

## Chapter 86 SUBDIVISIONS

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## ARTICLE I. IN GENERAL

### Sec. 86-1. 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 public strip of land, not less than 20 feet and not more than 30 feet in width, along the side of or in the rear of properties, intended to provide a secondary means of access to properties abutting upon a street.

*Building line* means a line within a lot or other parcel of land, so designated on the plat of the proposed subdivision, between which, and the adjacent boundary of the street upon which the lot abuts, the erection of an enclosed structure of portion thereof is to be prohibited.

*City staff* means the city manager or designee(s).

***MUTCD* means the latest edition of the Manual on Uniform Traffic Control Devices**

***Pedestrian Way Crosswalkway*** means a strip of land, dedicated to public use, which is reserved across a block to provide pedestrian access to an adjacent area.

*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, public, a corporation, or a certain person for a specific use.

*Lot* means a portion of a subdivision or other parcel of land intended for transfer of ownership or for building development.

***Shared Use Path* means a path that serves as part of a transportation circulation system and supports multiple recreation opportunities, such as walking, bicycling, and inline skating. The path pavement shall consist of an asphalt or concrete surface over a compacted aggregate base course. The path shall be physically separated from motor vehicular traffic with an open space or barrier with the exception of intersections with streets or drives. Paths should include information, including signage, at major path entrances that clearly convey objective information to users, including but not limited to, grades, cross slope, surface type, width, length, availability of rest areas, etc.**

*Street* means an area which serves or is intended to serve as a vehicular and pedestrian access to abutting lands or to other streets.

*Street **frontage road**, ~~marginal access (frontage road)~~.* "Marginal access street" means a ~~minor~~ **local** street which is **nearly** parallel to and adjacent to ~~an~~ primary **arterial** street or highway, and which provides access to abutting properties and protection to local traffic from fast through-moving traffic on the ~~primary~~ **arterial** route.

*Street **local** (~~local~~), ~~minor~~,* means a street of limited continuity and intended primarily as access to abutting properties and the local needs of the neighborhood with an expected ADT of 1,000 **up to 2,000** vehicles per day. **Residential local streets are restricted to through truck traffic and shall be posted/signed as "No Truck Routes" as required.**

*Street **arterial** (~~arterial~~), ~~primary~~,* means a principal street which will provide for heavy traffic of considerable continuity (ADT **> 6000** ~~10,000+~~) and which collects traffic from ~~secondary~~ **collector** streets serving large areas, and connecting with state and U.S. highways or extending to principal points of destination. ~~Primary~~ **Arterial** streets shall also be considered to be the principal entrance streets of major subdivision developments. These streets are not meant to provide access to adjoining lots. They ~~may~~ **would** be used for through truck traffic.

*Street, **public**,* means all local, ~~secondary and primary~~ **collector and arterial** streets which are shown on the subdivision plat and are to be dedicated for public use. **Frontage roads may be considered as public or private as approved by the City.** See the standards set out in section 86-106**26**.

*Street **collector** (~~collector~~), ~~secondary~~,* means a street of considerable continuity which carries traffic from ~~minor~~ **commercial and industrial local** streets to ~~primary~~ **arterial** streets, including the principal entrance streets of residential developments and the principal circulating streets within such a development (ADT **>2000**). ~~These streets are meant to provide access to adjacent lots and are restricted to through truck traffic.~~ **These streets may provide limited direct access to adjacent lots in certain circumstances as approved by the City.**

*Street **collector residential**,* means a street of considerable continuity which carries traffic from ~~minor~~ **local** streets to ~~primary~~ **arterial** streets, including the principal entrance streets of residential developments and the principal circulating streets within such a development (ADT **> 2,000**). **These streets may provide limited direct access to adjacent**

**lots in certain circumstances as approved by the City. These streets are restricted to through truck traffic and shall be posted/signed as “No Truck Routes” as required.**

*Street width* means the shortest distance between lines of lots delineating the public street.

*Subdivision* means the division of a lot, tract or parcel of land into two or more lots, parcels, or other divisions of land, for the purpose, whether immediate or future, of transfer of ownership or building development, including all changes in street or lot lines; provided, however, that a division of land for agricultural purposes, in parcels of more than five acres and not involving any new street or easement of access, shall be exempted.

**State law references:** When plat required, 765 ILCS 205/1(a).

(Code 1996, §§ 16.04.010--16.04.140)

### **Sec. 86-2. Compliance.**

- ~~(a) — Wherever any subdivision of land is hereafter laid out within the incorporated limits of the city or within contiguous territory and not more than 1 1/2 miles beyond the incorporated boundary of the city, the subdivider thereof or his agent shall submit a preliminary plat to the city.~~
- ~~(b) — Subdivision of land lying outside the city and within 1 1/2 miles of the city limits shall be required to conform with the requirements of this chapter and shall be in accordance with the provisions of the state law.~~
- ~~(c) — No plat of any subdivision shall be entitled to record in the county recorder's office or have any validity until it shall have been approved in the manner prescribed by this chapter.~~

**This Article shall apply to all public and private lands and uses thereon within the incorporated area of the City of Rochelle and 1½ miles of city corporate limits, hereinafter referred to as “the City”. Provisions contained herein and pertaining to the subdividing and platting of land shall be applicable to the unincorporated area of Ogle and Lee Counties located within one and one-half miles of the corporate limits of the City except as provided by law. Boundary agreements between the City and other municipalities take precedence in establishing subdivision and platting jurisdiction for unincorporated areas. Detailed information about general procedures and applications, including methods of appeal and violations, permitted uses, the division of land, special use criteria, conservation design standards, violations, and nonconforming uses, are set forth herein. The Official Zoning Map of the City and all notations and references and other information shown on said map are hereby incorporated into and made a part of this Article.**

(Code 1996, § 16.08.010)

### **Sec. 86-3. Interpretation.**

All interpretations of these rules and regulations are reserved to the administrative bodies referred to in this chapter.

(Code 1996, § 16.08.020)

### **Sec. 86-4. Exceptions.**

The city council may vary and make exceptions as set forth in this chapter in instances where there is sufficient evidence, in its opinion, of hardship caused by topographic conditions,

or where any other reasonable deterrents prevail.  
(Code 1996, § 16.08.030)  
Secs. 86-5--86-30. Reserved.

## **ARTICLE II. PROCEDURES**

### **Sec. 86-31. Applicability.**

The provisions hereof shall be applicable to all subdivisions in the city and within all unincorporated areas lying within 1 1/2 miles of the corporate limits of the city, to the extent permitted by law.  
(Code 1996, § 16.12.010)

### **Sec. 86-32. Recommendation and approval of variations.**

The planning and zoning commission may recommend and the city council may approve variations from the requirements of this chapter in specific cases, when the planning and zoning commission finds that there is compliance with the following standards:

- (1) The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
- (2) Because of the shape, topography, or other physical conditions of the proposed subdivision or its surroundings:
  - a. A hardship or practical difficulty would be caused by strict compliance with these requirements; and/or
  - b. The purposes of these requirements would be served to a greater extent by an alternative design;
- (3) The conditions upon which the variation request is based are unique to the proposed subdivision and are not generally applicable to other property;
- (4) The variation granted is the minimum adjustment necessary for the reasonable use of the land.

(Code 1996, § 16.12.020; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

### **Sec. 86-33. Filing of preliminary plat.**

A subdivider shall file **an electronic pdf. file and 25 10** copies of the preliminary plat with the ~~building division~~ **Community Development Department** a minimum of 30 calendar days prior to the planning and zoning commission meeting at which it will be an agenda item, accompanied by the filing fee in accordance with the schedule of fees contained herein. **Additional copies and other electronic file formats may be required at the request of the Director of Community Development.**

(Code 1996, § 16.12.030; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

### **Sec. 86-34. Referral of preliminary plat.**

The building division shall distribute copies of the preliminary plat to the city staff. The building division shall distribute to the planning and zoning commission copies of the preliminary plat and the city staff's comments and recommendations, for plan commission review.

(Code 1996, § 16.12.040; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

### **Sec. 86-35. Planning and zoning commission review of preliminary plat; time limit for action by planning and zoning commission.**

The city staff and planning and zoning commission shall review the preliminary plat for conformance with the comprehensive plan and **Master Plan for Water and Sanitary Sewer**, the provisions hereof, and all other applicable city ordinances. Pursuant to 65 ILCS 5/11-12-8, the

planning and zoning commission shall disapprove or recommend approval of the preliminary plat within 90 days from the date of the application or the date of filing of the last item of required supporting data, whichever date is later. Such time may be extended by mutual consent of the subdivider and the planning and zoning commission.

(Code 1996, § 16.12.050; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-36. Planning and zoning commission disapproval of preliminary plat.**

Planning and zoning commission disapproval of a preliminary plat shall be in writing and shall state the reasons therefore and how the proposed preliminary plat fails to conform to the comprehensive plan, the provisions hereof, and other applicable city ordinances. A copy of such disapproval shall be mailed or delivered to the subdivider and the city council. Pursuant to 65 ILCS 5/11-12-8, if the planning and zoning commission disapproves the preliminary plat, it shall be considered denied and shall be presented to the city council for final action.

(Code 1996, § 16.12.060; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-37. Planning and zoning commission approval of preliminary plat.**

Planning and zoning commission recommendation of approval of a preliminary plat shall be in writing and may include conditions for such approval, which conditions shall be consistent with the requirements set forth herein. A copy of the recommendations and any conditions shall be forwarded to the city council and subdivider.

(Code 1996, § 16.12.070; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-38. Time limit for city council action on preliminary plat.**

Pursuant to 65 ILCS 5/11-12-8, the city council shall approve or disapprove the preliminary plat not later than 30 days after the next regular city council meeting following the date of the planning and zoning commission's approval, unless such time is extended by mutual consent of the city council and subdivider.

(Code 1996, § 16.12.080; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-39. City council disapproval of preliminary plat.**

City council disapproval of a preliminary plat shall be in writing and shall state the reasons therefor. City council disapproval may be based upon any one or more of the following criteria:

- (1) The proposed preliminary plat fails to conform to the comprehensive plan.
- (2) The proposed plat may have an adverse impact to adjacent property or to the value of adjacent property.
- (3) That approval of the proposed plat would not be in the best interest of the city because of the shape, location, topography, or other physical condition of the land described in the proposed plat.
- (4) That approval of the plat would not be in the best interest of the city because approval of the plat would result in additional costs to those governmental entities serving the city in amounts greater than the anticipated real estate tax revenues which those governmental entities would receive.

(Code 1996, § 16.12.090)

**Sec. 86-40. City council approval of preliminary plat.**

City council approval of a preliminary plat shall be in writing and may include conditions for such approval, which conditions shall be consistent with the requirements set forth herein. A copy of the approval and any conditions shall be mailed or delivered to the subdivider.

(Code 1996, § 16.12.100)

**Sec. 86-41. Period of validity of preliminary plat.**

A preliminary plat shall remain valid for a period of one year from the date of city council approval. If a complete application for approval of a final plat for all or any part of the land encompassed by the preliminary plat is submitted within such one year period of validity, the preliminary plat shall remain valid for one additional year commencing upon submittal of such application or until the city council approves or disapproves such final plat, whichever is earlier. If a final plat is approved and recorded encompassing all or any part of the land included on the preliminary plat, the preliminary plat as to the balance shall remain valid for a period of five years from the date of its initial approval, unless specifically revoked by the city council.  
(Code 1996, § 16.12.110)

**Sec. 86-42. Engineering plan approval.**

**As part of the final plat submittal,** The the subdivider shall submit to the building division **Community Development Department an electronic pdf. file and** ten copies of the engineering plan described herein. The **Community Development Department** building division shall refer the engineering plan to the city staff for review. Such plan shall be in substantial conformance with the preliminary plat, with respect to all items specifically shown on the preliminary plat. If the city staff determines that the engineering plan meets the requirements of this Code, the building division shall so notify the subdivider. The subdivider shall reimburse the city for review in accordance with the schedule of fees contained herein **in the development reimbursement agreement.**  
(Code 1996, § 16.12.120)

**Sec. 86-43. Engineering plan variations.**

If the city staff determines that the engineering plan does not meet the requirements of this Code, the subdivider may file a written request for approval of a variation or variations. Such request shall be referred to the planning and zoning commission and city council for review. To the extent permitted by law, the city council may grant variations from the engineering plan requirements in specific cases in accordance with the provisions hereof governing variations.  
(Code 1996, § 16.12.130; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-44. Submittal and review of final plat.**

The subdivider shall file ~~one original and three inked mylar reproducible copies, ten blue line~~ **an electronic pdf. file and 10 copies of the final plat with the** building division **Community Development Department.** ~~copies (no paper copies allowed) and two computer disks compatible with the city's operating system with the building division after notification of engineering plan approval.~~ The final plat must be submitted a minimum of 30 days prior to the planning and zoning commission meeting at which it will be an agenda item. The building division shall refer the final plat to the city staff and planning and zoning commission for review and recommendation. The final plat shall substantially conform to the preliminary plat. The final plat shall include substantially the same geographic area as the engineering plan. **Additional copies, AutoCad file in state plane coordinates, and other electronic file formats may be required at the request of the Director of Community Development.**

(Code 1996, § 16.12.140; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-45. Planning and zoning commission disapproval of final plat.**

A recommendation of disapproval of the final plat by the planning and zoning commission shall be in writing and shall state how proposed final plat fails to conform to the approved preliminary plat, the provisions hereof, and other applicable city ordinances. A copy of

such recommendation shall be mailed or delivered to the subdivider and to the city council within 60 days.

(Code 1996, § 16.12.150; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-46. Planning and zoning commission approval of final plat.**

The planning and zoning commission shall not recommend approval or disapproval of a final plat until it has received notice of approval of the engineering plans by the city staff; provided, however, that the final plat and a request for engineering plan variations may be considered simultaneously. A planning and zoning commission recommendation of approval of the final plat shall be in writing and may include conditions for such approval, which conditions shall be consistent with the requirements set forth herein. A copy of the recommendations and any conditions shall be forwarded to the subdivider and the city council within 60 days after all other conditions have been met. The planning and zoning commission must approve or disapprove.

(Code 1996, § 16.12.160; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-47. Time limit for city council action on final plat.**

After receiving the planning and zoning commission's recommendation of approval or disapproval, the city council shall approve or disapprove the final plat within 60 days following the filing of the last required document, unless such time is extended by mutual consent of the city council and subdivider.

(Code 1996, § 16.12.170; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-48. City council disapproval of final plat.**

City council disapproval of a final plat shall be in writing and shall state the reasons therefor. City council disapproval may be based upon any one or more of the following criteria:

- (1) The proposed final plat fails to conform to the approved preliminary plat, or any part thereof.
- (2) The proposed final plat fails to comply with the city's Code and ordinances.
- (3) The proposed final plat fails to conform to the comprehensive plan.
- (4) The proposed final plat may have an adverse impact to adjacent property or to the value of adjacent property.
- (5) That approval of the proposed final plat would not be in the best interest of the city because of the shape, location, topography, or other physical condition of the land described in the proposed plat.
- (6) That approval of the plat would not be in the best interest of the city because approval of the plat would result in additional costs to those governmental entities serving the city in amounts greater than the anticipated real estate tax revenues which those governmental entities would receive.

(Code 1996, § 16.12.180)

**Sec. 86-49. City council approval of final plat; documents to be submitted with plat.**

- (a) The final plat submitted to the city council shall be accompanied by the following:
  - (1) A copy of the state environmental protection agency **construction and operating** permit for the sanitary sewer installation, if required;
  - (2) A copy of the state environmental protection agency **construction** permit for the water main installation, if required;
  - (3) An acknowledgement executed by the subdivider accepting the responsibility for the installation of the land improvements as approved by the city;
  - (4) A certified estimate of cost of all land improvements prepared by a registered engineer in the state and approved by the city;

- (5) A draft or description of the proposed guarantee for the payment and completion of the land improvements remaining to be installed.
- (b) Prior to the approval of a final plat the city council shall have the right to designate which easements, dedications, and land improvements will be accepted by the city. Approval of the final plat by the city council shall be in writing, one copy of which shall be sent to the subdivider and another shown on the plat.
- (Code 1996, § 16.12.190)

**Sec. 86-50. Oversizing of improvements.**

In the event the city requests the subdivider to oversize any land improvement, such oversizing shall take place on the following basis: The city staff and the subdivider's engineer shall prepare cost estimates indicating the construction cost for the land improvement as originally requested and for the oversized improvement requested by the city. Such estimates shall be subject to approval of the city manager. The subdivider shall install the oversized improvement in compliance with city ordinance and state and federal requirements. The actual cost difference for materials only will be assumed by the city if the upsizing is deemed necessary by the city staff for future development. Reimbursement for such cost difference shall be made to the subdivider upon completion and acceptance by city council of all improvements requested by the city, provided the city shall be in receipt of a general contractor's affidavit and lien waivers in accordance with the state Mechanics Lien Act, 770 ILCS 60/0.01 et seq., and a bill of sale conveying title to the city free and clear of all liens and encumbrances. All engineering, insurance, and inspection costs due to the oversizing as requested on the preliminary plat and performed by the subdivider's engineer shall be paid by the subdivider. The operation of any state law or city ordinance having general applicability to all entities in a class including subdivider shall not be deemed to be a request by the city as herein described.

(Code 1996, § 16.12.200)

**Sec. 86-51. Transfer of dedications and easements.**

After approval of a final plat and prior to signature by the city manager and city engineer, the subdivider shall submit the following for acceptance by the city council:

- (1) Title, free and clear of all liens and encumbrances, to the land dedications which the city has designated for acceptance; and
- (2) At no cost to the city, easements which the city has designated for acceptance.

(Code 1996, § 16.12.210)

**Sec. 86-52. Guarantee for completion of improvements.**

After approval of a final plat and prior to signature by the city manager and city engineer, the subdivider shall submit a guarantee for completion of the land improvements. Subject to the approval of the city council, completed land improvements may be omitted from the amount of the guarantee. For purposes of this section, completed land improvements shall be those land improvements (a) which have been previously accepted by the city council, or (b) which have been installed, approved by city staff, and for which the subdivider submits a bill of sale and a contractor's affidavit and lien waivers in accordance with the Illinois Mechanic's Lien Act, 770 ILCS 60/0.01 et seq., or (c) which the city has not designated for acceptance, and which the city staff acknowledges as complete. The guarantee shall be in one of the following described formats, with the form, amount and provider being subject to approval of the city council:

- (1) Deposit with the city a subdivider's bond in the amount of 110 percent of the approved estimated cost of the land improvements remaining to be completed;

- (2) Deposit with the city cash in the amount of 110 percent of the estimated cost of the land improvements remaining to be completed;
- (3) An undertaking by the subdivider guaranteeing completion of the land improvements remaining to be completed, as secured by an irrevocable letter of credit certifying that adequate funds are and will be available at a sound and reputable banking or financial institution authorized to do business in the state. Such irrevocable letter of credit shall be in effect for a period of 2 1/2 years from the date of recording of the final plat, shall run in favor of the city and shall indicate there are sufficient funds available for 110 percent of the approved estimated cost of all the land improvements remaining to be completed, and that such funds are held for such purposes only and for no other purposes. Such undertaking and irrevocable letter of credit shall be in a form to allow the city to procure the funds to complete the land improvements if construction of said improvements is not completed in accordance with the provisions hereof, and shall otherwise be in a form acceptable to the city council.

(Code 1996, § 16.12.220)

**Sec. 86-53. Recording of final plat.**

The city shall record the final plat at the county recorder's office within 30 days of receipt by the city of the last item herein required to be submitted prior to recording. In the event such recording has not occurred within six months of the date of city council approval, the final plat and accompanying documents shall be reviewed by the building division and city staff to determine continued conformity with then-existing law and ordinance. The results of such review and recommendation shall be referred to the city council for revocation or extension of the final plat approval, with such conditions as the city council may approve.

(Code 1996, § 16.12.230)

**Sec. 86-54. Completion of land improvements.**

- (a) All land improvements as defined in this chapter shall be installed and completed within a period of two years after recording of the final plat, unless prior to the expiration of the two-year period an extension of time is requested by the subdivider to complete all of said improvements. Failure of the subdivider to complete all of the said improvements within such two-year period or any extension thereof shall result in forfeiture of the guarantee collateral. A request for an extension shall not be granted unless adequate guarantee collateral has been received and approved by the city council. In the event building permits have been issued for more than 50 percent of the lots, no extension of the time period shall be granted, except the city council may provide a time extension for completion of sidewalk, tree planting, and parkway restoration improvements; such time extension request shall be accompanied by a guarantee for completion of improvements as required in section 86-52.
- (b) In the event of failure to complete the land improvements in the required period, or any extension thereof, as stated above, the city council may direct that no further building permits be issued for property in such subdivision until acceptance or acknowledgment of completion by the city council of the land improvements.

(Code 1996, § 16.12.240)

**Sec. 86-55. Inspection of land improvements.**

- (a) All land improvements to be installed under the provisions of this chapter shall be inspected during the course of construction, by the subdivider or agent, and construction

observed by city staff. The subdivider shall employ a professional engineer registered in the state of Illinois to certify and guarantee to the city that the improvements were installed in accordance with the plans and specifications as approved by the city. The subdivider's consulting engineer shall submit to the city all applicable material and quality control test results. The cost of any reinspection of any land improvement found to be faulty or not in accordance with the approved plans and specifications shall be paid for by the subdivider to the city.

- (b) **The subdivider shall be invoiced, for actual city staff or consultant time involved with inspection or observation of the land improvements, per the established hourly rate in the developer reimbursement agreement. This amount shall not exceed 4%. The subdivider shall post a surety equal to 4% of the approved engineer's estimate of cost of the land improvements to insure these fees are reimbursed to the City. Upon final payments of fees the surety shall be released.**

(Code 1996, § 16.12.250)

**Sec. 86-56. Release of guarantee for completion.**

The guarantee for completion of the land improvements shall be released only upon fulfillment, by the subdivider, of the following conditions:

- (1) The completion of the land improvements;
- (2) The submission of one set of reproducible (mylar) or electronic disk as-built drawings of the land improvements;
- (3) A bill of sale and a contractor's affidavit and lien waivers in accordance with the state Mechanic's Lien Act, 770 ILCS 60/0.01 et seq., for all land improvements which have been designated by the city council for acceptance;
- (4) The submission to the city of a deposit in cash, irrevocable letter of credit (subject to approval of the city council), or surety bond, equal to ten percent of the cost of the land improvements. This deposit shall be a guarantee of satisfactory performance of the land improvements and shall be held by the city for a period of 24 months after acceptance by the city council. After such 24 months the deposit shall be refunded if no potential defects have been detected, then the remaining deposit shall be released, subject to payment for amounts expended or to be expended in correcting defects;
- (5) Final acceptance, by resolution of the city council, of the land improvements which have been designated by the city council for acceptance, and acknowledgment, by resolution of the city council, of completion of the land improvements which have not been designated for acceptance.

(Code 1996, § 16.12.260)

**Sec. 86-57. Payment of fees.**

- (a) *Generally.* The subdivider and those making land improvements shall pay all filing, review, and inspection fees per the schedule of fees established by the city council, and shall reimburse the city for the costs of court reporter fees, recording fees, and all fees of attorneys, engineers, and other consultants that may be required by the city pertaining to the submitted applications. Fees associated with the work of individuals (not employees of the city), corporations, or other entities shall have five percent added to the fee charged to the city.
- (b) *Reimbursement for staff and/or consultant review time.* Every applicant for rezoning, special use permit, planned unit development, concept plan, preliminary plat or plan, final plat or plan, land banking for future public use, site plan reviews to include new parking facilities in any commercial or industrial district, and any land improvements shall

reimburse the city for expenses incurred by the city in connection with all legal, engineering, land planning, and other professional services required during the review of applications required by the city and to assure compliance with the standards contained in this Code.

(1) The applicant shall make **an initial deposit** into a specified account with the city at the time of the first application affecting the applicant's project an amount not less than \$500.00 and not more than \$10,000.00. The amount shall be determined by the city manager or his designee and shall be based upon the expected complexity of the proposed application and the anticipated amount of time required by the city staff and its consultants to review the application and supporting documentation. The final fee billed to the applicant may be more or less than the city manager's estimate **of the initial deposit**.

(2) Such expenses shall include, but are not limited to, the following:

a. Meetings with the applicant will be charged at the prevailing hourly charges of all staff members and consultants deemed necessary by the city. However, charges will not be made for a first "introductory" meeting with the city staff and consultants.

b. The prevailing hourly charges of all city staff members and consultants deemed necessary by the city, for time spent on reviewing applications.

c. Any and all filing and other fees that affect the applicant's project that are required by the city.

(3) All proceedings in connection with the rezoning, special use permit, planned unit development, or land improvement shall be stayed until such sum so designated is deposited with the city as required.

(4) Upon submission of bills by the city attorney, city engineer, city planner or other consultant hired to review the application, the city shall pay these fees out of the specified account. At such time the balance of the account reaches one-fourth of the original amount deposited, the city manager or his designee may demand from the applicant a sum of money that, in addition to the balance of the account, shall equal the amount originally required by the city, or such lesser fraction thereof that the city manager or his designee may in such case determine.

a. All proceedings with regard to such rezoning, special use permit, planned unit development, or land improvement shall be stayed until said subsequent demands for payment of fees shall be deposited in said account.

b. Any demand or subsequent demand of the city not deposited by the applicant within ten working days of the date of the demand shall, at the discretion of the city council and upon written notice to the applicant, terminate and render null and void the application for the proposed rezoning, special use permit, planned unit development, or land improvement.

(5) The city shall present a final statement by the city attorney, city engineer, city planner or other consultant hired to review the application within 60 days of the approval of the application. If, upon payment of these fees, any balance is remaining in the specified account, said balance shall be repaid to the applicant.

(Code 1996, § 16.12.270; Ord. No. 03-3196, 10-27-2003)

#### **Sec. 86-58. Fee schedule.**

All fees and charges for services related to the filing and review of all subdivision plans and the inspection of subdivision improvements' construction shall be established and modified from time to time by city council resolution.

(Code 1996, § 16.12.280)

**Sec. 86-59. Minor subdivision.**

Minor subdivisions require only approval of a final plat in accordance with the requirements contained in Article II of this Chapter.

- (a) In order to be considered a minor subdivision, a minor subdivision has all of the following characteristics:
- (1) The subdivision produces no more than three (3) lots.
  - (2) The total area of the subdivision is five (5) acres or less.
  - (3) There are no new dedicated streets, alleys, easements, parks or common areas proposed in connection with the subdivision, except streets and alleys adjacent to the frontage of the subject property.
  - (4) Except for concrete sidewalks, monuments, lateral connections of sanitary and storm sewers and water mains, there are no other required improvements to be made within the public right of way.
  - (5) No variances or exceptions from this Chapter or Chapter 110 are requested.
- (b) The requirements and process for approving a minor subdivision are as follows:
- (1) Applicant shall submit three copies of the subdivision plat, conforming to all of the requirements and specifications for a final subdivision plat, to the Director of Community Development for review.
  - (2) Upon agreement by the Director of Community Development and the City Engineer that the plat submitted complies with the requirements and specifications for a final subdivision plat, said plat shall be forwarded to the Mayor and City Clerk for execution and recording.
  - (3) The applicant shall be required to pay all subdivision application fees and cash in lieu of land required for parks and schools for the additional lots created by the subdivision of the property prior to the recording of the final plat.

Secs. 86-59~~60~~--86-80. Reserved.

**ARTICLE III. PLATS AND PLANS**

**DIVISION 1. GENERALLY**

Secs. 86-81--86-100. Reserved.

**DIVISION 2. PRELIMINARY PLAT**

**Sec. 86-101. Requirements generally.**

The preliminary plat shall show the information required by this division. The preliminary plan shall be accompanied by a properly executed checklist as set forth in section 86-181.

**Sec. 86-102. Identification and description.**

Identification and description of the preliminary plat shall be shown as follows:

- (1) Proposed name of subdivision;
- (2) Location by section, town, and range, or by other legal description;

- (3) Names and addresses of owner, or subdivider having control of the tract, name and seal of registered engineer or surveyor who prepared topographical survey, and designer of the plat;
- (4) **Standard** Graphic (engineering) scale not smaller than one inch to 100 feet; **odd scale sizes will not be accepted**
- (5) North point (designated as true north);
- (6) Date of preparation;
- (7) Drawn on **24**-inch by **36**-inch **or 24-inch by 36-inch** sheets.

(Code 1996, § 16.36.020)

### **Sec. 86-103. Existing conditions.**

Existing conditions shall be shown on the preliminary plat as follows:

- (1) Boundary line of proposed subdivision clearly indicated;
- (2) Total approximate acreage therein;
- (3) Existing zoning district;
- (4) Location, widths, and names of all existing or previously platted streets, or other rights-of-way, showing type of improvement, if any, railroad and utility rights-of-way, parks, and other public open spaces, permanent buildings and structures, easements, and section and corporate lines, within the tract and to a distance of 100 feet beyond the tract;
- (5) Location and size of existing sewers, water mains, culverts, or other underground facilities within the tract and to a distance of 100 feet beyond the tract, also indicating such data as grades, invert elevations, and locations of catch basins, manholes and hydrants;
- (6) Location map, drawn at a scale of not less than one inch equals 1,000 feet, showing boundary lines of adjoining unsubdivided or subdivided land within an area bounded by nearest streets or other natural boundaries, identifying type of use and ownership of surrounding land and showing alignments of existing streets;
- (7) Topographic data including existing and proposed contours at vertical intervals of not more than two feet and first floor elevations of all existing and proposed buildings or structures. Topographic data shall be indicated in feet above mean sea level. Watercourses, marshes, rock outcrops, other significant features and soil boring data at locations at depths as may be required by the director of public works;
- (8) Locations of or reference to locations of existing monuments, benchmarks, and survey markers used in preparation of the plat.

(Code 1996, § 16.16.030)

### **Sec. 86-104. Proposed subdivision design features.**

Proposed subdivision design features shall be shown on the preliminary plat as follows:

- (1) *Street plan.*
  - a. The arrangement, character, extent, width, grade, and location of all streets shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic within the subdivision and adjoining lands, to topographical conditions, to runoff of stormwater, to public convenience and safety, and in their appropriate relations to the proposed uses of the area to be served.
  - b. Every street in any subdivision shall be dedicated as a public street and no private streets shall be approved.
  - c. The layout of streets shall show right-of-way widths and street names (not duplicating the name of any street heretofore used in the city or its environs unless the street is an extension of an already named street, in

which case the name shall be used) and showing a proposed through street extended to the boundaries of the subdivision.

1. Right-of-way widths of primary **arterial** trafficways including freeways, parkways, **streets** and secondary **collector** thoroughfares **and streets** shall be in accordance with those designated on the comprehensive plan **and the Urban Section Streets Standards Table 1 herein**.
  2. All right-of-way widths shall conform to the following minimum dimensions **as required by 86-126**:
    - i. ~~Secondary (collector) streets, 74 feet;~~
    - ii. ~~Minor streets, 66 feet;~~
    - iii. ~~Cul-de-sac streets, 60 feet.~~
  3. A cul-de-sac street shall not be more than ~~500~~ **600** feet in length measured along its centerline from the street of origin to the ~~end of its right-of-way~~ **center of the cul-de-sac**, unless there are less than 16 lots abutting the cul-de-sac street. Each cul-de-sac **right-of-way** shall have a terminus of nearly circular shape with a minimum diameter of 120 feet.
  4. Provisions shall be made for serving lots abutting primary ~~(arterial)~~ streets and highways be either the use of:
    - i. ~~Minor~~ **Local** streets; or
    - ii. Backing lots to the primary **arterial** street with a screen planting contained in a nonaccess reservation **easement** along the rear property line.
  5. It must be evidenced that all street intersections and confluences encourage safe and efficient traffic flow. The intersection of more than two streets shall be avoided unless specific conditions of design indicate otherwise.
  6. ~~Minor~~ **Local** streets shall be so aligned that their use by through traffic will be discouraged.
  7. ~~Where there is a deflection in the street alignment in excess of ten degrees, a curve shall be inserted with a radius of not less than:~~
    - i. ~~Secondary (collector) streets, 300 feet;~~
    - ii. ~~Minor street, 100 feet.~~
  8. ~~Tangents at least 50 feet long shall be introduced between reverse curves on secondary (collector) streets.~~
- d. The existing and proposed cross-section of each street shall be shown, indicating also when a new subdivision abuts a previously dedicated street right-of-way, that all required street improvements out to the centerline of this existing street bounding the new subdivisions shall be installed to meet and comply with the current standards of the city.
1. ~~Where there is a deflection in the horizontal centerline within a given block at any one point in excess of ten degrees, a curve shall be inserted with a radius of not less than:~~
    - i. ~~Secondary (collector) streets, 300 feet;~~
    - ii. ~~Minor streets, 100 feet.~~
  2. ~~Gradients of streets shall be at least five tenths percent and shall not exceed on:~~
    - i. ~~Secondary (collector) streets, five percent;~~
    - ii. ~~Minor streets, seven percent.~~

- e. The preliminary plat shall show or a certificate shall be submitted to the effect that the subdivider is aware of his responsibility for the installation of all the following items in accordance with the current standards and specifications of the city as set forth:
  - 1. Pavements;
  - 2. Curbs and gutters;
  - 3. Street lights;
  - 4. Sidewalks;
  - 5. Street signs;
  - 6. Parkway seeding;
  - 7. Storm sewers and structures **and drainage systems**;
  - 8. Sanitary sewers and structures;
  - 9. Water main and related appurtenances;
  - 10. Stormwater management facilities.**

(2) *Block standards.*

- a. The maximum lengths of blocks shall be 1,200 feet. Blocks over 900 feet long may require pedestrian ways at their approximate centers. The use of additional access ways to schools, parks, or other destinations may be specified by the planning and zoning commission.
- b. No specific rule concerning the shape of blocks is made, but blocks must fit readily into the overall plan of the subdivision and their design must evidence consideration of topographical conditions, lot planning, traffic flow, and public open space area.
- c. Blocks intended for commercial, industrial, and institutional use must be designated as such.
- d. Where a subdivision borders on or contains a railroad right-of-way or limited access thoroughfare right-of-way, the planning and zoning commission 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:
  - 1. Park purposes;
  - 2. Deep residential lots backing to railroad or ~~primary~~ **arterial** street with a planting screen in a nonaccess ~~area~~ **reservation easement** at rear property lines of lots; or
  - 3. Motor vehicle parking, business or industry with due regard for the requirements of approach grades and future grade separations.

(3) *Lot standards.*

- a. In general, lots should be as nearly rectangular in shape as practicable.
- b. The minimum lot dimensions for residential development shall be 70 feet wide at the established building line and not less than 100 feet in average depth, and containing not less than the minimum lot area requirements of the zoning ordinance (chapter 110). These minimum requirements shall not apply to land subdivided for nonresidential development.
- c. All lots shall have not less than the minimum width of the lot at the setback line abutting on a publicly dedicated street.
- d. Side lines of lots shall be right angles or radial to the street line, or substantially so.
- e. Corner lots shall be not less than 90 feet in average width.
- f. Double frontage lots are not permitted except:

1. Where lots back upon an **primary arterial** street, and in such instances vehicular and pedestrian access between lots and the **primary arterial** street is prohibited; and
  2. Where topographic or other conditions render subdividing otherwise unreasonable, such double frontage lots shall have an additional depth of at least 20 feet in order to allow for a protective screen planting on one frontage.
- g. Lots abutting upon a watercourse, drainageway, channel, or stream shall be of an additional depth or width, as required, to provide an acceptable building site.
  - h. In the subdividing of any land within the city or within 1 1/2 miles of the corporate limits, due regard shall be shown for all natural features, such as tree growth, watercourses, historic spots, or similar conditions.
  - i. The layout, numbers, areas, and dimensions of lots to the nearest foot, and the proposed land use for each lot, parcel, or tract shall be indicated.
  - j. The minimum front and side street building setback lines shall be shown and dimensioned in accordance with the applicable zoning ordinance requirements.
  - k. Lots shall be continuously numbered from one plat to another in the same subdivision.

(4) **Utilities.**

- a. Points of connection to the city's existing water and sewer systems;
- b. Stormwater drainage:
  1. Complete storm sewer system, including pipe sizes, inlets, and inverts;
  2. A proposed surface water drainage pattern for each individual lot, block, and street;
  3. Stormwater management **and grading** plan as required by chapter 22, article XIII;
- c. All easements as required in section 86-122 shall be indicated.

(Code 1996, § 16.16.040; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-105. Protective covenants.**

An outline of all proposed protective covenants shall accompany the preliminary plat and shall include a protection against the obstruction of any surface water drainage easement. The enforcement of these covenants shall be the responsibility of the homeowner's association.

(Code 1996, § 16.16.050)

~~**Sec. 86-106. Street standards.**~~ *New Table inserted in 86-126*

~~Street standards are as follows:~~

~~TABLE 1. URBAN SECTION STREET STANDARDS~~

TABLE INSET:

Street Type	R.O.W. To Be Dedicated (feet)	ADT	Pavement Width, C + G, Sidewalks
Primary (arterial) streets:			

Street Type		R.O.W. To Be Dedicated (feet)	ADT	Pavement Width, C + G, Sidewalks
	Four-lane divided with shoulders	120	10,000+	48 feet, four 12-foot lanes, 20-foot median, 8-foot shoulders
	Four-lane not divided	100	10,000+	67 feet, B-B, four 12-foot lanes, 14 feet bidirectional
	Two-lane	80	6,000+	33 feet, B-B, two 14-foot lanes
Secondary (collector) streets		70	3,500	39 feet, B-B, two 11-foot lanes, two 8-foot parking lanes, 4-foot sidewalk
Industrial		66	3,500	31 feet, B-B, No parking, five-foot sidewalk
Minor streets:				
	1,000 feet or more in length	66	1,000	39 feet, B-B, two 11-foot lanes for single-family development; and two 8-foot parking lanes, 4-foot sidewalk in all multifamily, commercial and industrial development
	Less than 1,000 feet in length in single-family development, cul-de-sac streets and frontage streets	60	400	31 feet, B-B, two 11-foot lanes, one 8-foot parking lane, 4-foot sidewalk
Alleys		25	100	20 feet

Special note: Parkways shall be a minimum of nine feet exclusive of a four- or five-foot sidewalk as indicated.

TABLE-INSET:

Street Type		Minimum to Maximum Gradient	Minimum Structural Design Number	Minimum Horizontal Curve	Minimum Vertical Curve	Minimum Soil Support (IBR)
Primary		0.50% to 5.0%	4.0	500'	300'	3.0
Secondary (collector)		0.50% to 5.0%	2.9	300'	200'	3.0
Industrial		0.50% to 5.0%	3.2	300'	200'	3.0
Minor:						
	1,000' or more	0.40% to 7.0%	2.5	200'	100'	3.0
	Less than 1,000'	0.40% to 7.0%	2.5	200'	100'	2.2
Cul-de-sac		0.40% to 7.0%	2.5	200'	100'	2.2
Access roads		0.40% to 7.0%	2.5	200'	100'	3.0
Alleys		0.40% to 7.0%	2.5	200'	100'	2.0

(Code 1996, ch. 16.16)

Secs. 86-107~~6~~--86-120. Reserved.

### DIVISION 3. ENGINEERING PLAN / LAND IMPROVEMENTS

#### Sec. 86-121. Generally.

- (a) The following standards and specifications set forth in this article outline the minimum requirements of the city. The standard specifications are covered under six primary headings of:
- (1) Sanitary sewers;
  - (2) Water mains;
  - (3) Street construction;
  - (4) Stormwater management;
  - (5) Landscaping;
  - (6) Lands for parks and schools.
- (b) The standard specifications are followed by a series of general specifications which outline in detail the materials to be used and the methods to be followed in accomplishing the work.

The engineering plan shall show the information required in this division. The engineering plan shall be accompanied by a properly executed checklist as set forth in section

86-182.

(Code 1996, § 16.20.010)

**Sec. 86-122. Easements.**

- (a) Easements shall be provided for all overhead or underground utility services or surface water drainage where necessary. They shall be **a minimum of** ten feet wide and shall be established at the rear or front of each lot and along such other lot lines as necessary to provide continuity of alignment from block to block. At deflection points in these easements, if overhead utility lines are contemplated, additional easements shall be established for pole line anchors.
- (b) Where a subdivision **or development** is traversed by **or abuts the Kyte River, Kyte River Tributary, Ryley Ditch, Atwood Lateral, Banning Lateral, Unnamed Tributary No. 1, Flagg Tributary, Flagg Creek, Steward Creek, Johns Creek, Beach Creek or other substantial** watercourse, drainageway, channel, stream **or river** there shall be provided a drainage easement, **a minimum of 50 feet as measured from the centerline of the watercourse**, conforming substantially with the lines of such watercourse. **These easements shall be dedicated to the property owners association, the City of Rochelle and/or the applicable drainage district as required by the City Engineer and approved by the City Council. Furthermore, an easement shall be provided and** it shall include an additional area at least ~~45~~ **20** feet wide adjoining both edges of the established area that has been affected by damaging flood waters **or is defined as a special flood hazard area**, as certified by the subdivider **and** ~~or~~ his engineer. **No buildings and structures, except accessory uses as defined and permitted in accordance with Chapters 22 and 46 of the code, shall be built or placed within this easement area.**
- (c) All existing drainage and underground utility installations which traverse property to be subdivided shall be protected by easements.
- (d) Lots abutting upon a watercourse, drainageway, channel, or stream or river shall be of an additional depth or width, as required, to provide an acceptable building site.**

(Code 1996, § 16.20.020)

**Sec. 86-123. Public utilities.**

- (a) All utility lines for telephone, TV cable, and electric service shall be line easements when carried on overhead poles.
- (b) Where telephone, electric, TV cable, and gas service lines are placed underground entirely throughout a subdivision area, conduits or cables shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services.

(Code 1996, § 16.20.030)

**Sec. 86-124. Sanitary Sewers.**

- (a) All sanitary sewer plans and installations shall conform to the standards and specifications in chapter 98, article IV **and RMU General Standards for sanitary sewer construction.**
- (b) Sanitary sewer lines shall be installed to serve all properties in the subdivision.
- ~~(c) A storm sewer system shall be constructed throughout the entire subdivision to carry off water from all inlets and catchbasins, and shall be connected to an adequate outfall as determined by the city staff. Such sewers shall provide for an extension to land lying within the upland drainage area, whether such land is within the subdivision or not. Storm sewers shall be designed by the Rational Method, and copies of the design computations shall be submitted with the plans. Inlets shall be provided so that surface~~

Moved to 86-121

~~water is not carried across or around any intersection, nor for a distance of more than 350 feet in the gutter. The stormwater drainage system shall be separate and independent of the sanitary sewer systems. Surface water drainage patterns shall be shown for each and every individual lot and block. The engineer shall design the stormwater management facility including stormwater detention in accordance with chapter 22, article XIII. The engineer shall submit all calculations for the determination of said drainage facility.~~

- (c) **Sanitary Sewer and water main construction shall be performed using methods and materials in strict accordance with Rochelle Municipal Utilities standards and/or specifications and the latest edition of Standard Specifications for Water and Sewer Main Construction in Illinois, however, special drawings or notes herein Rochelle Municipal Utilities standards and/or specifications take precedence.**
- (d) **Sanitary Sewer mains may be put in the parkway as long as there is trench backfill under sidewalks and paved areas.**

(Code 1996, § 16.20.040)

#### **Sec. 86-125. Water supply.**

- (a) All water main plans and installations, including all appurtenances thereto, shall conform to the standards and specifications in chapter 98, article III.
- (b) Water distribution facilities, including all pipes, fittings, hydrants, valves, vaults, etc., shall be installed to serve all properties within the subdivision.
- (c) **Sewer and Water main construction shall be performed using methods and materials in strict accordance with the Rochelle Municipal Utilities standards and/or specifications and the latest edition of Standard Specifications for Water and Sewer Main Construction in Illinois, however, special drawings or notes herein Rochelle Municipal Utilities standards and/or specifications take precedence.**

(Code 1996, § 16.20.050)

#### **Sec. 86-126. Street improvements.**

All streets shall be completely improved to the full right-of-way in accordance with the following requirements and standards:

- (1) The general street layout shall conform to that shown on the approved preliminary plat.
- ~~(2) Pavements shall be constructed in accordance with the minimum standards as shown in section 86-106.~~
- (2) **All street pavements shall be constructed in accordance with the design criteria for the various classes as established in the most recent edition of the Illinois Department of Transportation "Bureau of Local Roads and Streets Manual" and the "Bureau of Design and Environment Manual." The Rochelle Municipal Code shall prevail in those cases where there are conflicts with the above standards. Construction practices and materials used shall meet the requirements of the most recent edition of the "Standard Specifications for Road and Bridge Construction", adopted by the Illinois Department of Transportation, and the City of Rochelle standards and specifications. All curb, gutter, sidewalks and entrance approaches shall be constructed with appropriate openings and slopes in accordance with the Illinois Accessibility Code.**
- (3) **State-approved trench backfill material will be required when installing or constructing utilities within and a minimum of two feet outside the edge of**

pavement or back of curb, as well as under sidewalks and/or drives. All backfill operations and compaction methods must be approved by the city staff and performed in accordance with IDOT standards. In all cases where a backfill operation is conducted, the developer shall be responsible for any settlement for a period of two years. To insure the city of any failure the city shall retain the ~~bond~~ **surety** for the additional required time of **two years from the date of acceptance.**

- (4) All topsoil shall be removed from the core out and the core out approved by the city engineer prior to the placement of any aggregate base or embankment material.
- (35) **Combination concrete curb and gutter, Type M6-18, shall be constructed as part of the pavement.** ~~The curb and gutter shall be a M6-18 curb and shall be placed on a bed of four-inch compacted stone aggregate base as indicated on the standard drawing. Two No. 4 reinforcement bars shall be installed in the curb. The reinforcement bars shall run continuously for the entire length of the curb. The reinforcement bar shall be installed eight inches from the front and back of the curb and four and one-half inches from the bottom of the curb.~~
- (46) All pavement widths are measured back-to-back of curbs.
- (57) ~~Heavily traveled streets in industrial areas shall be considered on an individual basis and pavement designs shall be based on specific engineering data for each street.~~ **All frontage, local commercial and industrial, non residential collector and arterial streets shall be designed as an 80,000# Class II or Class I truck route as applicable. These streets shall be considered on an individual basis and pavement designs shall be based on specific engineering data for each street as approved by the City**
- (68) ~~The minimum curb radius at intersections of minor local streets shall be 20 feet; at intersections of minor streets and secondary streets, the minimum curb radius shall be 30 feet; and at intersections of secondary streets, the minimum curb radius shall be 40 feet; arterial streets shall be specifically designed.~~ **The minimum curb radius at street intersections shall be as shown on the Urban Section Street Standards Table 1.**
- (79) ~~All sidewalks shall be PC Concrete sidewalks shall be constructed per the Urban Section Street Standards Table 1 with a maximum of cross slope of 2%. four feet wide except that the city council may require wider sidewalks along arterial streets or in areas with higher pedestrian traffic and four inches in thickness, except where sidewalks cross driveways, a six-inch thickness will be required. The sidewalk shall be placed on a bed of four-inch compacted stone. Two No. 4 reinforcement bars shall be installed in the sidewalk. The reinforcement bars shall be 16inches from each edge of the sidewalk and centered in the depth of the concrete. The sidewalk shall be placed six inches off the property line.~~ **Concrete sidewalks shall be a minimum of four inches thick and shall be located within parkways one-half foot off the right-of-way lines unless otherwise approved by the City Engineer. Sidewalks constructed through driveway/approach areas should be a minimum of six inches thick on a four-inch compacted aggregate base. Through excavated trenches, two #4 re-bar, ten feet long, shall be centered in the sidewalk over the excavated areas. The sidewalk shall not be constructed until the house is built, unless the house is not completed during the two-year **surety** ~~bond~~ period. In that case the sidewalk shall be built before the release of the **surety** ~~bond~~.**

- (10) Shared Use paths may be constructed, along one side of a collector/arterial street and other suitable locations, as approved by the City. However, additional right-of-way and/or easements will be required as approved by the City. Shared use paths shall be located and designed in such a way as to limit possible conflict with driveway approaches. Pavement thickness shall be a minimum of 11 inches (11") thick consisting of an inch (8") compacted aggregate base and 3 inch (3") of Hot Mix Asphalt. The pavement width shall be a minimum of 10 feet (10') and the edge of pavement shall be located no less than three feet (3') off the right-of-way and or easement lines. The path cross slope shall not exceed 2%. Paths constructed through driveway/approach areas shall be concrete a minimum of six inches thick on a four-inch compacted aggregate base. Paths shall be completed during the two-year surety period unless an extension is granted by the City Council. Paths shall be striped and signed in accordance with the MUTCD and requirements for shared use paths.
- (11) Accessibility ramps shall be installed at all intersections between the street pavement and the sidewalk and/or shared use path. The ramp shall provide a consistent slope from the intersection of perpendicular sidewalks to the bottom of the detectable warning area. The ramp slope shall not exceed a 1:12 slope (1" per foot). A minimum four feet by four feet landing area shall be constructed at the intersection of perpendicular sidewalks with a maximum cross slope of 2%. The ramp shall be a minimum of 4 feet wide with concrete side flares. The side flares shall begin at the intersection of the ramp and the sidewalk shall be a minimum of 1 foot wide at the back of curb. There shall be a smooth transition between the ramp and the side flares. All ramps shall be PC concrete, six inches in thickness, with three No. 4 reinforcing bars installed the entire length of the ramp. Three No. 4 reinforcing bars shall also be installed between the curb and the ramp. The ramp shall include a premanufactured truncated dome detectable warning plate in accordance with the City standards. The detectable warning plates shall be powder coated yellow. The detectable warning area shall be a minimum of 24 inches by 48 inches (full width of ramp) and shall conform to the City standards. Furthermore, ramps shall conform to the applicable ADA and PROWAG specifications and standards on the public right of way.
- (812) Street signs and traffic control devices will shall be installed by the city in accordance with current City standards, and the subdivider developer will shall be required to pay for the costs, including labor and materials, for these installations.
- (913) Streetlights will shall be installed by the city at all intersections and cul-de-sacs and at other suitable locations along the streets in accordance with current city standards and the subdivider developer will shall be required to pay for the costs, including labor and materials, for these streetlight installations.
- (10) ~~A complete storm drainage system including appropriate stormwater retention and detention facilities shall be constructed throughout the subdivision. The storm drainage system must discharge into a storm sewer or drainageway with adequate capacity for the additional flow and adequate provisions must be made for surface overflow when the capacity of the storm drainage system is exceeded to ensure that buildings are not flooded or threatened by flooding, stormwater retention and detention facilities must be located on public lands with appropriate provisions for access and maintenance.~~

- (14) All parkways within the right-of-way shall be cleared of all stumps, rocks, trees that cannot be saved and construction debris and shall be graded with a minimum of four inches of topsoil, and seeded **and mulched**.
- ~~(12) Cul de sac turnabouts shall have a pavement width of not less than 90 feet in diameter.~~
- ~~(13)~~ **(15) Residential driveway** approaches shall be constructed of PC concrete, **a minimum of** six inches thick from the back of curb to the right-of-way line, on a four-inch compacted **aggregate** stone base, ~~except in commercial areas the approach pavement shall be designed based upon projected traffic figures.~~
- (16) To the extent possible all utility manholes and/or vaults should be located at or near the street center line.**

**Consideration shall be given to the Comprehensive Plan in the design and classification of streets. All streets shall be designed in accordance with the classifications of said streets by the planning and zoning commission. The classification shall be as specified in section 86-1 and as indicated in this section 86-106. The developer shall be responsible for the complete construction of all minor and secondary streets per the approved engineering plans. The city will construct all primary (arterial) streets as determined by the planning and zoning commission when the need and budget allows for the primary street to be developed. The city will also pay for the upsizing of the street from the minimums listed in this section 86-106. The upsizing required will be determined by the city staff. Reimbursement for such cost difference shall be made to the developer upon acceptance of such land improvements by the city council subject to budget and timing as may be in accordance with law and as may be agreed on by the developer and the city, all in accordance with section 86-50. If the oversizing of improvements is required by the City, the cost sharing for those improvement will be consistent with Section 86-50.**

The structural design number shall be used to determine the thickness required for the base and surface of any particular street. To obtain the structural design factor, the following table shall be used in conjunction with the materials used:

TABLE INSET:

Aggregate base course type B	0.13 per inch
<del>Bituminous concrete C1</del> <b>Hot mix asphalt</b>	0.33 per inch
PC concrete	0.40 per inch

**If any other materials are used, the structural design number will be the same as that approved by the Illinois department of transportation and subject to the approval of the City Engineer. As part of the structural design, the hot mix asphalt bituminous surface shall be a minimum thickness of four three inches. The surface shall be placed in a minimum of two lifts. The binder lift shall be placed in year one and the surface during year two. This will allow for corrective action and provide a better finished surface. The final lift or binder surface shall not be placed until after one winter or as approved by the city staff.**

Street standards are as follows:

TABLE 1. URBAN SECTION STREET STANDARDS

**TABLE INSET:**

Type of Street	(A) Min. ROW Width (feet)	(B) Min. St. Width (feet) (5)	(C) Min Struc No. (7) (8) (9)	(D) Min. Soil Support (IBR)	(E) Min. Rad Horz Curve (feet)	(F) Min. Lngth Vert Curve (feet)	(G) Min Tang Between Reverse Curve (feet)	(H) Max Gradient (%)	(I) Min Gradient (%)	(J) Min Clear Sight Distance along street (feet)	(K) Min Cu Radius Street Interse (feet)
<b>Residential (9)(13)</b>											
Alley (6)	25	18 (6)	2.60	3	100	50	25	7.0	0.5	100	20
Cul-de-sac (2)(10)	120	90 dia.	2.60	3	N/A	50	25	7.0	0.5	100	20
Local <1200' in length(3)(10)	60	31	2.60	3	200	100	50	7.0	0.5	150	20
Local >1200' in length(3)(10)	66	42	2.60	3	200	100	100	7.0	0.5	200	25
Collector (2)(11)(12)	80	42	2.90	3	300	150	150	7.0	0.5	250	30
<b>Industrial (4)(7)(8)(11)(14)</b>											
Local <1300' in length	80	31	4.20	3	300	100	150	7.0	0.5	300	40
<b>Commercial (4)(11)(12)</b>											
Local <1000' in length	80	31	3.50	3	200	100	100	7.0	0.5	300	30
<b>Collector (4)(8)(11)(12)(14)</b>	80	42	4.20	3	400	200	200	7.0	0.5	400	40
<b>Arterial (4)(8)(11)(12)(14)</b>											
4 lane divided with shoulders & 20' median	120	84	5.20	3	500	300	200	7.0	0.5	400	40
4 lane urban not divided	100	67	5.20	3	500	300	200	7.0	0.5	400	40
2 lane urban	100	33	4.70	3	500	300	200	7.0	0.5	400	40
<b>Frontage Roads (4)(7)(8)(10)</b>	80	31	3.50	3	300	200	100	7.0	0.5	400	30

- (1) Where mixed zoning uses abut the same street, the stricter standards shall be the minimum standards at which said street is constructed.
- (2) Parking may be prohibited at some or all locations along the street.
- (3) No Parking permitted on one side of street.
- (4) No Parking permitted on either side of street.
- (5) All streets widths are measured back to back of curb.
- (6) No curb and gutter required. However, the City may require curb and gutter in new developments and/or subdivisions.
- (7) All frontage roads, industrial, non residential collector and arterial streets shall be designed as an 80,000# Class II or Class I truck route as applicable.
- (8) As a part of the minimum structural pavement design the total hot mix asphalt and/or PCC pavement thickness shall be no less than 8 inches.
- (9) As a part of the minimum structural pavement design the hot mix asphalt surface shall be a minimum of 4 inches in residential areas.
- (10) Minimum four foot wide sidewalks shall be installed along each side of the street in accordance with the standard details.
- (11) Minimum five foot wide sidewalks shall be installed along each side of the street in accordance with the standard details.
- (12) Shared use paths may be allowed in lieu of sidewalks on one side. Additional right of way and/or easements may be required for shared use paths.
- (13) Street to be marked/signed as a NO Truck Route.
- (14) Street to be marked/signed as a Truck Route. However, the route shall end where mixed zoning uses occur as required by the City.

- (A) Minimum right of way width. The width at intersections shall be increased as required by the improvement or as may be required by the City.
- (B) Minimum Street pavement width. Width at radii, intersections or along turn lanes shall be increased as required by the City.
- (C) Minimum Structural Number.
- (D) Minimum Soil Support Number. Additional stabilized subbase treatments may be required by the City.
- (E) Minimum Radius of Horizontal Curve (as measured along the centerline).
- (F) Minimum Length of Vertical Curve (as measured along the centerline).
- (G) Minimum Tangents between Reverse Curves (as measured along the centerline).

(H) Maximum Gradient (as measured along the centerline).

(I) Minimum Gradient (as measured along the centerline).

(J) Minimum Clear Sight distance. Sight distance easements may be required.

(K) Minimum curb radius at intersections. WB 65 vehicles shall be used in intersection design for all non residential street uses as required by the City.

(L) Projected ADT and traffic factor determination shall be for a 20 year Design Period.

(Code 1996, ch. 16.16)

(Code 1996, § 16.20.060)

### **Sec. 86-127. Storm sewer improvements.**

**A storm sewer system shall be constructed throughout the entire subdivision to transport carry-off water from all inlets and catchbasins, and shall be connected to an adequate outfall as determined by the city staff. Such sewers shall provide for an extension to land lying within the upland drainage area, whether such land is within the subdivision or not. Storm sewers shall be designed by the Rational Method, and copies of the design computations shall be submitted with the plans. Inlets shall be provided so that surface water is not conveyed carried across or around any intersection, nor for a distance of more than 350 feet in the gutter. The stormwater drainage system shall be separate and independent of the sanitary sewer systems. Surface water drainage patterns shall be shown for each and every individual lot and block. The engineer shall design the stormwater management facility including stormwater detention in accordance with chapter 22, article XIII. The engineer shall submit all calculations for the determination of said drainage facility.**

- (401) A complete storm drainage system including appropriate stormwater retention and detention facilities shall be constructed throughout the subdivision. The storm drainage system must discharge into a storm sewer or drainageway with adequate capacity for the additional flow and adequate provisions must be made for surface overflow when the capacity of the storm drainage system is exceeded to ensure that buildings are not flooded or threatened by flooding, stormwater retention and detention facilities must be located on public lands with appropriate provisions for access and maintenance.**
- (2) All storm sewer pipe shall be reinforced concrete pipe conforming to ASTM C-443 or approved equal of the class and type as required. Prior approval must be obtained if the material is proposed to be other than reinforced concrete. In no case shall the material be used if not approved by the Illinois state Department of Transportation.**
- (3) All curb inlets shall be a Type A or Type B Inlet Special No. 1 (2'x3' inside dimension) and/or No. 3 (4'x4' or 6'x6' inside dimension) as specified on the City's standard drawings. Inlets shall be placed no further than 350 feet apart and more often if required by the your engineering drainage study. Storm Manholes, Type A, may be allowed in special circumstances as approved by the City Engineer.**
- (4) A supplemental drain tile line shall be installed to facilitate a discharge point for sump pumps. This tile shall be connected to a part of the storm sewer system via an inlet or catch basin for a proper outlet as approved by the City Engineer. The size of the tile shall be a minimum of four inches and enlarged as determined by the number of hookups. Easements shall be provided these drain tile lines.**
- (5) The stormwater management facilities shall be developed in accordance with Chapter 22, Article XIII. The developer shall submit the stormwater**

management plan for the entire property being developed even if consideration at this time is only a small portion of the whole. The plan shall also include on-site and offsite drainage to ensure that the proposed subdivision does not have an adverse impact on drainage for the adjoining tributary and propertyies of the watershed. Drainage easements, a minimum of 20 feet in width, shall be provided for all overflow, bypass, and/or storm sewer routes.

- (6) The developer's engineer shall include in the land improvements plans (for review by the city) the following:
- a Existing contours, at two-foot intervals, of entire property with elevation based on USGS datum;
  - b Proposed contour of developed area with spot elevations at the corners of each lot, and building first floor elevation;
  - c Drainage patterns of each lot with outlet for all surface water;
  - d Finish grade of lot (at and/or top of foundation) shall not exceed 18 inches above the curb, not less than 12 inches 8% above the top of the curb measured at the driveway location; other requirements for development in special flood hazard areas may exist
  - e ~~Storm sewer system~~ Major and minor stormwater facilities, including but not limited too, storm sewers, overland flow paths and other conveyance systems must be designed to properly handle all runoff. The subdivider's engineer must submit all necessary calculations in accordance with chapter 22 of the code;
  - f ~~Retention and/or detention requirements. Overflow, outfall, allowable discharge control and bottom treatment must be included with the plans.~~ Major and minor stormwater facilities, retention and/or detention site runoff storage facilities, overflow, outfall structures, allowable discharge control, bottom treatments shall be in accordance with chapter 22 of the code.

(Code 1996, § 16.44.060)

#### **Sec. 86-128. Landscaping.**

A landscaping plan design in accordance with Chapter 110, Article VI shall be delivered submitted on the same date and be on the same review schedule as the engineering plans.

(Code 1996, § 16.44.070)

Secs. 86-1279--86-150. Reserved.

### **DIVISION 4. FINAL PLAT**

#### **Sec. 86-151. Requirements generally.**

The final plat shall show the information required by this division. The final plat shall be accompanied by a properly executed checklist as set forth in section 86-183.

(Code 1996, § 16.24.010)

#### **Sec. 86-152. Conformance with statutory provisions; drawing specifications.**

- (a) Final plats shall conform to all statutory provisions pertaining to plats.
- (b) All information required shall be shown accurately, drawn with waterproof India ink on

mylar, or equal, in a manner that clear and legible contact prints or photostatic copies may be made. Two computer disks compatible with the city's operating system are also required.

(Code 1996, § 16.24.020)

**Sec. 86-153. Required information.**

Additional delineation shall be required on the final plat as follows:

- (1) Accurate angular and lineal dimensions for all lines, angles, and curvatures with functions used to describe all boundaries including perimeter survey of tract, streets, easements, areas to be reserved for public use, and other important features. Error of closure of boundary line surveys shall not exceed one in 100,000 (one foot for each 100,000 feet of perimeter survey). Lot lines to show dimensions in feet and hundredths, and when an angle occurs in any lot line between lot corners the measurement of the angle shall be shown;
- (2) Lots to be consecutively numbered in any subdivision and street names to show continuity in the community and be approved by planning and zoning commission;
- (3) True angles and distances to the nearest established street lines and official monuments (not less than three), which shall be accurately described in the plat by location and size;
- (4) Municipal, township, county, or section lines and section corners accurately tied to lines of the subdivision by distances and angles;
- (5) Accurate location of all monuments which shall be Portland cement concrete four inches by four inches by 24 inches, or approved equal, with a one-half-inch diameter iron rod cast in the center. Permanent stone or concrete monuments shall be set at each corner or angle on the outside boundary. Pipes of one-inch diameter or steel rods of five-eighths diameter, by 30-inch lengths, shall be placed at the corners of each lot and block, at angle points, and at the ends and suitable intervals along curves. All U.S., state, county, city, or other official benchmarks, monuments, or triangulation stations in or adjacent to the property shall be preserved in precise position;
- (6) Accurate outlines and legal descriptions of any area to be dedicated or reserved for public use, or for the exclusive use of property owners within the subdivision, with the purposes indicated thereon;
- (7) Protective covenants shall be lettered on the final plat, or appropriately referenced thereon. The enforcement of these covenants shall be the responsibility of the homeowners' association.

(Code 1996, § 16.24.030; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-154. Certificates.**

Appropriate certificates are as follows:

- (1) *Surveyor's certificate.*

**SURVEYOR'S CERTIFICATE**

**TABLE INSET:**

STATE OF ILLINOIS	)
	) SS
COUNTY OF	)

This is to certify that I, \_\_\_\_\_ Illinois Land Surveyor No. \_\_\_\_\_ surveyed and subdivided the following described property:

I further certify that (no) (a) part of the property covered by \_\_\_\_\_ is located within a special flood hazard area as identified by the Federal Emergency Management Agency.

Given under my hand and seal at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20. \_\_\_\_\_

(Seal)

(2) *Owner's certificate.*

OWNER'S CERTIFICATE

TABLE INSET:

STATE OF ILLINOIS	)
	) SS
CITY OF	)

We, \_\_\_\_\_, Owners certify the lands there represented on the plat hereon, do certify that the said plat was prepared at our request and under our direction by, \_\_\_\_\_, IL Registered Land Surveyor for the firm of \_\_\_\_\_. After said lands were duly surveyed by said surveyor, the corners of said lots were marked by substantial iron pins. The parts of the said lands described as streets are hereby dedicated to the City of Rochelle, for use as streets by the public in accordance with the laws of the State of Illinois, governing and controlling the dedication of and uses of ordinance adopted by the City of Rochelle, State of Illinois and those described as follows:

The following protective covenants regulating the use of the property shown hereon are hereby submitted without reservation:

(Covenants)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

(3) *Notary certificate.*

NOTARY CERTIFICATE

TABLE INSET:

STATE OF ILLINOIS	)
	) SS
COUNTY OF	)

I, \_\_\_\_\_, a notary public, in and for said County, in the state aforesaid, a notary public, do hereby and certify that \_\_\_\_\_, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledged that they signed and delivered the annexed plat as their own free and voluntary act for the uses and purposes therein set forth. Given under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_, Illinois.

Notary Public:

(Seal)

My Commission Expires On

(4) *County clerk tax certificate.*

### COUNTY CLERK TAX CERTIFICATE

TABLE INSET:

STATE OF ILLINOIS	)
	) SS
COUNTY OF OGLE	)

I, \_\_\_\_\_, County Clerk of Ogle County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid forfeited taxes and no redeemable tax sales against any of the land included in the annexed plat.

I further certify that I have received all statutory fees in connection with the annexed plat.

Given under my hand and seal at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(Seal)

County Clerk:

(5) *Certificate as to special assessments.*

### CERTIFICATE AS TO SPECIAL ASSESSMENTS

TABLE INSET:

STATE OF ILLINOIS	)
	) SS
COUNTY OF OGLE	)

I do hereby certify that there are delinquent or unpaid current or forfeited social assessments or any deferred installments thereof that have not been apportioned against the tract of land included in the plat. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, Illinois.

Collector of Special Assessments:

(6) *Planning and zoning commission certificate.*

### PLANNING AND ZONING COMMISSION CERTIFICATE

TABLE INSET:

STATE OF ILLINOIS	)
	) SS
COUNTY OF OGLE	)

We, the undersigned members of the **Planning And Zoning** Commission for the City of Rochelle, hereby approve the Plat of \_\_\_\_\_ to the City of Rochelle as set forth above and hereon.

Given under our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

President:

Secretary:

(7) *City engineer certificate.*

#### CITY ENGINEER CERTIFICATE

##### TABLE INSET:

STATE OF ILLINOIS	)
	) SS
COUNTY OF OGLE	)

I, \_\_\_\_\_, do hereby certify that the required improvements have been installed, ~~or the required improvements have been installed,~~ or the required guarantee **surety** bond has been posted for the completion of all required land improvements. Dated at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(Seal)

City Engineer:

License Number:

(8) *City council acceptance resolution.*

#### CITY COUNCIL ACCEPTANCE RESOLUTION

##### TABLE INSET:

STATE OF ILLINOIS	)
	) SS
COUNTY OF OGLE	)

WHEREAS, \_\_\_\_\_, Owners of the land shown hereon have caused same to be subdivided and platted as shown, and,

WHEREAS, the said land lies within the Corporate Limits of the City of Rochelle, Ogle County, Illinois.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rochelle that the plat hereon be accepted and approved subject to the provisions of all applicable Ordinances of the City of Rochelle.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

City Clerk:

Mayor:

(9) *Engineer and owners drainage certificate.*

ENGINEER AND OWNERS DRAINAGE CERTIFICATE

TABLE INSET:

STATE OF ILLINOIS	)
	) SS
COUNTY OF OGLE	)

Pursuant to 765 ILCS 205/2, we hereby certify that to the best of our knowledge and belief, the drainage of surface water will not be changed by the construction of this subdivision or any part thereof, or that if such surface water drainage will be changed, adequate provision has been made for the collection and diversion of such surface water into water retention areas, public use areas, or drains which the subdivider has the right to use, and that such surface waters will not be deposited on the property of adjoining lands in such concentrations as may cause damage to the adjoining property because of the construction of the subdivision. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Professional Engineer:

(Seal)

Owner:

(10) *County recorder's certificate.*

COUNTY RECORDER'S CERTIFICATE

TABLE INSET:

STATE OF ILLINOIS	)
	) SS
COUNTY OF OGLE	)

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock in Book \_\_\_\_\_ of Plats, Page \_\_\_\_\_ and examined. Microfilm Number \_\_\_\_\_, Document Number \_\_\_\_\_.

County Recorder:

(Code 1996, § 16.24.040)

Secs. 86-155--86-180. Reserved.

**Sec. 86-181. Preliminary plat checklist.**

The preliminary plat checklist is set forth as follows:

Name of Subdivision:

Date of Submission:

Due Date of Recommendation (45 Days):

NOTE: To properly execute this checklist, the subdivider or his engineer shall:

- A. Insert the required information.
- B. Denote compliance with applicable ordinances by placing his initials in all spaces where applicable.
- C. Denote those items which the subdivider considers "not applicable" to this particular subdivision by the abbreviation "N.A."
  1. Ten copies of preliminary plat submitted.
  2. Plats are on 22-inch by 34-inch or 24-inch by 36-inch sheets.
  3. Plat scale is not less than one inch to 100 feet.
  4. A title sheet is included with each set of preliminary plats.
  5. Name of proposed subdivision is shown.
  6. Location given by town, range, section, or other legal description.
  7. Name and address of owner, trust, corporation or subdivider having control of project is shown.
  8. Name and seal of registered engineer or surveyor who prepared topographic survey is shown.
  9. Name and address of the designer of the plat is shown.
  10. North direction is shown.
  11. Date of preparation and date of revision, if any, is shown.
  12. A location map is included indicating:
    - a. A scale of not less than one inch to 1,000 feet;
    - b. Boundary lines of adjoining land within an area bounded by the nearest arterial streets or other natural boundaries;
    - c. Use of surrounding land;
    - d. Ownership of the surrounding land;
    - e. Alignment of existing streets;
    - f. Section and corporate lines.
  13. Boundary line of proposed subdivision is clearly shown.
  14. Total approximate acreage is shown.
  15. Existing zoning classification is indicated.
  16. The following existing items, if within the boundaries of the subdivision, or located 100 feet or less outside the boundaries, are shown:
    - a. Previously platted streets and other right-of-ways, with improvements, if any, indicating:
      1. Location.
      2. Widths.
      3. Names.
    - b. Railroad rights-of-way:
      1. Location.
      2. Dimensions.
    - c. Utility rights-of-way:
      1. Location.
      2. Width.
      3. Type:
        - a. Sewer.
        - b. Water.
        - c. Gas.
        - d. Telephone.
        - e. Electric.
        - f. Other.
    - d. Parks and other open spaces indicating:

1. Location.
2. Area.
- e. Easements, indicating:
  1. Location.
  2. Width.
  3. Purpose.
- f. Existing buildings and structures, indicating:
  1. Location.
  2. Setback lines.
  3. Names of owners.
- g. Existing sanitary sewers, indicating:
  1. Location.
  2. Size.
  3. Manholes.
  4. **Rim and** invert elevations at manholes.
- h. Existing water mains, indicating:
  1. Location.
  2. Size.
  3. Valves, indicating:
    - a. Valve manhole; or
    - b. Valve box.
  4. Fire hydrants and auxiliary valves.
- i. Culverts indicating:
  1. Type.
  2. Location.
  3. Size.
  4. Invert elevations.
- j. Storm sewers, indicating:
  1. Location.
  2. Size.
  3. Catchbasins.
  4. Invert elevations.
- k. Watercourses, indicating:
  1. Type.
  2. High-water width and elevation.
  3. Width of easement.
  4. Location of easement.
- l. Marshes, indicating:
  1. Location.
  2. Dimensions.
  3. Soil bearing capacity.
- m. Rock outcrops, indicating:
  1. Location.
  2. Dimensions.
- n. Monuments and survey markers, indicating:
  1. Location.
  2. Type.
- o. Legal wetlands:
  1. Location.
  2. Type.

17. The topographic area is given in feet above mean sea level within the tract and to a distance of 100 feet beyond, indicating:
  - a. Existing contours at vertical levels of not more than two feet.
  - b. Proposed contours at vertical intervals of not more than two feet.
  - c. Bench mark tied to USGS, indicating:
    1. Location.
    2. Description.
    3. Elevation.
18. Soil bearing data is given, if required by the city engineer, indicating:
  - a. Location of tests.
  - b. Depth of tests.
  - c. Soil bearing capacity.
  - d. Moisture content.
19. The following proposed items, if within the boundaries of the subdivision or located 100 feet or less outside of the boundaries, are shown:
  - a. Layout of streets, indicating **in accordance with Table 1. Urban Section Street Standards**:
    1. ~~Secondary (collector) streets, indicating:~~
      - a. ~~74 foot right of way width.~~
      - b. ~~45 foot roadway width, back to back of curbs.~~
    2. ~~Minor streets, indicating:~~
      - a. ~~66 foot right of way width.~~
      - b. ~~37 foot roadway width, back to back of curbs.~~
    3. ~~Cul de sac streets, less than 1,000 feet, indicating:~~
      - a. ~~60 foot right of way width.~~
      - b. ~~31 foot roadway width, back to back of curbs.~~
      - c. ~~The length does not exceed 500 feet unless there are less than 16 lots abutting the cul de sac street.~~
      - d. ~~Terminus is circular, or nearly so, and right of way is at least 120 feet in diameter.~~
      - e. ~~Terminus roadway width is 90 feet in diameter.~~
    14. Through street shown extended to boundaries of subdivision.
    25. Stormwater runoff pattern on paving.
  - b. Names of streets:
    1. Not duplicating the name of any street heretofore used in the city or its environs, unless the street is an extension of any already existing street, in which case the name shall be used.
    2. Streets are to run north and south.
    3. Avenues are to run east and west.
  - c. Utility easements:
    1. Located at the rear or front of each lot and other necessary locations.
    2. Not less than ten feet in width on each lot.
    3. Purpose is indicated.
    4. Stormwater runoff is indicated.
  - d. Pedestrian ways, when required, indicating:
    1. Location at approximately the center of blocks in excess of 900 feet in ~~width~~ **length**.
    2. **Easement or right of way width** not less than ten feet.
  - e. Block layout, indicating:
    1. Blocks do not exceed 1,200 feet in length.

2. Additional access ways to parks, schools, etc., are shown in accordance with the plan commission's requirements.
  3. Blocks fit readily into the overall plan of the subdivision, with due consideration given to:
    - a. Topographical conditions.
    - b. Lot planning.
    - c. Traffic flow pattern.
    - d. Public open space areas.
  4. Block numbers.
  5. Blocks intended for commercial, industrial, or institutional use are so designated.
- f. Lot layout, indicating:
1. Lot dimensions.
  2. Lot areas, not less than those stipulated in the appropriate district regulations of the zoning ordinance (areas may be listed by schedule).
  3. Building setback lines shown and properly dimensioned.
  4. Proposed land use.
  5. Lot numbers.
  6. Corner lots are sufficiently larger than interior lots to allow maintenance of building setback lines on both street frontages and still allow a buildable width equal to that of the smallest interior lot in the block (minimum width 90 feet).
  7. All lots abut a publicly dedicated street for a distance not less than the minimum width of the lot.
  8. Lots are as nearly rectangular in shape as is practicable.
  9. Lots are not less than 100 feet in depth, nor 70 feet in width (at setback).
  10. Lot lines are substantially at right angles to the street lines and radial to curved street lines.
  11. Double frontage lots only where:
    - a. Lots back upon an **primary arterial** street and front on an access street.
    - b. Topographic or other conditions make subdividing otherwise unreasonable.
    - c. Lot can be made an additional 20 feet deeper than average.
    - d. A protective screen planting is indicated on one frontage.
  12. Lots abutting or traversed by a watercourse, drainageway, channel, or stream, indicate:
    - a. Additional width and depth to provide an acceptable building site.
    - b. Width of easement is at least 15 feet wider on each side of watercourse at high-water level.
  13. Due regard for natural features, such as:
    - a. Trees.
    - b. Watercourses.
    - c. Historic items.
    - d. Other similar conditions.
- g. Areas intended to be dedicated for public use, indicating:
1. Plan conforms to general development plan of the city.

2. Purpose.
3. Acreage.
- h. Source of domestic water supply, indicating:
  1. Connection to existing water mains.
  2. Location of site for community water plant.
- i. Provision for sewage disposal, indicating:
  1. Connection to existing sanitary sewer mains.
  2. Location of site for community sewage disposal plant.
- j. School sites, indicating:
  1. Location.
  2. Dimensions.
  3. Acreage.
- k. Topographic information, indicating:
  1. Proposed changes in elevation of land show that any flooding would be relieved.
  2. Adequate installation of storm sewers would remove the possibility of flooding.
  3. Drainage calculations.
- l. Sanitary sewer layout, indicating:
  1. Location.
  2. Size.
  3. Rim and invert elevations at manholes.
  4. Manhole locations.
- m. Water main layout, indicating:
  1. Location.
  2. Size.
  3. Looped pattern where practicable.
  4. Fire hydrants at every intersection, and not more than 400 feet apart in residential subdivisions.
  5. Valve locations.
- n. Storm sewer layout, indicating:
  1. Location.
  2. Catchbasins at not more than 350-foot intervals.
  3. Stormwater is not carried across or around any intersection.
  4. Surface water drainage pattern for each individual lot and block.
  5. Tile for sump pump along front or rear.
- o. Streetlight layout, indicating locations and typical streetlight detail along with photometric plan.
20. An outline of proposed covenants accompanies the plans, indicating the intention of the subdivider to have the covenants recorded with the final plat.
21. Typical street cross section, showing base construction, surfacing, concrete curb and sidewalk in accordance with the land improvements ordinance.
22. Indication that sidewalks will be installed along all lot lines coincidental with street rights-of-way.
23. Indication on drawings or by certificate that subdivider is aware of his responsibility for installation of street signs.

Completed by:

Name:

Address:

Date:

(SEAL) IRP Engineer:

License Number:

Date:

Considered by Plan Commission on:

Date:

Chairman:

(Code 1996, § 16.36.010)

**Sec. 86-182. Engineering plan checklist.**

The checklist for engineering plans is set forth as follows:

Name of Subdivision:

Date of Submission:

Due Date:

NOTE: To properly execute this checklist, the subdivider or his engineer shall:

A. Insert the required information.

B. Denote compliance with applicable ordinances by placing his initials in all spaces where applicable.

C. Denote those items which the subdivider considers "not applicable" to this particular subdivision by the abbreviation "N.A."

1. Plans have been submitted within 12 months of the date of approval by the city council of the preliminary plat.
2. Ten copies of engineering plans submitted.
3. Plans are on 22-inch by 34-inch sheets.
4. A title sheet is included with each set of plans, and includes:
  - a. Name of subdivision and unit number.
  - b. Type of work covered.
  - c. Location map showing relation of area to be improved to streets.
  - d. An index of sheets.
  - e. A summary of quantities.
  - f. Name, address, and seal of registered engineer preparing the plans.
  - g. Date of preparation and revisions, if any, is shown.
5. Plan and profiles:
  - a. Horizontal scale is no less than one inch to 50 feet.
  - b. Vertical scale is no less than one inch to five feet.
6. Cross sections: Horizontal and vertical scales are no less than one inch to ten feet.
7. North direction is shown for each separate plan view.
8. An adequate number of benchmarks are shown with elevations referenced to USGS, to facilitate checking of elevations.
9. Delineation is shown of all easements necessary to serve all lots with underground and overhead utilities, and to allow for perpetual maintenance of these facilities.
10. Sanitary sewer plans and specifications are complete and conform to the city standards and requirements and denote all of the following:
  - a. All properties in the subdivision are served and house service connections are provided.
  - b. The minimum size main is eight inches I.D.

- c. The plan conforms to the overall city plan for any trunk sewers traversing the subdivision.
- d. The distance between manholes does not exceed 400 feet **except in commercial developments with larger sized sewers, manholes may be further than 400 feet apart.**
- e. The invert elevation of each manhole is shown.
- f. The grade of each section of sewer is shown by percentage in accordance with accepted engineering practice.
- g. Extra strength pipe and extra strength manhole wall construction is specified and shown on the plans and in the estimate of quantities where the depth of installation exceeds 12 feet.
- h. Profile of existing and proposed ground surfaces.
- i. Risers are shown for individual house service laterals where depth of main exceeds 12 feet.
- j. Pipe joints are of permitted type.
- k. Minimum manhole cover weights are correct:
  - 1. 540 pounds in secondary (collector) streets.
  - 2. 400 pounds in minor and cul-de-sac streets.
  - 3. 335 pounds in rear lot easements.
- l. Specifications must include provisions for testing:
  - 1. **Air testing for infiltration and exfiltration.**
  - 2. **Manhole Vacuum testing.**
  - 3. **Testing for deflection (mandrel testing)**
- m. **RMU Sewer Construction standards and details are to be included.**

11. An application for a state environmental protection agency permit for the sanitary sewer extension accompanies the plans.

12. Water distribution plans and specifications are complete and conform to city requirements and include all of the following:

- a. All properties in the subdivision are served and provisions are made for service connections within the property lines.
- b. The minimum size main is six inches I.D.
- c. The plan conforms to the city's overall plan for any trunk lines which might traverse the subdivision.
- d. Valve and hydrant spacing and location conform to the city's standards.
- e. Material and joint specifications comply with the city's standards.
- f. Specifications include provisions for testing:
  - 1. **Pressure testing.**
  - 2. **Sterilization of all new water distribution facilities.**
- g. **RMU Water Main Construction standards and details are to be included.**

13. An application for a state environmental protection agency permit for the water main installation accompanies the plans.

14. Street plans, including storm sewers, are complete and conform to city requirements, and include all of the following:

- a. The location of streets and width of pavements conform to those indicated on the approved preliminary plat.

- b. Plan shows curb, gutter and sidewalk locations, and includes the following information:
    - 1. Corner curb radius is not less than 20 feet.
    - 2. Curve data for all horizontal curves.
    - 3. Direction of flow along all curbs.
    - 4. No surface water is carried across or around any street intersection, nor for a distance greater than 350 feet.
  - c. Cross sections are submitted as necessary to indicate feasibility of proposed street elevations in relation to adjacent lot elevations, and include sidewalk location.
  - d. Profiles are submitted for all paving centerlines and storm sewers and indicate:
    - 1. Catchbasin invert elevations.
    - 2. Minimum pipe size is 12 inches I.D. (except that a lead from a single inlet may be ten inches I.D.).
    - 3. The grade of each section of sewer is shown by percentage in accordance with accepted engineering practice.
    - 4. Storm sewer elevations do not conflict with any other underground utilities.
    - 5. Storm sewer is connected with an adequate outfall.
    - 6. Curve data is given for vertical road curves.
  - e. The storm sewer system is designed to provide sufficient capacity for the draining of upland areas contributing to the stormwater runoff on the street.
    - 1. Storm sewer design computations are submitted with plans.
  - f. A surface water drainage pattern is shown for each block.
  - g. Material specifications comply with city standards and include:
    - 1. Paving base materials.
    - 2. Paving surface materials.
    - 3. Concrete.
    - 4. Pipe materials.
    - 5. Backfill material.
  - h. Typical cross sections and details include the following:
    - 1. Secondary (collector) street.
    - 2. Minor or cul-de-sac street.
    - 3. Concrete curb and gutter.
    - 4. Concrete sidewalk.
    - 5. Standard manhole.
    - 6. Standard cover.
    - 7. Catchbasin.
15. Street light plans are complete and include the following:
  - a. Pole locations.
  - b. Spacing.
  - c. Easements for wires.
16. Parkway improvement specifications are complete and include provisions for:
  - a. Removal of stumps, trees that cannot be saved, boulders and all other similar items.
  - b. Grading, installation of topsoil, and seeding or sodding.
17. Street signs are shown to be installed, at all street intersections not previously marked.

Completed by:

Name:

Address:

(Seal) Reviewed by:

Date IRP Engineer:

License Number:

Date:

Considered by Planning and Zoning Commission on Date:

Chairman:

(Code 1996, § 16.36.020; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

**Sec. 86-183. Final plat checklist.**

The final plat checklist is set forth as follows:

Name of Subdivision:

Date of Submission:

Due Date of Recommendation (45 days):

NOTE: To properly execute this checklist, the subdivider or his engineer shall:

A. Insert the required information.

B. Denote compliance with applicable ordinances by placing his initials in all spaces where applicable.

C. Denote those items which the subdivider considers "not applicable" to this particular subdivision by the abbreviation "N.A."

1. Plat has been submitted prior to expiration of the preliminary plat approval.
2. Engineering plan has been submitted.
3. One original drawing of the final plat has been submitted.
4. Three transparency prints of the final plat has been submitted.
5. Ten copies of the final plat have been submitted on mylar and two copies of the final plat on computer disks.
6. Plat is drawn with waterproof India ink on heavy linen tracing cloth or equal.
7. North direction is shown.
8. Scale is shown (minimum one inch equals 100 feet).
9. Section corners and section lines are accurately tied into subdivision by distances and angles.
10. Official survey monuments are shown as required.
11. All necessary easements are shown and dimensioned.
12. Building setback lines are shown and dimensioned in accordance with the zoning ordinance.
13. Lot areas are in accordance with the applicable zoning regulations.
14. Street names are shown.
15. Areas to be dedicated or reserved for public use are shown and described and the purpose is designated.
16. Protective covenants are lettered on the plat or are appropriately referenced.
17. Required certificates are shown and signed, including:
  - a. Surveyor's certificate (including legal description).
  - b. Owner's certificate.
  - c. Notary certificate.
  - d. County clerk certificate.
  - e. Certificate as to special assessments.
  - f. Planning and zoning commission certificate.
  - g. City engineer certificate.
  - h. City council certificate.
  - i. Engineer's and owner's drainage certificate.
  - j. County recorder's certificate.

18. The following items have been submitted with the final plat:
- a. Detailed specifications for all required land improvements not previously submitted and approved with the engineering plans.
  - b. A copy of the state environmental protection agency permit for sanitary sewer installation.
  - c. A copy of the state environmental protection agency permit for water main installation.
  - d. An affidavit by the subdivider acknowledging responsibility for the proper installation of all required land improvements.
  - e. A certified estimate of cost of all required land improvements prepared by a registered engineer.
  - f. A description of the bond or guarantee collateral intended to be submitted after contingent approval is granted by the city council.

Completed by:

Name:

Address:

Date:

(Seal) Reviewed by:

IRP Engineer:

License Number:

Date:

Considered by Planning and Zoning Commission on Date:

Chairman:

(Code 1996, § 16.36.030; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)

Secs. 86-184--86-200~~30~~. Reserved.

## **ARTICLE IV. ~~LAND IMPROVEMENTS~~**

### **~~Sec. 86-201. Generally.~~**

~~(a) The following standards and specifications set forth in this article outline the minimum requirements of the city. The standard specifications are covered under six primary headings of:~~

- ~~(1) Sanitary sewers;~~
- ~~(2) Water mains;~~
- ~~(3) Street construction;~~
- ~~(4) Stormwater management;~~
- ~~(5) Landscaping;~~
- ~~(6) Lands for parks and schools.~~

~~(b) The standard specifications are followed by a series of general specifications which outline in detail the materials to be used and the methods to be followed in accomplishing the work.~~

~~(Code 1996, § 16.44.010)~~

### **~~Sec. 86-202. Applicability.~~**

~~(a) In cases of conflict, the special provisions shall take precedence over the standard specifications.~~

~~(b) Sewer and water main construction shall be performed using methods and materials in strict accordance with the latest edition of Standard Specifications for Water and Sewer~~

Moved to 86-124 (c) & 86-125 (c)

~~Main Construction in Illinois, however, special drawings or notes herein take precedence.~~

~~(Code 1996, § 16.44.020)~~

**~~Sec. 86-203. Sanitary sewer construction.~~**

~~Sanitary sewer design and construction shall be in accordance with chapter 98, article IV.~~

~~(Code 1996, § 16.44.030)~~

**~~Sec. 86-204. Water main construction.~~**

~~Water main design and construction shall be in accordance with chapter 98, article III.~~

~~(Code 1996, § 16.44.040)~~

**~~Sec. 86-205. City streets.~~**

~~The standard specifications for street construction referred to herein is the latest edition of the Standard Specifications for Road and Bridge Construction of the Illinois Department of Transportation, and the supplemental specifications adopted thereafter, and all recurring special provisions. The following special provisions are to be considered as a part of these standards and specifications and if a conflict arises, the following special provisions will govern.~~

~~(1) — *Design generally; payment of costs.* All streets shall be designed in accordance with the classifications of said streets by the planning and zoning commission. The classification shall be as specified in section 86-1 and as indicated in section 86-106. The developer shall be responsible for the complete construction of all minor and secondary streets. The city will construct all primary (arterial) streets as determined by the planning and zoning commission when the need and budget allows for the primary street to be developed. The city will also pay for the upsizing of the street from the minimums listed in section 86-106. The upsizing required will be determined by the city staff. Reimbursement for such cost difference shall be made to the developer upon acceptance of such land improvements by the city council subject to budget and timing as may be in accordance with law and as may be agreed on by the developer and the city, all in accordance with section 86-50.~~

~~(2) — *Surfacing.* The structural design number shall be used to determine the thickness required for the base and surface of any particular street. To obtain the structural design factor, the following table shall be used in conjunction with the materials used:~~

**TABLE INSET:**

<del>Aggregate base course type B</del>	<del>0.13 per inch</del>
<del>Bituminous concrete C1 I</del>	<del>0.33 per inch</del>
<del>PG concrete</del>	<del>0.40 per inch</del>

~~If any other materials are used, the structural design number will be the same as that approved by the state department of transportation. As part of the structural design, the bituminous surface shall be a minimum thickness of three inches. The surface shall be placed in a minimum of two lifts. The binder lift shall be placed in year one and the surface during year two. This will allow for corrective~~

- action and provide a better finished surface. The final lift or binder shall not be placed until after one winter or as approved by the city staff.
- (3) ~~Storm sewer pipe.~~ All storm sewer pipe shall be reinforced concrete pipe conforming to ASTM C 443 or approved equal. Prior approval must be obtained if the material is proposed to be other than reinforced concrete. In no case shall the material be used if not approved by the state department of transportation.
  - (4) ~~Inlets.~~ All inlets shall be a Type A or Type B Special as specified on the standard drawings attached. Inlets shall be placed no further than 350 feet apart and more often if required by your engineering study.
  - (5) ~~Supplemental tile line.~~ A supplemental tile line shall be installed to facilitate a discharge point for sump pumps. This tile shall be connected to a part of the storm sewer system for a proper outlet. The size of the tile shall be a minimum of four inches and enlarged as determined by the number of hookups.
  - (6) ~~Backfill.~~ State approved trench backfill material will be required. All backfill operations and compaction methods must be approved by the city staff and performed in accordance with IDOT standards. In all cases where a backfill operation is conducted, the developer shall be responsible for any settlement for a period of two years. To insure the city of any failure the city shall retain the bond for the additional required time.
  - (7) ~~Removal of topsoil.~~ All topsoil shall be removed from the core out and the core out approved by the city engineer prior to the placement of any aggregate base material.
  - (8) ~~Curb and gutter.~~ The curb and gutter shall be a M6.18 curb and shall be placed on a bed of four inch compacted stone as indicated on the standard drawing. Two No. 4 reinforcement bars shall be installed in the curb. The reinforcement bars shall run continuously for the entire length of the curb. The reinforcement bar shall be installed eight inches from the front and back of the curb and four and one half inches from the bottom of the curb.
  - (9) ~~Sidewalks.~~ All sidewalks shall be PC concrete four feet wide except that the city council may require wider sidewalks along arterial streets or in areas of higher pedestrian traffic, and four inches in thickness, except where sidewalks cross driveways, a six inch thickness will be required. The sidewalk shall be placed on a bed of four inch compacted stone. Two No. 4 reinforcement bars shall be installed in the sidewalk. The reinforcement bars shall be 16 inches from each edge of the sidewalk and centered in the depth of the concrete. The sidewalk shall be placed six inches off the property line. The sidewalk shall not be constructed until the house is built, unless the house is not completed during the two-year bond period. In that case the sidewalk shall be built before the release of the bond.
  - (10) ~~Accessibility ramps.~~ Accessibility ramps shall be installed at all intersections between the street pavement and the sidewalk. The ramp shall provide a consistent slope from the intersection of perpendicular sidewalks to the flowline of the curb. The ramp slope shall not exceed a 1:12 slope (1" per foot). A minimum four feet by four feet landing area shall be constructed at the intersection of perpendicular sidewalks. The ramp shall be a minimum of 4 feet wide with concrete side flares. The side flares shall begin at the intersection of the ramp and the sidewalk shall be a minimum of 1 foot wide at the back of curb. There shall be a smooth transition between the ramp and the side flares. All ramps shall be PC concrete, six inches in thickness, with three No. 4 reinforcing bars installed the entire length of the ramp. Three No. 4 reinforcing bars shall also be installed between the curb and the ramp. The ramp shall include cast iron

~~truncated dome detectable warning plates. The warning plates shall be powder coated yellow. The detectable warning area shall be a minimum of 24 inches by 48 inches (full width of ramp).~~

~~(11) *Street signs.* Street signs shall be installed by the city in accordance with current standards, and the developer shall be required to pay for the costs, including labor and materials, for these sign installations.~~

~~(12) *Streetlights.* Streetlights shall be installed by the city at all intersections and cul-de-sacs and at other suitable locations along the streets in accordance with current standards and the developer shall be required to pay for the costs, including labor and materials, for these streetlight installations.~~

~~(Code 1996, § 16.44.050; Ord. No. 07-3532, 4-9-2007; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)~~

~~**Sec. 86-206. Stormwater management.**~~

Moved to 86-127

~~(a) The stormwater management facilities shall be developed in accordance with chapter 22, article XIII. The developer shall submit the stormwater management plan for the entire property being developed even if consideration at this time is only a small portion of the whole. The plan shall also include on-site and offsite drainage to ensure that the proposed subdivision does not have an adverse impact on drainage for the adjoining property.~~

~~(b) The developer's engineer shall include in the land improvements plans (for review by the city) the following:~~

~~(1) Existing contours, at two foot intervals, of entire property with elevation based on USGS datum;~~

~~(2) Proposed contour of developed area with spot elevations at the corners of each lot, and building first floor elevation;~~

~~(3) Drainage patterns of each lot with outlet for all surface water;~~

~~(4) Finish grade of lot (at foundation) shall not exceed 18 inches above the curb, not less than 12 inches above the top of the curb;~~

~~(5) Storm sewer system must be designed to properly handle all runoff. The subdivider's engineer must submit calculations;~~

~~(6) Retention and/or detention requirements. Overflow, outfall, allowable discharge control and bottom treatment must be included with the plans.~~

~~(Code 1996, § 16.44.060)~~

~~**Sec. 86-207. Landscaping.**~~

Moved to 86-128

~~A landscaping plan shall be delivered on the same date and be on the same review schedule as the engineering plans.~~

~~(Code 1996, § 16.44.070)~~

~~**Sec. 86-208. Lands for parks and schools.**~~

~~The planning and zoning commission may make recommendations to the city council concerning criteria for lands to be provided for parks and schools.~~

~~(Code 1996, § 16.44.080; Ord. No. 08-3676, § 2 (Exh. B), 5-12-2008)~~

~~Secs. 86-209-86-230. Reserved.~~

**ARTICLE IV. DEDICATION OF SCHOOL SITES AND PARK LANDS; PAYMENT OF FEES IN LIEU THEREOF**

**Sec. 86-231. Final plat approval.**

~~As a condition of approval of a final plat of subdivision, or of a final plat of a planned unit development, each subdivider or developer shall be required to dedicate land for school sites and park and recreation purposes to serve the immediate and future needs of the residents of the development, a cash contribution in lieu of actual land dedication, or a combination of both, at the option of the city with advice from the Community Consolidated School District 231 ("elementary school district"), or the township High School District 212 ("high school district"), or the King's Consolidated School District 144 (King's School district) or the Flagg Rochelle Community Park District ("park district"), or all together as appropriate (the elementary school district, the high school district, the King's School district, and the park district being collectively referred to herein as "the benefiting districts" and individually as the "benefiting district"), in accordance with this article.~~

(Ord. No. 04-3263, § 16.50.010, 12-27-2004; Ord. No. 05-3341, 8-8-2005)

**Sec. 86-231. School Dedication and Contribution Requirements**

**As a condition of approval of the recording of a final plat of a residential subdivision, or final plat of a planned unit development, each developer, builder, owner, or subdivider (hereinafter collectively referred to as "Developer") shall dedicate land for school sites to serve the immediate and future needs of the residents of the development, or make cash contribution in lieu of actual land dedication, or a combination of both, in accordance with the criteria set forth in this Section.**

**Sec. 86-232. Criteria for requiring school site dedication.**

(a) *Student to land ratio.*

- (1) The ultimate number of students to be generated by a subdivision or planned unit development shall bear directly upon the amount of land required to be dedicated for school sites. The land dedication requirement for school sites shall be calculated as follows:

TABLE INSET:

Estimated number of students per school classification	x	Minimum number of acres per school classification		
			=	School acreage required
Maximum number of students per school classification				

- (2) ~~The term "estimated number of students per school classification" shall mean the number of students for each school classification and type of unit as shown in the table included in section 86-241. For purposes of the calculation in subsection (a)(1) of this section, it shall be assumed that each single family detached dwelling unit will have three bedrooms, and that each single family attached dwelling unit and each apartment will have two bedrooms.~~

~~(3) The terms "minimum number of acres per school classification" and "maximum number of students per school classification" shall be determined in accordance with the table included in subsection (b) of this section.~~

~~(4) Cash in lieu of land contributions is governed by section 86-237.~~

- a. estimated number of students to be served from the subdivision or planned unit development in each school classification as calculated from the population density schedule set forth in subsection **86-234**, over the
- b. maximum number of students to be served in each school classification as stated in subsection **86-232(b)**, and then multiplying the ratio by the
- c. minimum recommended number of acres for a school site of each such school classification as stated in subsection **86-232(b)**. The product thereof shall be the acres of land deemed necessary to have sufficient land for school sites to serve the estimated increased children in each such school classification.

(b) *School classification and site size.* Classifications and size of school sites within the city shall be determined in accordance with the following criteria.

TABLE INSET:

Classification by Grade Group	Maximum Number of Students for Each Such School <b>per</b> Classification	Minimum Acres of Land per Student Population <b>Acreage of Land per Classification</b>
Elementary, grades K--5	400	12
Middle school, grades 6--8 (served by elementary school district)	600	30
High school, grades 9--12	1,000	50

(c) ***Location.*** The location of school sites shall be subject to any intergovernmental agreements between the City and the School District, or, in the absence of said agreement, the City's Comprehensive Plan. The intergovernmental agreement or Comprehensive Plan, whichever applicable, shall serve as a guideline for locating school sites. The school site must be acceptable to the School District.

(Ord. No. 04-3263, § 16.50.020, 12-27-2004)

**Sec. 86-233. Calculation of School District Contribution in Lieu of Acreage**

(a) When the land dedication calculated in accordance with the formula set forth in subsection 86-232 is too small to be practical for use as a school site, or when the development requires improvements or additions to existing school sites, or when the land to be dedicated is unsuitable for a school site or otherwise unacceptable to the School District, the City, in concurrence with the School District, shall require the Developer to pay a cash contribution in lieu of the required land dedication.

(b) The cash contribution in lieu of land dedication for a school site shall be based upon the fair market value of an acre of land in the area improved. It has been determined that the present fair market value of such improved land in and surrounding the City is eighty-four thousand dollars (\$84,000) per acre. A

Developer may object to this figure. In the event of such an objection, the objecting party shall, at its own cost, submit an appraisal done by a Member of Appraisal Institute (M.A.I.), showing the “fair market value” of the land in the development. The final determination of said “fair market value” per acre of such improved land shall be made by the City Council based upon such information provided by the Developer or the School District.

- (c) The cash contribution to be made in lieu of or in combination with the dedication of land shall be in accordance with the following schedule, which is based upon the per acre fair market value determined in this section.

<b>Contribution in lieu of Acreage per Unit (\$84,000 per acre)</b>	
<b>Detached, Single-Family</b>	
<b>2 Bedroom</b>	<b>\$628.32</b>
<b>3 Bedroom</b>	<b>\$2,429.28</b>
<b>4 Bedroom</b>	<b>\$4,099.20</b>
<b>5 Bedroom</b>	<b>\$3,171.00</b>
<b>Attached, Single-Family</b>	
<b>1 Bedroom</b>	<b>\$0.00</b>
<b>2 Bedroom</b>	<b>\$582.96</b>
<b>3 Bedroom</b>	<b>\$1,081.08</b>
<b>4 Bedroom</b>	<b>\$2,184.84</b>
<b>Apartments</b>	
<b>Efficiency</b>	<b>\$0.00</b>
<b>1 Bedroom</b>	<b>\$13.44</b>
<b>2 Bedroom</b>	<b>\$586.32</b>
<b>3 Bedroom</b>	<b>\$1,601.88</b>
<b>4 Bedroom</b>	<b>\$1,601.88</b>

**Sec. 86-234. School-Age Population Density**

- (a) The contribution schedules set forth in this article are based on the following school-age population density schedule:

<b>Type of Unit</b>			
<b>Detached, Single-Family</b>	<b>K-5</b>	<b>6-8</b>	<b>9-12</b>
<b>2 Bedroom</b>	<b>0.136</b>	<b>0.048</b>	<b>0.020</b>
<b>3 Bedroom</b>	<b>0.369</b>	<b>0.173</b>	<b>0.184</b>
<b>4 Bedroom</b>	<b>0.530</b>	<b>0.298</b>	<b>0.360</b>
<b>5 Bedroom</b>	<b>0.345</b>	<b>0.248</b>	<b>0.300</b>
<b>Attached, Single-Family</b>	<b>K-5</b>	<b>6-8</b>	<b>9-12</b>
<b>1 Bedroom</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>
<b>2 Bedroom</b>	<b>0.088</b>	<b>0.048</b>	<b>0.038</b>
<b>3 Bedroom</b>	<b>0.234</b>	<b>0.058</b>	<b>0.059</b>
<b>4 Bedroom</b>	<b>0.322</b>	<b>0.154</b>	<b>0.173</b>

<b>Apartments</b>	<b>K-5</b>	<b>6-8</b>	<b>9-12</b>
<b>Efficiency</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>
<b>1 Bedroom</b>	<b>0.002</b>	<b>0.001</b>	<b>0.001</b>
<b>2 Bedroom</b>	<b>0.086</b>	<b>0.042</b>	<b>0.046</b>
<b>3 Bedroom</b>	<b>0.234</b>	<b>0.123</b>	<b>0.118</b>
<b>4 Bedroom</b>	<b>0.234</b>	<b>0.123</b>	<b>0.118</b>

**Note:** There are only three significant categories provided in this chart. Because of similarity of yields of all type of attached single-family dwelling units, only one category is provided. The same is true with apartments; thus, only one category. Because of the relatively short history of some newer types of detached and attached single-family units, individual evaluations may be necessary. Copyright 1996, Ehlers & Associates (formerly Associate Municipal Consultants, Inc.) 630/355-6100, Naperville, IL

(Ord. No. 04-3263, § 16.50.110, 12-27-2004)

- (b) In the event a Developer files a written objection to the use of the school-age population density schedule, the Developer shall obtain and submit, at his own cost, a demographic study showing the estimated population to be generated from the development. The final determination of the density formula to be used in such calculations shall be made by the City Council based upon such demographic information submitted by the Developer or the School District.

**Sec. 86-235. Use and Terms of Cash Contribution**

- (a) Cash contributions payable under subsection 86-233 may be used by the School District to serve the immediate or future needs of students from the development or for improvements to existing sites that will service the development. Cash contributions may also be used for the acquisition of school sites, the construction of new schools, the capital improvement of existing schools, or for the payment of any bonds issued for school construction or improvements.
- (b) The School District and the City shall agree, as part of an intergovernmental agreement, to the management and distribution of these funds for future use. Under the terms of such an agreement, the School District shall provide the City with annual audit reports and any other information the City may request from time to time to ensure compliance. If any portion of a cash contribution in lieu-of school land dedication is not expended for the purpose set forth herein within twelve (12) years from the date of receipt, the School District shall refund such contribution to the owners of record of all lots, except lots dedicated pursuant to the provisions of this section, in the development, subdivision, or planned unit development for which the contribution was made. The refund shall be paid to the persons who are the owners of record on the day which is the twelfth anniversary of the receipt of such contribution. The amount of refund due to each lot owner shall be equal to the amount of the original contribution, together with interest at the rate of 5%, divided by the total number of lots in the development, subdivision or planned development or phase thereof for which such contribution was made.

**Sec. 86-236. Lag Time Fees**

Lag Time Fees will be paid based on the adopted resolution by City Council.

**Sec. 86-237. Park and Recreation Dedication and Contribution Requirements**

**As a condition of approval of the recording of a final plat of a residential subdivision, or final plat of a planned unit development, each developer, builder, owner, or subdivider (hereinafter collectively referred to as Developer) shall dedicate land for public park sites to serve the immediate and future needs of the residents of the development, or make cash contribution in lieu of actual land dedication, or a combination of both, in accordance with the criteria set forth in this Chapter.**

**Sec. 86-2338. Criteria for requiring park and recreation land dedication.**

(a) *Requirement and population ratio.*

(1) The ultimate density of a proposed development bears directly upon the amount of land required for dedication for park and recreation sites. The land dedication requirement for park and recreation sites shall be calculated as follows:

TABLE INSET:

Sum of populations for all dwelling units	x	Eight acres		
			=	Park acreage required
1,000 population				

~~(2) — The term "sum of populations for all dwelling units" shall be determined by multiplying the estimated population per dwelling unit shown on the table included in section 86-241, for each type of unit, by the estimated number of such unit types in the development, and then totaling the figures for each unit type. For purposes of the calculation in subsection (a)(1) of this section, it shall be assumed that each single family detached dwelling unit will have three bedrooms, and that each single family attached dwelling unit and each apartment will have two bedrooms.~~

~~(3) — The ratio of eight acres per 1,000 calculation, as used in the calculation in subsection (a)(1) of this section, was approved by the park district board of the park district on April 26, 2004. The breakdown of the eight acres per 1,000 calculation of three acres for play lot and neighborhood parks ("neighborhood type") and five acres for community type parks and park lands are set out in the Flagg-Rochelle Community Park District Master Plan 2002-2007.~~

~~(4) — Cash in lieu of land contributions is governed by section 86-237.~~

~~(b) — *Credit for private open spaces and recreation areas.* When subdividers or developers provide their own open space for recreation areas and facilities, it has the effect of reducing the demand for local public recreational services. Depending on the size of the development, a portion of the park and recreation area in subdivisions or planned unit developments may, at the option of the city council, be provided in the form of private open space in lieu of dedicated public open space. The extent of the same shall be determined by the city council, based upon the needs of the projected residents and in conformance to the total park and recreation land for the general area. In general, a substitution of private open space for dedicated parks will imply a substantially higher degree of improvement and the installation of recreational facilities, including equipment by the developer as part of the developer's obligation. Detailed plans of such areas, including specifications of facilities to be installed, must be approved by the city, and before any credit is given for private recreation areas, the subdivider or developer must guarantee, by the execution of the appropriate legal documents, that these private recreation areas will be permanently maintained for such use. Private swimming clubs~~

are included in this provision. When an adjustment for private recreation areas is warranted, it will be necessary to compute the total park land dedication that would have been required from the subdivision or planned unit development and then subtract the credit to be given.

1. The population generated by a subdivision or planned unit development shall be calculated by multiplying the number of dwelling units by the proportional expected population outlined in the table below:

Dwelling Unit Type	Expected Population per Dwelling Unit
<b>Detached, Single-Family</b>	
2 Bedroom	2.017
3 Bedroom	2.899
4 Bedroom	3.764
5 Bedroom	4.629
<b>Attached, Single-Family</b>	
1 Bedroom	1.193
2 Bedroom	1.990
3 Bedroom	2.392
4 Bedroom	3.145

<b>Apartments</b>	
Efficiency	1.294
1 Bedroom	1.758
2 Bedroom	1.914
3 Bedroom	3.053
4 Bedroom	4.004

2. The land dedication requirement shall be determined by using a ratio of eight (8) acres per one thousand (1,000) calculated population. ~~Said ratio was approved by the Flagg-Rochelle Community Park District board on April 26, 2004.~~ The acreage calculation is further reduced to three (3) acres dedicated to play lots and neighborhood-type parks and five (5) acres dedicated for community-type parks. ~~The park lands are set out in the Flagg-Rochelle Community Park District Master Plan, which may be amended from time to time.~~

(Ord. No. 04-3263, § 16.50.030, 12-27-2004)

**Sec. 86-234. Population density.**

~~The estimated population generated by a development shall be determined by application of the population density table as set out in section 86-241. This population density table is generally indicative of current and short-range projected trends in family size for new construction. The populations listed in said table shall be used for all calculations required by this division unless a written objection is filed by the subdivider or developer with the city clerk and the senior administrator of each benefiting district prior to approval of the final plat. If a written objection is filed, the subdivider or developer shall file a demographic study showing the estimated additional student population to be generated from the subdivision or planned unit~~

development. The final determination of the population density to be used in the calculations shall be made by the city council based upon the demographic information submitted by the subdivider or developer and upon such other demographic information as may be submitted by the benefiting districts or others.

(Ord. No. 04-3263, § 16.50.040, 12-27-2004)

**Sec. 86-239. Calculation of Contribution in Lieu of Park and Open Space Acreage**

1. When the land dedication calculated in accordance with the formula set forth in subsection 86-238 is too small to be practical for use as a park site, or when the land to be dedicated is unsuitable for park uses, or otherwise unacceptable to the the City, the City, shall require the Developer to pay a cash contribution in lieu of the required land dedication.
2. The cash contribution in lieu of land dedication for a park site shall be based upon the fair market value of an acre of land in the area improved. It has been determined that the present fair market value of such improved land for the use of neighborhood parks and community parks is seventy-five thousand dollars (\$75,000) and eighteen thousand seven hundred and fifty dollars (\$18,750) per acre, respectively. A Developer may object to this figure. In the event of such an objection, the objecting party shall, at its own cost, submit an appraisal done by a Member of Appraisal Institute (M.A.I.), showing the “fair market value” of the land in the development. The final determination of said “fair market value” per acre of such improved land shall be made by the City Council based upon such information provided by the Developer.
3. The cash contribution to be made in lieu of or in combination with the dedication of land shall be in accordance with the following schedule, which is based upon the per acre fair market value determined in this section:

<b>Contribution in lieu of Acreage per Acre</b>	
<b>Detached, Single-Family</b>	
<b>2 Bedroom</b>	<b>\$642.92</b>
<b>3 Bedroom</b>	<b>\$924.06</b>
<b>4 Bedroom</b>	<b>\$1,199.78</b>
<b>5 Bedroom</b>	<b>\$1,475.49</b>

<b>Attached, Single-Family</b>	
<b>1 Bedroom</b>	<b>\$380.27</b>
<b>2 Bedroom</b>	<b>\$634.31</b>
<b>3 Bedroom</b>	<b>\$762.45</b>
<b>4 Bedroom</b>	<b>\$1,002.47</b>
<b>Apartments</b>	
<b>Efficiency</b>	<b>\$412.46</b>
<b>1 Bedroom</b>	<b>\$560.36</b>
<b>2 Bedroom</b>	<b>\$610.09</b>
<b>3 Bedroom</b>	<b>\$973.14</b>
<b>4 Bedroom</b>	<b>\$1,276.28</b>

**Sec. 86-235. Location of sites.**

~~Sites dedicated pursuant to this division shall be located in accordance with plans and standards adopted by the city with advice from the benefiting district.~~

- ~~(1) *School sites.* School sites dedicated pursuant to this division shall be located in accordance with plans and standards adopted by the city with advice from the appropriate school district.~~
- ~~(2) *Park sites.* Unless otherwise waived, lands to be dedicated to any applicable park district shall conform to the park district master plan, as then in effect and adopted by the applicable park district, as a guideline in determining the general location of park sites. Generally, neighborhood park sites should be accessible to the public and serve a population within a one-half to one mile radius from the site, depending on the classification of the park. Park sites should be located in conjunction with and adjacent to school sites whenever possible and desirable. Community parks are intended to serve a broader area and should offer a greater variety of facilities and activities.~~

~~(Ord. No. 04-3263, § 16.50.050, 12-27-2004)~~

### **Sec. 86-236. Conveyance of site.**

~~Any lands to be conveyed as a site pursuant to this article shall be conveyed to the appropriate benefiting district within 30 days of the recording of the final plat. The conveyance shall be in accordance with the following criteria:~~

- ~~(1) *Title to site.* All sites shall be conveyed to the appropriate benefiting district either by warranty or trustee's deed. The subdivider or developer shall be responsible for conveying good, merchantable title, free of encumbrances, unless the encumbrances are waived by the benefiting district. The conveyance shall be accompanied by a commitment for title insurance issued by a reputable title insurance company licensed to do business in the state. The subdivider or developer shall be responsible for the payment of all real estate taxes to the date of conveyance.~~
- ~~(2) *Topography, grading and general suitability.* The slope, topography and geology of the dedicated site, as well as its immediate surroundings, must be suitable for its intended purpose. The site must be free of environmental and archaeological concerns.~~
- ~~(3) *Site improvements.* All sites shall be dedicated in a condition ready for full service of electrical, water, sewer, drainage and streets as applicable to the location of the site, or acceptable provision made therefor.~~
- ~~(4) *Sale of land.* When, in the opinion of the benefiting district, any parcel of land conveyed pursuant to this article becomes unnecessary, unsuitable, or inconvenient for the uses of the benefiting district, such parcel may be sold as provided by applicable law. The proceeds of such sale shall be used in a manner consistent with the purposes of this division.~~
- ~~(5) *Park area.* The minimum area of any parcel of land to be conveyed pursuant to this article for a park site or for recreational purposes shall be one acre.~~
- ~~(6) *Stormwater and surface water detention and retention areas.* Dedications of stormwater and surface water detention and retention areas will be accepted at the discretion of the applicable park district and will not count towards the total land area to be conveyed.~~
- ~~(7) *Wetlands and other natural areas.* Dedication of wetland areas and other natural areas will be accepted at the discretion of the applicable park district, and acceptance by the applicable park district of such areas shall not count towards the total land area to be conveyed.~~

- ~~(8) *Dimensions of sites.* Generally, any parcel of land to be dedicated and conveyed to an applicable park district for a park site should be rectangular in shape with dimensions proportionate to the ratio of depth of three to a width of two. These criteria shall not apply to sites contemplated for extraordinary types of facilities such as, but not limited to, trails and shoreline frontage.~~
- ~~(9) *Frontage.* Generally, any parcel of land to be dedicated and conveyed to an applicable park district shall have 30 feet of street frontage per acre with a minimum of 150 feet of street frontage.~~
- ~~(10) *Seeding of sites.* Any parcel of land to be dedicated and conveyed to an applicable park district shall be seeded by the developer in its entirety with a blend approved by the applicable park district. Seeding shall include placement, watering, as necessary, and mowing until such time as a full stand of turf is established and accepted by the applicable park district, but not less than one full growing season.~~
- ~~(11) *Building permit.* Building permits shall not be issued to the developer until the required conveyances in accordance with this article have been made.~~

### **Sec. 86-240. Park Location and Site Improvement Requirements**

- 1. Location:** The City of Rochelle Comprehensive Plan shall be used as guidelines in determining the general location of park sites. Generally, neighborhood park sites should be accessible to the public and serve a population up to a one-half (1/2) mile radius from the site, depending on the classification of the park. Community Parks are intended to serve a broader area.
- 2. Size:** Parks shall be a minimum of two (2) acres in size. Parks shall be distributed throughout the proposed development in a manner that allows adequate park service to all residents of the proposed development.
- 3. Storm Water Detention Or Retention Areas:** Storm water detention and retention areas may be accepted at the discretion of the Park District Board but not count toward the total land dedication. As an exception, the Park District Board may choose to recommend full or partial credit when ponds or lakes are of an appropriate size, with significant recreational value, or include a large area of adjacent land.
- 4. Wetlands And Other Natural Areas:** Wetland and other natural areas will be considered acceptable only when they are considered significant in size, quality, uniqueness, contain endangered plants or animal species, or are adjacent to existing natural areas currently owned by the Park District. Wetland areas may be accepted at the discretion of the Park District Board. Any such wetland area accepted by the Park District shall not count towards the total land dedication required herein. As an exception, the Park District Board may choose to recommend full or partial credit when the wetland is of an appropriate size, with significant recreational value, or includes a large area of adjacent land.
- 5. Frontage:** Sites shall consist of thirty (30) feet of street frontage per acre of land dedicated, with a minimum of one hundred fifty (150) feet of frontage.
- 6. Drainage:** Except for storm water and surface water drainage facilities servicing the park facilities constructed on the site, detention or retention basins for storm water drainage from the surrounding development shall not be located on park sites unless approved by the Park District Board.
- 7. Improvements Required For Land Dedication:** Park sites to be developed by developer shall include the following land improvements:

- a. **Utilities:** Each dedicated park site shall be provided with the following utilities to the property line:
  - i. Sanitary sewer adjacent to the site shall be a minimum of eight (8) inches in diameter. If the sanitary sewer is across the right of way from the park site, the developer shall provide a capped six (6) inch minimum diameter service line to the property line, accessible by a manhole where necessary, and as approved by the City.
  - ii. Water line adjacent to the site shall be a minimum of six (6) inches in diameter. If the water line is across the right of way from the park site, the developer shall provide a capped one (1) inch minimum diameter water line to the property line, as approved by the City.
  - iii. Storm sewers shall be provided at appropriate locations to properly drain the park site, as approved by the City.
  - iv. Other utilities, such as electric, gas and telephone shall be located adjacent to and readily accessible to the park site. The Park District shall not be responsible for utility extensions for any other purpose.
- b. **Grading:** Each dedicated park site shall be graded to drain at a minimum of two percent (2%) for open areas and slopes on berms, when berms are required, shall not exceed four to one (4:1). Grading shall include, but not be limited to: berms for separation, screening or aesthetics, placement of six (6) inches of topsoil, grading, seeding, mulching, and/or erosion control facilities. Grading and berming shall be in accordance with plans approved by the City.
- c. **Other Site Developments:** The developer shall be required to provide other site developments for the land to be dedicated for park purposes, which shall include, but not limited to, the following:
  - i. **Seeding:** The developer shall seed the entire park site with a blend approved by the City. Seeding shall include placement, watering as necessary and mowing until such time as a full stand of turf is established and accepted by the Park District, but not less than one full growing season.
  - ii. **Walks, Utilities And Sewers:** Developer shall install all public walks, curb, pavement, sewers and utilities along all park site frontages as per City regulations.
- d. **Completion:** The above listed park improvements shall be completed in accordance with Section 86-54.
- e. **Storage Of Overburden:** The storage of overburden on a park site and the use of the park site as a borrow pit is prohibited, though temporary storage may be granted in some cases. Terms of such temporary storage shall be determined by the City. No foreign material shall be added to the park site, except as approved by the City.
- f. **Other:** The developer shall supply the Park District with a complete survey of the site and as-built drawings, showing engineering and utilities. The developer shall mark the corners of the property with permanent monuments.

(Ord. No. 04-3263, § 16.50.060, 12-27-2004)

~~**Sec. 86-237. Criteria for requiring a cash contribution in lieu of school and park sites.**~~

~~When the development is small and the resulting site is too small to be practical or when the available land is inappropriate for a park or school site, as recommended by the park or school district, the city shall require the subdivider or developer to pay cash contributions in lieu~~

of the land dedication required. The term "fair market value (FMV) per acre" shall mean the amount determined pursuant to subsection (3) of this section.

(1) ~~School's cash contribution in lieu of land.~~

a. ~~The cash contribution for school sites shall be calculated as follows:~~

TABLE INSET:

School acreage required	x	FMV per acre	=	Cash contribution required (schools)
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b. ~~The term "school acreage required" shall mean the acreage determined pursuant to section 86-232(a).~~

(2) ~~Park's cash contribution in lieu of land.~~

a. ~~The cash contribution for park sites shall be calculated as follows:~~

TABLE INSET:

((Park acreage required: neighborhood type) x (FMV Per acre))	+	((Park acreage required: community type and park lands) x (FMV per acre))	=	Cash contribution required (parks)
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b. ~~The term "park acreage required" shall mean the acreage determined pursuant to section 86-233(a).~~

(3) ~~Fair market value.~~ The cash contribution in lieu of land shall be based on the fair market value of improved, subdivided land, as platted within the development's final plat, that otherwise would have been dedicated as benefiting district sites. The city, based upon its investigation, has determined the fair market value of any particular parcel, for purposes of school sites in this article, to be \$84,000.00 per acre. The city has determined the fair market value of any particular parcel, for purposes of park lands and sites in this article, to be \$75,000.00 per acre for neighborhood type park sites and \$18,750.00 per acre for community parks and park lands. The foregoing fair market value shall be used in the determination of cash contributions unless the subdivider, developer, or any other subdivider or developer or objecting party shall submit an appraisal showing the fair market value of such improved land in the area of the development. Final determination of the fair market value per acre of such improved land shall be made by the city council based upon such information submitted by the subdivider or developer, information from other sources which may be submitted to the city council by affected parties, and information, reports and analyses provided to the city council by its own staff and consultants.

(4) ~~Time and manner of payment.~~ The cash contribution required in this section shall be paid at the time of applying for a building permit for each housing unit. No building permit shall be issued until said payment has been made. Payments hereunder shall be payable to the city and shall be held in trust until semiannual (January and July) disbursements are made to the benefiting districts.

- ~~(5) — Criteria for requiring dedication and a fee. There will be situations in subdivisions or planned unit developments when a combination of land dedication and a contribution in lieu of land are both necessary. These occasions will arise when:~~
- ~~a. — Only a portion of the land to be developed is proposed as the location for a benefiting district site. That portion of the land within the subdivision falling within the benefiting district location shall be dedicated as a site as aforesaid, and a cash contribution in lieu thereof shall be required for any additional land that would have to be dedicated.~~
  - ~~b. — A major part of the benefiting district site has already been acquired and only a small portion of land is needed from the development to complete the site. The remaining portions shall be required by dedication, and a cash contribution in lieu thereof shall be required.~~

~~(Ord. No. 04-3263, § 16.50.070, 12-27-2004)~~

**~~Sec. 86-238. Reservation of additional land.~~**

~~Where the plans of the city call for a larger benefiting district site in a particular proposed subdivision or planned unit development than the developer is required to dedicate, the land needed beyond the developer's contribution shall, if so determined by the city council, be reserved for subsequent purchase by the appropriate benefiting district, provided that such acquisition is made within one year from the date of approval of the final plat.~~

~~(Ord. No. 04-3263, § 16.50.080, 12-27-2004)~~

**~~Sec. 86-239. Combining with adjoining developments.~~**

~~Where the subdivision or planned unit development is less than 40 acres, a benefiting district site which is to be dedicated should, where possible, be combined with dedications from adjoining developments in order to produce usable benefiting district sites without hardship on a particular developer.~~

~~(Ord. No. 04-3263, § 16.50.090, 12-27-2004)~~

**~~Sec. 86-240. Intergovernmental agreements/indemnity.~~**

~~Prior to receiving a dedication of land or a cash contribution in lieu of land pursuant to section 86-231, each benefiting district shall execute intergovernmental agreements with the city in which the benefiting district agrees to indemnify and hold the city harmless, including all associated costs and reasonable attorney fees incident to any suits filed in which the validity or application of any section of this article is challenged. The selection of counsel to defend any such action shall be by the affected benefiting district.~~

~~(Ord. No. 04-3263, § 16.50.100, 12-27-2004)~~

**~~Sec. 86-241. Table of estimated ultimate population per dwelling unit.~~**

~~The following table is generally indicative of current and short range projected trends in family size for new construction and shall be used in calculating the required land or cash in lieu of land contribution.~~

~~*Table of Estimated Ultimate Population per Dwelling Unit Children Per Unit*~~

TABLE INSET:

Type of Unit		Pre-school 0-4 Years	Grades K-5 5-11 Years	Junior High Grades 6-8 12-13 Years	Total Grades K-8 5-13 Years	High School Grades 9-12 14-17 Years	Adults 18+ Years	Total per Dwelling Unit
<b>Detached Single Family</b>								
	2 Bedroom	0.113	0.136	0.048	0.184	0.020	1.700	2.017
	3 Bedroom	0.292	0.369	0.173	0.542	0.184	1.881	2.899
	4 Bedroom	0.418	0.530	0.298	0.828	0.360	2.158	3.764
	5 Bedroom	0.238	0.345	0.248	0.593	0.300	2.594	3.770
<b>Attached Single Family</b>								
	1 Bedroom	0.000	0.000	0.000	0.000	0.000	1.193	1.193
	2 Bedroom	0.064	0.088	0.048	0.136	0.038	1.752	1.990
	3 Bedroom	0.212	0.234	0.058	0.292	0.059	1.829	2.392
	4 Bedroom	0.323	0.322	0.154	0.476	0.173	2.173	3.145
<b>Apartments</b>								
	Efficiency	0.000	0.000	0.000	0.000	0.000	1.294	1.294
	1 Bedroom	0.000	0.002	0.001	0.003	0.001	1.754	1.758
	2 Bedroom	0.047	0.086	0.042	0.128	0.046	1.693	1.914
	3 Bedroom	0.052	0.234	0.123	0.357	0.118	2.526	3.053

*Note:* There are only three significant categories provided in this chart. Because of similarity of yields of all type of attached single family dwelling units, only one category is provided. The same is true with apartments; thus, only one category. Because of the relatively short history of some newer types of detached and attached single family units, individual evaluations may be necessary. Copyright 1996, Ehlers & Associates (formerly Associate Municipal Consultants, Inc.) 630/355-6100, Naperville, IL  
(Ord. No. 04-3263, § 16.50.110, 12-27-2004)