the proposed development; the degree to which the proposed subdivision is to be serviced from or otherwise have access to major streets; the number of additional street maintenance employees, if any; and the extent of vehicular traffic that may be generated by such improvement or subdivision upon such major street. Said findings shall be reported to the village board. The village board, in determining the amount of participation by the subdivider (and the information provided by the subdivision committee), shall also take into account the cost involved in any trunk sewers and possible extra cost in length of service connections, driveway aprons, etc.

C. Streets are within the corporate limits of the Village; roads are outside the corporate limits of the Village. The plat officer shall determine all final clarifications of existing roads and streets.

D. The typical street/road requirements shall be as follows:

(1) Collector street: Sixty-foot right-of-way; with sufficient width for all necessary cuts and cross-sections; twenty-four-foot pavement.

(2) Collector road: Sixty-six-foot right-of-way; twenty-four-foot pavement with four-foot shoulders without curbs and gutters.

(3) Local street: Sixty-foot right-of-way; twenty-four-foot pavement.

(4) Local roads: Fifty-foot right-of-way; thirty-foot pavement with grass swales outside pavement boundaries.

(5) Cul-de-sac: Sixty-foot right-of-way; twenty-four-foot pavement; maximum length of five hundred (500) feet; with a turnaround of at least eighty-foot pavement diameter.

4.6 Street/Road Grades.

No street/road grade shall be less than one-half of one percent and shall not exceed the following percentages with allowances for reasonably vertical curves:

Collector streets and collector roads5

Local streets and local roads5

Streets shorter than 500 feet and cul-de-sacs5

4.7 Easements.

A. Easements across lots or centered on rear or side lot lines shall be provided for utilities, drainage ways and storm sewers where necessary and shall be at least fifteen (15) feet wide.

B. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width or construction of both, as is adequate for the purpose, as determined by a professional engineer approved by the Village Board.

4.8 Blocks.

The lengths, widths and shapes of blocks shall be determined with due regard to:

- (1) Provision of adequate sites suitable to the special needs of the type of use contemplated.
- (2) Zoning requirements as to lot sizes and dimensions.
- (3) Needs for convenient access, circulation, control and safety of street traffic.
- (4) Limitations and opportunities of topography.
- (5) Pedestrian crosswalks, not less than ten (10) feet right-of-way, shall be required in blocks exceeding one thousand (1,000) feet in length and where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.

4.9 Lots.

A. Building setback lines shall be established on all lots and the minimum building setback line shall be appropriate for the location of the subdivision and for the type of development and use contemplated; provided, however, that they shall not be less than the standards established by the zoning code of the Village for areas within the corporate limits or as set by the county zoning officer for areas outside the corporate limits.

B. The areas and minimum frontage requirements of all lots shall not be less than the standards for corresponding uses established by the zoning code of the Village, and depth and width for properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated, as required by the zoning code.

C. Corner lots for residential use shall have extra width to permit appropriate building setback from an orientation to both streets, as set forth for the district in the zoning code of the Village.

D. The subdividing of the land for residential use shall be such as to provide, by means of a public street or road, each lot with satisfactory access to an existing public street/road.

E. Double-frontage and reverse-frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, across which there shall be no right-of-access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

F. Side lot lines shall be substantially at right angles or radial to street lines.

4.10 Public Sites and Open Spaces.

Whenever the reasonable requirements provided by this Chapter, including an official plan, shall indicate the necessity for providing for a school site, park site or other public lands within any proposed subdivision for which approval has been requested, and no such provision has been made therefor, the Village Board may require that lands be designated for such public purpose before approving such plat. Whenever a final plat of subdivision, or part thereof, has been approved by the Village Board as complying with the official plan and there is designated therein a school site, park site or other public land, the corporate authorities having jurisdiction of such use, be it a school board, park board or other authority, shall acquire the land so designated by purchase or commence proceedings to acquire such land by condemnation within one year from date of approval of such plat; and if it does not do so within such period of one year, the land so designated may then be used by the owners thereof in any other manner consistent with this Chapter, including an official plan and the Village zoning code.

REQUIRED IMPROVEMENTS

5.1 General Requirements.

A. Unless otherwise expressly indicated, the developer, through his engineer, shall prepare and furnish all plans, specifications, cost estimates and other essential documents necessary for the construction and installation of the required improvements. Furthermore, the subdivider shall agree at his own cost and expense to do all the work and furnish all the materials and labor necessary to construct and complete the required improvement in a good and substantial manner to the satisfaction of the village board.

B. Unless otherwise specified, all construction shall be in accordance with the provisions of the current issue of the Standard Specification for Road and Bridge Construction adopted by the Illinois Department of Transportation, the same as amended from time to time, and hereinafter referred to as the standard specification. Unless otherwise specified, design standard will be as specified in the current issue of the manual Highway Standards as published by the Bureau of Construction, Illinois Department of Transportation, the same as is amended from time to time, and hereinafter referred to as highway standards.

5.2 Specifications, Supervision and Inspection.

The specifications adopted by the Village shall in all respects govern all construction work on required subdivision improvements. The work shall be done under Village inspection. The village engineer will not in any way be a substitute for the subdivider's resident engineer and inspector. It shall be completed within the time fixed or agreed upon by the village engineer.

5.3 Inspection Costs.

The cost of inspection of required subdivision improvements shall be paid by the subdivider, and an amount of money estimated by the village engineer for such purposes shall be deposited in advance with the Village Clerk and credited to the Village general fund.

5.4 Recommendation and Approval.

The village engineer will recommend the final plat of subdivision to the person making same, to the effect that whenever the required improvements are properly made or otherwise secured as hereinafter mentioned, the village engineer will pass upon and recommend to the Village Board that the plat, if otherwise conforming to these platting rules and regulations, be approved.

5.5 Time Schedule, Sequence of Construction.

The subdivider shall submit a statement setting forth a scheduled time not to exceed one year (except in the case of an asphaltic construction where the maximum shall be two (2) years) from the date of approval of the final plat within which the improvements required by this Article will be completed.

5.6 Extension of Time.

All construction items shall be completed within one year of the recording of the final plat (except where asphaltic construction is required, for which a maximum of two (2) years shall be allowed). The village engineer shall be authorized to grant one extension only, for a period not to exceed six (6) months.

5.7 Default.

If the required subdivision improvements are not completed within the specified time, the Village Board may use the performance bond or any portion thereof necessary to complete same.

5.8 Policy on Sharing Costs of Oversize Improvements.

Whenever necessary to conform to an overall plan or otherwise to protect or promote the public interest, oversize improvements shall be installed or constructed by the subdivider; provided, however, that the cost to the subdivider shall be no greater than that which would result from the installation or construction of only that size necessitated by his own development. The excess cost resulting from the requirement of an oversize improvement shall be borne by the Village.

5.9 Streets.

A. Generally. All grading, paving, surfacing, drainage structures or other improvements required or involved in the opening, widening or expansion of any street, road or public way shall be of such size, width, thickness, character and type deemed by the Village Board, upon recommendations of the village engineer, to be suitable and appropriate to the intended use and development and consistent with the standards and specifications set forth in this Chapter.

B. Pavement. Roadway pavement surface and base course shall meet the requirements as outlined in the following table and accompanying cross-sectioned diagrams.

APPROVED PAVEMENT CONSTRUCTION

Method No. 1:

5” Base Course: Bituminous Aggregate Mixture Base Course (BAM)

2” Bituminous Concrete Surface Course Class I

Method No. 2:

8” Aggregate Base Course Type A or B

1 1/2” Bituminous Concrete Base Course Class I

1 1/2" Bituminous Concrete Surface Course Class I

Method No. 3:

6" PC Concrete

Method No. 4:

7" Emulsion Stabilized Base

2" Bituminous Concrete Surface Course Class I

Method No. 5:

"Chipseal," which combines one (1) or more layer of asphalt with one (1) or more layers of fine aggregate

This is also known as "oil and chip" pavement

The Standard Specifications for Road and Bridge Construction prepared by the Department of Public Works and Buildings, State Division of Highways, including supplemental specifications and special provisions shall govern all construction.

D. Alley pavement. All alleys, where permitted, shall be improved with a roadway consisting of not less than eight (8) inches of aggregate base course Type A or B when thoroughly compacted and bituminous surface treatment:

(1) Through apartment district blocks, not less than twenty (20) feet.

(2) Through business and industrial blocks, not less than twenty-four (24) feet.

E. Street signs. The subdivider shall provide street signs of a type approved. They shall be erected by the subdivider at locations and in the manner prescribed by the subdivision committee and approved by the village board.

5.10 Monuments.

A. Permanent monuments shall be placed at all corners and at points of tangency of curve lines along the boundary of the subdivision. Permanent monuments shall be of concrete with minimum dimensions of four (4) inches by four (4) inches at top, six (6) inches by six (6) inches at bottom, and thirty-six (36) inches long, with steel dowel three-eighths of an inch in diameter, at least two and one-half inches in length, embedded so that the top of the dowel shall be flush with the surface and at the center of the monument.

B. All lot corners not marked by concrete monuments shall be marked by galvanized or wrought iron pipe or iron or steel bars at least thirty (30) inches in length and no less than one-

half inch in diameter. The top of the pipe or bar is to be set level with the established grade of the ground.

C. In addition, a minimum of one permanent benchmark shall be established for each twenty (20) acres or fraction thereof, subdivided and at a location designated by the plat officer. This monument shall be of concrete with a minimum dimension of four (4) inches by four (4) inches at top, six (6) inches by six (6) inches at bottom, and thirty-six (36) inches long, with steel dowel three-eighths inch in diameter, at least two and one-half inches in length embedded so that the top of the dowel shall be flush with the surface and the center of the monument.

5.11 Storm Drains.

A. An adequate system of storm water drainage designed for a ten-year maximum rain shall be constructed and installed consisting of pipes, tiles, manholes, inlets, catch basins or other necessary facilities that will adequately drain the subdivision and protect roadway pavements and prevent the accumulation of storm water at any place under normal conditions. Such drainage system shall be subject to approval by the plat officer.

B. Storm drainage, including drain tile around basements, shall not be permitted to empty into any sanitary sewer. Where a public storm water sewer is reasonably accessible, the subdivider shall connect with such storm drainage system and shall do such grading and provide such drainage structures, including lateral connections, as may be required by the plat officer. Where a public storm water system is not reasonably accessible, as determined by the village board, but where the plans for the storm water drainage system of the district in which the subdivision is located have been prepared and officially approved, the subdivider shall install drainage facilities as may be required by the plat officer.

C. Backyard swales may be permitted, subject to the following regulations:

(1) Maximum and minimum slopes and general design criteria of the Federal Housing Administration's Minimum Property Requirements will be acceptable, except as herein modified.

(2) No continuous swale shall have a length exceeding six hundred (600) feet.

(3) Minimum grade of the flow line shall be four-tenths percent.

(4) At no point in the swale shall the flow line be more than three (3) feet below the finished grade of the topsoil at the foundation of the house opposite the swale.

(5) No change in alignment of a backyard swale shall exceed forty-five (45) degrees.

5.12 Waste Disposal.

A. *Septic tanks.*

(1) The Village Board may, after obtaining and considering reports from the local soil and water conservation district, refuse to permit the area to be developed for any purpose deemed detrimental to the health and general welfare of the immediate and surrounding area.

(2) Or, the Village Board may approve the subdivision plat provided appropriate provisions or arrangements have been made for the installation of septic tanks for each lot or building site and provided, further, that such arrangements are made in

accordance with the requirements of the Department of Public Health and the Illinois Environmental Protection Agency.

(3) Septic tanks and septic fields shall not be permitted on any lot less than twenty thousand (20,000) square feet in area.

(4) A soil boring test shall be made for each acre of ground to be subdivided and shall show the area to be suitable for septic tanks and tile fields. A written report of such tests made by registered professional engineer shall be submitted with the final plat.

(5) If after septic tanks have been in use in any subdivision a sewer main is installed capable of serving the subdivision and the lots therein, it shall thereafter be unlawful to utilize septic tanks for the disposal of sewage, and all properties utilizing septic tanks shall discontinue their use and make connection to the sanitary sewer for disposal of sewage.

B. *Individual septic tank facilities.* When individual septic tanks are approved pursuant to 5.12(A)(2) above, it shall be the responsibility of the developer to furnish the topographical map and other information and data, and to obtain or perform all tests in accordance with the requirements of the Department of Public Health for the installation of individual disposal systems. The septic tank and disposal field shall conform to the requirements of the Illinois Environmental Protection Agency.

(1) All sanitary sewage shall be emptied into the septic tank and no septic field shall empty in any manner into open ditches, roadside ditches, lakes, streams or any other body of water.

(2) Group sewage disposal facilities. Group sewage disposal systems shall meet the requirements of the Department of Public Health and the Illinois Environmental Protection Agency. Group sewage disposal systems may be accepted for maintenance and operation by the Village if the ownership is vested in the Village, and if the disposal system has been constructed according to specifications, and provided it has been approved by a plat officer appointed by the Village. The provisions of this and other related sections are not intended to place any obligation, liability or responsibility upon the Village Board or other Village officials for accepting the operation or maintenance of such systems. In cases where the Village Board decides to accept such responsibilities, it may specify the conditions of such acceptance.

5.13 Water Supply.

A. Public water supply. Where public water supply is within reasonable distance, as determined by the village board, the developer shall construct a system of water mains and fire hydrants and connect with such public water supply and provide a connection for each lot or potential building site. All transmission and distribution lines constructed within or outside the Village limits which shall be tapped onto the water distribution system of the Village shall be governed by the following regulations:

(1) All taps onto the existing Village water main system shall be installed by a licensed plumber under the direction or direct supervision of the village engineer. A permit shall be obtained to tap the Village water system prior to such tapping and the

permission for such taps and the fee for such taps shall be subject to Board approval. Prior to obtaining such approval, a copy of the plans for the waterlines shall be presented to the Village Board and a copy for the Village engineer for his approval.

(2) A transmission main carrying water from the Village water system to a distribution system within a subdivision or within the Village shall be a minimum of eight (8) inches in diameter.

(3) A distribution line within a subdivision or within the Village which is attached to the water system of the Village shall be a minimum of six (6) inches in diameter.

(4) All water distribution lines within the Village or in any subdivision within the Village or outside the Village, which are attached to the Village water system, shall be required to install gate valves which shall not be more than eight hundred (800) feet apart and shall be required to install fire hydrants which shall not be more than five hundred (500) feet apart.

(5) On a transmission line between the Village water main and a distant distribution system, gate valves shall be required every mile, but no fire hydrants shall be required on such transmission line.

(6) In addition to the foregoing requirements, the Village may make any additional requirements it deems necessary or deemed necessary by the Village engineer.

(7) Prior to the covering of a water transmission or distribution line under construction, the village engineer shall be notified and shall inspect and approve the construction of the line.

(8) There is adopted by the Village for the purpose of governing the construction of water mains within the Village and any water main which will be attached to the Village water system, those certain rules, regulations and specifications contained in and known as the Standard Specifications for Water and Sewer Main Construction in Illinois, being the 7th Edition dated 2014 as published by the Illinois Society of Professional Engineers, Consulting Engineers Council of Illinois, Illinois Chapter of the American Public Works Association, Illinois Municipal League, and The Associated General Contractors of Illinois. Not less than three (3) copies of such specifications shall be kept on file in the office of the Village Clerk and such rules, regulations and specifications are adopted and incorporated as fully as if set out at length herein and the provisions thereof shall be controlling within the limits of the Village.

(9) Where a public water supply is not available, the developer shall provide for individual wells for each lot in the subdivision.

(10) Test wells. At least one test well shall be made in the area being platted. Test wells shall be at least twenty-five (25) feet in depth and shall produce potable drinking water at a rate of not less than five (5) gallons per minutes. A copy of the well log that includes the name and address of the well driller shall be submitted with the preliminary documents to the plat officer.

B. Location and construction of individual private wells.

(1) Individual private wells shall be located at least twenty-five (25) feet from property lines; fifty (50) feet from all septic tanks; approximately seventy-five (75) feet from all disposal fields and other sewage disposal facilities; thirty (30) feet from all cast iron sewer lines; fifty (50) feet from any vitrified sewer tile lines; and shall not be located within any floodplain.

(2) As a precaution against seepage, a watertight seal shall be provided around the pump mounting.

(3) All abandoned wells shall be sealed in a manner that will render them watertight. In all cases where it has been determined that individual water supplies from private wells are not feasible, a public water distribution system shall be required.

C. Public water distribution systems. Public wells and other public water distribution systems shall meet the requirements of the Illinois Environmental Protection Agency. Public wells and other public water distribution systems may be accepted for maintenance and operation by the Village, if the ownership is vested in the Village, and if the water distribution system has been constructed according to specifications of the Illinois Environmental Protection Agency, and it has been approved by the plat officer. The provisions of this and other related sections are not intended to place any obligation, liability or responsibility upon the Village Board or other Village officials for accepting the operation or maintenance of such systems. In cases where the Village Board decides to accept such responsibilities, it may specify the conditions of such acceptance.

ORDINANCE IN FORCE

This Ordinance shall be in full force and effect from and after its passage and approval and publication as provided by law.