

## CHAPTER 20

### SUBDIVISIONS

20-1. Purpose. The purpose of this chapter is to regulate the subdivision of land within the corporate limits of the City of Arcola and contiguous territory beyond said limits for a distance not exceeding one and one-half miles, and not including any other municipality, for the purpose of enhancing the attractiveness, stability, and wholesomeness of the environment of the municipality as hereunder defined.

20-2. Definitions. For the purposes of this chapter, certain words and phrases used herein are defined as follows:

(1) Alley: A public right-of-way usually not less than 25 feet in width which normally affords a secondary means of vehicular access to abutting property.

(2) Arterial-Feeder Street: A street which provides for the movement of relatively heavy traffic to, from, or within the municipality. It has a secondary function of providing access to abutting land.

(3) Collector Street: A street which collects and distributes internal traffic within an urban area such as a residential neighborhood, between arterial and local streets. It provides access to abutting property.

(4) Cul-de-sac: A short street having but one end open to traffic and the other end being permanently terminated to a vehicular turn around.

(5) Comprehensive Plan: That policy document which serves as a guide for the future physical development of the municipality entitled "Plan for Arcola, Illinois".

(6) Half Street: A street having only one-half of its intended roadway width developed to accommodate traffic.

(7) Local Street: A street of little or no continuity designed to provide access to abutting property and leading into collector streets.

(8) Lot: A piece, parcel or plot of land intended for building development or as a unit for transfer of ownership.

(9) Plat: The map, drawing or chart on which the subdivider's plan of subdivision is presented to the City Council for approval.

(10) Subdivision: The subdivision of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural purposes into lots or parcels of 5 acres or more and not involving a new street shall not be deemed a subdivision. The term includes re-subdivision, and when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

(11) City, or City of Arcola: The area encompassed within the corporate limits of the City of Arcola on Nov. 30, 1972.

(12) Municipality: The City of Arcola and the contiguous territory outside thereof for a distance not exceeding one and one-half miles, and not included in any other municipality.

20-3. Plat requirements. The following procedures shall be followed in the administration of this chapter. No real property within its jurisdiction shall be subdivided and offered for sale or a plat recorded until a pre-application meeting has been held and a Preliminary Plat and a Final Plat of the proposed subdivision have been reviewed by the Plan Commission and its technical assistants, and until the Final Plat has been approved by the City Council as set forth in the procedures provided herein, including the requirements of Chapter 109 of the Illinois Revised Statutes.

20-4. Pre-application meeting. Prior to the submission of any plat for consideration to the Plan Commission the subdivider shall meet with the Plan Commission, or any individual to whom the Commission may delegate this responsibility, to introduce himself as a potential subdivider and learn what shall be expected of him in such capacity.

20-5. Preliminary Plat approval. (a) The subdivider shall engage a qualified land planner or registered land surveyor to prepare a Preliminary Plat of the area to be subdivided.

(b) The subdivider shall submit 6 copies of the Preliminary Plat to the City Clerk.

(c) The City Clerk shall submit one copy of the Preliminary Plat each to the Plan Commission and the Consulting Engineer no later than 3 days after its receipt.

(d) The Consulting Engineer shall review the Preliminary Plat and submit an analysis thereof to the Plan Commission.

(e) The Plan Commission shall review the Preliminary Plat, considering the report of the Consulting Engineer and either reject, approve subject to revision, or approve the proposal within 30 days of the date on which it was filed with the City Clerk. If disapproved, the Plan Commission shall set forth in writing its grounds for such refusal in its proceedings and transmit them to the subdivider. If approved, the design is thereby accepted as a basis for the preparation of the Final Plat.

20-6. Final Plat approval. (a) The subdivider shall engage a registered land surveyor to prepare a Final Plat which may constitute only that portion of the Preliminary Plat which the subdivider proposes to record and develop at the time.

(b) The Consulting Engineer or a registered land surveyor shall prepare plans for streets, drainage, sanitary sewers, and water main plans to be included in the final plat.

(c) The subdivider shall submit 6 copies of the Final Plat to the City Clerk within one year of the Preliminary Plat approval.

(d) The Plan Commission shall hold a public hearing on the proposed Final Plat within 30 days of filing with the City Clerk after having given 15 days published notice thereof in the local newspaper.

(e) The Plan Commission shall transmit in writing its action at the public hearing to the City Council, forthwith.

(f) The City Council shall act upon the recommendation of the Plan Commission on the proposed Final Plat at the next regular meeting of the Council, whereupon the City Clerk shall notify the subdivider of the said action.

(g) The subdivider shall file the Final Plat with the City Clerk within 30 days of Final Plat approval.

(h) The subdivider shall record the Final Plat with the County Recorder of Deeds within 30 days of Final Plat approval.

(i) The subdivider shall furnish a duplicate and 5 paper prints of the Final Plat as recorded to the City Clerk.

20-7. Preliminary Plat requirements. A Preliminary Plat shall show the following:

(a) Scale: One inch equals 100 feet.

(b) Identification and description:

- (1) Proposed name of subdivision.
- (2) Legal description of subdivision.
- (3) Names and addresses of the owner, subdivider, surveyor and designer of the plan.
- (4) Graphic scale.
- (5) North-point.
- (6) Date of preparation.

(c) Existing conditions in tract and in surrounding area to a distance of 300 feet.

- (1) Boundary line of proposed subdivision, clearly indicated.
- (2) Total approximate acreage or square feet.
- (3) Platted streets, railroad right-of-way, and utility easements.
- (4) Boundary lines and ownership of adjoining unsubdivided land.
- (5) Sewers, water mains, culverts, and other underground facilities.
- (6) Permanent buildings or structures.
- (7) Topography, showing water courses, marsh areas and contours at vertical intervals of no more than one foot. All elevation data shall be at mean sea level.
- (8) Other pertinent information requested by the Plan Commission to aid in its review.

(d) Subdivision design features.

- (1) Layout and width of proposed streets and utility easements showing street names, lot dimensions, parks and other public areas. The street layout shall include all contiguous land owned or controlled by the subdivider.

(2) Proposed use of all parcels, and if zoning change is contemplated, proposed rezoning.

(3) Preliminary street grades, water mains, sanitary sewer and drainage plans shall be shown on a copy of the contour map.

20-8. Final Plat requirements. A Final Plat shall show the following:

(a) Plans for water supply, sewage disposal, drainage and flood control.

(b) Soil borings, if required by the Plan Commission.

(c) Data required by regulations of the County Surveyor, e.g., accurate angular and linear dimensions for all lines, angles and curvatures used to describe boundaries, streets, easements, and other pertinent features as may be required by the City Council.

(d) An identification system for all lots and blocks.

(e) The size, in square feet, and dimensions of all lots.

(f) Certification by a registered land surveyor to the effect that the Plat represents a survey made by him and that monuments and markers thereon exist as indicated; that all dimensional and geodetic details are correct; and that the Plat fully complies with the requirements of Chapter 109 of the Illinois Revised Statutes. Utilities must be installed or bond posted to insure installation.

(g) Verified certification by owner, and by any mortgagee of record, of the adoption of the plat; the dedication of streets and other public areas; and that all taxes due and payable have been paid.

20-9. Design standards. Design standards shall assure that the layout of the subdivision harmonizes with existing plans affecting the development of its surrounding area and shall be in conformity with the Comprehensive Plan for the development of the entire area and in accordance with the following regulations:

(a) General street design.

(1) The design of all streets shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographical conditions, to runoff of storm water, and to the proposed uses of the area to be served.

(2) Where new streets extend existing streets their projections shall be at the same or greater width, but in no case less than the minimum required width.

(3) Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provisions for the proper projection of streets. When a new subdivision adjoins unsubdivided land susceptible to being subdivided, then the new streets shall be carried to the boundaries of such unsubdivided land.

(b) Street width and grades.

(1) The Plan Commission may require the subdivider to conform to urban section standards if the average lot width in the proposed subdivision is less than 150 feet measured at the street setback line. If the average lot width is in excess of 150 feet the subdivider may conform to the rural section standards.

(2) Unless necessitated by exceptional topography and subject to the approval of the Plan Commission, the maximum centerline grade of any street or public way shall not exceed the following:

Arterial streets: 6 per cent maximum, 4 per cent minimum;

Collector streets: 8 per cent maximum, 4 per cent minimum;

Minor streets, alleys and frontage streets: 10 per cent maximum, 4 per cent minimum.

Pedestrian ways: 12 per cent unless steps of acceptable design are provided. The grade of any street shall in no case exceed 12 per cent or be less than one half of one per cent.

(3) Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and general leveling of the topography.

(c) Street jogs. Street jogs with center line off-sets of less than 125 feet shall be avoided.

(d) Street intersections. Insofar as practical, streets shall intersect at right angles and no intersection shall be at an angle of less than 75 degrees. It must be evidenced to the satisfaction of the Plan Commission that safe and efficient traffic flow will be encouraged.

(e) Cul-de-sacs. Maximum length of permanent cul-de-sac streets shall be 1,000 feet measured along the center line from the intersection of origin to end of right-of-way. Each cul-de-sac shall be provided at the closed end with a turn around having a maximum outside roadway diameter of 80 feet, and a minimum street property line diameter of 100 feet.

(f) Half streets. Half streets shall be prohibited except where the City Council finds it to be practicable to require the dedication of the other half when the adjoining property is subdivided.

(g) Street names. Proposed streets obviously in alignment with existing and named streets shall bear the names of such existing streets. In no other case shall the name of the proposed street duplicate existing street names, including phonetical similarities.

(h) Urban section-street type.

(1) Arterial street 4-lane divided, R.O.W. width to be reserved, 120 feet; R.O.W. width to be dedicated, 100 feet; Pavement width (face of curb or edge of shoulder to face of curb or edge of shoulder), Dual: 34 feet (20 foot median).

(2) Arterial street not divided, R.O.W. width to be reserved, 70 feet; R.O.W. width to be dedicated, 70 feet; Pavement width (face of curb or edge of shoulder to face of curb or edge of shoulder), 48 feet.

(3) Collector street, R.O.W. width to be reserved, 66 feet; R.O.W. width to be dedicated, 66 feet; Pavement width (face of curb or edge of shoulder to face of curb or edge of shoulder), 44 feet.

(4) Minor streets, 1,000 feet or more in length for Single-Family Development and in all Multi-Family Development, R.O.W. width to be reserved, 60 feet; R.O.W. width to be dedicated, 60 feet; Pavement width (face of curb or edge of shoulder to face of curb or edge of shoulder), 36 feet.

(5) Minor streets less than 1,000 feet in length in Single-Family Development, and cul-de-sac and frontage streets, R.O.W. width to be reserved, 50 feet; R.O.W. width to be dedicated, 50 feet; Pavement width (face of curb or edge of shoulder to face of curb or edge of shoulder), 30 feet.

(6) Alleys, R.O.W. width to be reserved, 25 feet; R.O.W. width to be dedicated, 25 feet; Pavement width (face of curb or edge of shoulder to face of curb or edge of shoulder), 20 feet.

(i) Rural section-street type.

(1) Arterial streets, R.O.W. width to be reserved, 150 feet; R.O.W. width to be dedicated, 150 feet; Pavement width (face of curb or edge of shoulder to face of curb or edge of shoulder), Dual: 24 feet; outside shoulders 4 feet inside shoulders (60 foot median).

(2) Not divided, R.O.W. width to be reserved, 100 feet; R.O.W. width to be dedicated; 100 feet; Pavement width (face of curb or edge of shoulder to face of curb or edge of shoulder), 24 feet; 10 feet outside shoulders.

(3) Collector streets, R.O.W. width to be reserved, 60 feet; R.O.W. width to be dedicated, 60 feet; Pavement width (face of curb or edge of shoulder to face of curb or edge of shoulder), 22 feet; 10 feet outside shoulders.

(4) Minor streets, R.O.W. width to be reserved, 50 feet; R.O.W. width to be dedicated, 50 feet; Pavement width (face of curb or edge of shoulder to face of curb or edge of shoulder), 20 feet; 8 feet outside shoulders.

(j) Private streets. Public improvements shall not be approved for any private streets.

(k) Access to arterial streets and highways. Where a proposed plat is adjacent to a major thoroughfare, spacing between access points to such a thoroughfare of less than 660 feet shall be avoided except where impractical or impossible due to existing property divisions or topography.

(l) Street curvature. When a continuous street centerline deflects at any one point by more than 10 degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:

Arterial streets and highways: 500 feet.

Collector streets: 300 feet.

Minor streets: 100 feet.

(m) Hardship to owners of adjoining property. The street arrangements shall not be such as to cause hardship to owner of adjoining property in platting their own land and providing convenient access to it.

(n) Corners. Curb lines at street intersections shall be rounded at a radius of not less than 10 feet.



(o) Alleys. Alleys shall be prohibited in residential areas unless special permission is granted by the City Council therefor. Alley intersections and sharp changes in alignment shall be avoided, but where necessary corners may be cut off sufficiently to permit safe vehicular movement. Dead-end alleys are to be shunned, but if unavoidable shall be provided with adequate turn-around facilities at the dead end.

(p) Maintenance of streets. Streets included in approved subdivisions, except designated state, federal or county roads, shall be maintained by the municipality in which said streets are located unless other contractual arrangements are made prior to Final Plat approval.

(q) Easements.

(1) Utilities. Where alleys are not provided, easements of at least 12 feet wide centered on rear lot lines shall be provided for utilities where necessary. Easements for storm or sanitary sewers shall be at least 20 feet wide. They shall have continuity of alignment from block to block. Temporary construction easements may be required where installation depths are greater than 5 feet.

(2) Water courses. When a subdivision is traversed by a water course, drainageway, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water courses.

(r) Blocks.

(1) Length. Block lengths exceeding 1,000 feet shall be discouraged.

(2) Pedestrian ways. In blocks longer than 1,000 feet approved by the City Council, a pedestrian crossway with a minimum right-of-way of 10 feet may be required near the center of the block. The use of additional accessways to schools, parks and other destinations may also be required.

(s) Lots.

(1) Layout. Where possible side lot lines shall be at right angles to straight street lines or radial to curved street lines. Lots with frontage on 2 parallel streets shall be avoided except where one street is an arterial feeder or highway with no direct access to the lot.

(2) Size and dimension. Minimum lot areas and lateral dimensions shall be as set forth in the City of Arcola Zoning Ordinance.

(3) Corner lots. Corner lots shall be platted at least 15 per cent wider than the minimum lot width required.

(4) Natural features. In the subdivision of land due regard shall be shown for all natural features which, if preserved, will add attractiveness and stability to the proposed development.

(5) Lots along thoroughfares. There shall be no direct vehicular access from residential lots to arterial streets or highways, and residential lots shall be separated from railroad rights-of-way by a 25 foot buffer strip, which may be in the form of added depth or width of lots backing on or siding on the railroad right-of-way.

(6) Lot remnants. Lot remnants which are below the minimum lot size must be added to adjacent or surrounding lots rather than be allowed to remain as an unusual outlot or parcel unless the owner can show acceptable plans for the future use of such remnant.

20-10. Required improvements. The following improvements are required in any subdivision.

(a) Monuments. Monuments shall be placed as specified in Chapter 109 of the Illinois Revised Statutes.

(b) Grading. After the installation of temporary block corner monuments by the subdivider and establishment of street grades by the City Council, the subdivider shall grade the full width of the right-of-way of all streets proposed to be dedicated in accordance with plans and standard specifications approved by the City Council. The subdivider shall grade the roadbeds in the street right-of-way to subgrade.

(c) Surfacing. After the installation of all utility and storm water drainage improvements, the subdivider shall surface all roadways in streets proposed to be dedicated to the widths prescribed by these regulations and the Comprehensive Plan or comprehensive plan components of the city. Said surfacing shall be done in accordance with plans and standard specifications approved by the City Council. The cost of surfacing in excess of 36 feet in width that is not required to serve the needs of the subdivision shall be borne by the city.

(d) Curb and gutter. After the installation of all utility and storm water drainage improvements, the subdivider shall construct concrete curbs and gutters in accordance with plans and standard specifications approved by the City Council. This requirement may be waived where a permanent rural section has been approved by the City Council. Wherever possible, provision shall be made at

the time of construction for driveway access curb cuts. The cost of installation of all inside curbs and gutters for dual roadway pavements shall be borne by the city.

(e) Rural street sections. When permanent rural street sections have been approved by the City Council the subdivider shall finish grade all shoulders and road ditches, install all necessary culverts at intersections and, if required, surface ditch inverts to prevent erosion and sedimentation in accordance with standard specifications approved by the City Council.

(f) Sidewalks. The subdivider shall construct a concrete sidewalk on one side of all frontage streets and both sides of all other streets within the subdivision. The City Council may permit the construction of a concrete sidewalk on only one side of minor streets that serve lots having an average width of 100 feet or more fronting on said street and may waive the construction of sidewalks on collector and minor streets that serve lots having an average width of 150 feet or more fronting on said street. The construction of all sidewalks shall be in accordance with plans and standard specifications approved the City Council.

Wider than standard sidewalks may be required by the City Council in the vicinity of schools, commercial areas and other places of public assemblage; and the City Council may require the construction of sidewalks in locations other than required under the preceding provisions of the chapter if such walks are necessary, in their opinion, for safe and adequate pedestrian circulation.

(g) Public sanitary sewerage and private sewage disposal system. The subdivider shall construct sanitary sewers in such a manner as to make adequate sanitary sewerage service available to each lot within the subdivision. If public sewer facilities are not available, the subdivider shall make provisions for adequate private sewage disposal systems. The City Council shall require the installation of sewer laterals to the street lot line. If, at the time of final platting, sanitary sewer facilities are not available to the plat, but will become available within a period of five years from the date of plat recording, the subdivider shall install or cause to be installed sanitary sewers and sewer laterals to the street lot line in accordance with the section and shall cap all laterals as may be specified by the City Council. The size, type and installation of all sanitary sewers proposed to be constructed shall be in accordance with plans and standard specifications approved by the City Council.

Subdivider shall assume the cost of installing all sanitary sewers 10 inches in diameter or less in size. If greater than 10 inches in diameter sewers are required to handle the contemplated sewage flows, the cost of such larger sewers shall be prorated in proportion to the ratio which the total area of the proposed plat is to the total drainage area to be served by such larger sewer and the excess cost either borne by the city or assessed against the total tributary drainage area.

(h) Storm water drainage facilities. The subdivider shall construct storm water drainage facilities, which may include curbs and gutters, catch basins and inlets, storm sewers, road ditches and open channels, as may be required. All such facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow; the type of facility required, the design criteria and the sizes and grades to be determined as to present no hazard to life or property; and the size, type, and installation of all storm water drains and sewers proposed to be constructed shall be in accordance with the plans and standard specifications approved by the City Engineer.

(i) Public water supply facilities. The subdivider shall construct water mains in such a manner as to make adequate water service available to each lot within the subdivision. If municipal water service is not available, the subdivider shall make provision for adequate private water systems as specified by the City Council and other applicable state and county regulations. The City Council shall require the installation of water laterals to the street lot line. The size, type and installation of all public water mains proposed to be constructed shall be in accordance with plans and standard specifications approved by the City Engineer.

The subdivider shall assume the cost of installing all water mains 8 inches in diameter or less in size. If greater than 8 inch diameter water mains are required, the excess cost of such mains over and above the cost of an 8 inch main shall be borne by the city.

(j) Other utilities. The subdivider shall cause gas, electrical power and telephone facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision. No such electrical or telephone service shall be located on overhead poles along the front lot lines unless otherwise specifically allowed by the City Council due to exceptional topography or other physical barrier.

Plans indicating the proposed location of all gas, electrical power and telephone distribution and transmission line required to serve the plat shall be approved by the Consulting Engineer.

(k) Street signs. The subdivider shall install at the intersection of all streets proposed to be dedicated a street sign of a design specified by the Consulting Engineer.

(l) Street trees. No trees shall be planted or permitted to grow on the right of way without specific authorization of the City Council.

(m) Specifications. Unless otherwise stated all of the required improvements shall conform to engineering standards and specifications as

required by the City Council. Such improvements shall be made in sequence as determined by the Consulting Engineer.

20-11. Financing. Before a Final Plat is approved by the City Council the subdivider shall submit an agreement and performance bond or cash escrow agreement in an amount specified by the City Council to assure the following:

- (1) The subdivider shall pay for the cost of all improvements required in the subdivision.
- (2) Guaranteed completion of the required improvements within a two-year period.
- (3) Payment by the subdivider for all costs incurred by the city for review and inspection. This includes preparation and review of plans and specifications by the Consulting Engineer, Planner and Attorney, as well as other expenses incurred in implementing the petition of the subdivider.
- (4) The City Council may elect to install any or all of the required improvements under the terms of a cash escrow agreement or performance bond.
- (5) The performance bond or cash escrow agreement shall be in an amount equal to one and one-quarter times the Consulting Engineer's estimated cost of the required improvements.
- (6) If the required improvements are not completed within the specified two-year period all amounts held under the escrow agreement of performance bond shall be surrendered and delivered to the Treasurer of the City of Arcola and by him applied to the cost of the required improvements. Any balance remaining after such improvements have been made shall be returned to the owner or subdivider. The City Council, in its discretion, may extend the bond period for an additional period not to exceed two years.

20-12. Administration and enforcement. It shall be the duty of the City Council to enforce the provisions of this chapter.

20-13. Building permits. It shall be incumbent upon all recipients of building permits to determine that they meet the requirements of this chapter. Any which fail to do so are hereby declared to be null, void, and of no effect.

20-14. Variations. Where there are practical difficulties or unnecessary hardships in strictly complying with the provisions of this chapter, the City Council is authorized to vary therefrom in harmony with the general purpose and intent thereof.

20-15. Penalty for violation. Any person, firm, or corporation violating any provision of this chapter shall be subject to the penalty provided for in Section 1-13 of this Code. A separate offense shall be deemed committed on each day during or on which such a violation occurs or continues.