

TITLE 10

SUBDIVISION REGULATIONS

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TITLE 10

SUBDIVISION REGULATIONS

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CHAPTER 1

GENERAL PROVISIONS

SECTION:

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10-1-1: TITLE: This Ordinance shall be known and may be cited and referred to as the "Subdivision Control Ordinance for the Village of Arthur."

10-1-2: INTENT: This Ordinance is adopted to provide for the health, safety, comfort and convenience of the inhabitants of the Village of Arthur, and vicinity; to thus ensure sound, harmonious development of land to the highest possible standards of design; and to provide a procedure for a cooperative working relationship between the Village and developer, in order to safeguard the interests and rights of the homeowner and citizen, the subdivider, the investor, and the Village.

10-1-3: TAXPAYER'S PROTECTION: The developer shall provide at no cost in any form to the taxpayers of local, state, or federal units of government, all public improvements required by these regulations. The developer shall further include the previous statement in the covenants of the plat in order to insure buyer protection at the time of purchase. Improvements shall be provided and installed in accordance with the standards and requirements adopted by other local, state, and federal authorities which may have jurisdiction in the area being subdivided. In any case, where two (2) or more authorities have differing standards governing the same improvement, the most restrictive standard shall apply.

10-1-4: JURISDICTION: The following shall be applicable to any and all subdivisions of the land within the boundaries of Arthur, Illinois, and outside of the corporate boundaries but within one and one-half (1 ½) miles of the corporate limits.

10-1-5: REGULATIONS IN FORCE: These regulations shall take effect ten (10) days after being published.

10-1-6: AMENDMENTS: RESERVED

10-1-7: VALIDITY: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

10-1-8: EXEMPTIONS FROM THESE REGULATIONS: Exemptions found in Section 1(b) of the Plat Act, Illinois Revised Statutes, Chapter 109, 1987, as amended, are exempt from the regulations herein contained and shall include the following:

- (A) The division of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access;
- (B) The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
- (C) The sale or exchange of parcels of land between owners of adjoining and contiguous land;
- (D) The conveyance of parcels of land or interest therein for use as a right-of-way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
- (E) The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;

- (F) The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
- (G) Conveyances made to correct descriptions in prior conveyances;
- (H) The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
- (I) The sale of a single lot of less than five (5) acres from a larger tract when a survey is made by a professional Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the sale of land.

10-1-9: DISCLOSURE OF BENEFICIAL INTEREST: Pursuant to Illinois State Statutes, whenever any trustee, or beneficiary or beneficiaries of a land trust make application for a subdivision relating to land which is the subject of such trust, any interest therein, improvements thereto, or use thereof, such applicant shall identify his interest therein. All such applications shall be verified by the applicant in his capacity as trustee, or by the beneficiary as a beneficial owner of an interest in such land trust. Failure to make such disclosure shall be reason enough to deny a request for subdivision. Making a false trust shall also be reason enough for the denial of a request for subdivision and makes the person making such statement subject to penalties provided by said State Statutes.

10-1-10: VARIANCE: Where the developer can show that a provision of these regulations would cause unnecessary hardship and where, in the opinion of the Village Zoning Board, a departure may be made without destroying the intent of such provision, the Village Zoning Board may recommend a variance. In the event the Village Zoning Board finds that extraordinary hardship or injustice will result from compliance with these regulations, it may vary the terms thereof to the extent necessary to grant relief, provided:

- (A) That special conditions or circumstances exist which are peculiar to the tract or tracts to be subdivided;
- (B) That granting the variance requested will not confer on the developer any special privilege that is denied by these regulations to other developers; and,
- (C) The Village Zoning Board determines that the variance requested is:
 - 1. The least deviation from these regulations which will mitigate the hardship;
 - 2. Not detrimental to the general public interest, health, and welfare, and is in keeping with the general intent and purpose of these regulations; and,
 - 3. Not applicable to other subdivisions or developers.

The developer shall make requests for variations in writing, and the requests shall accompany the submission of the preliminary plat. Requests for approval of variations by the Village Zoning Board shall be considered separately from approval of the final plat of subdivision. The granting of variations shall be by action of the Village Board.

CHAPTER 2**RULES****SECTION:**

10-2-1: Rules

10-2-1: RULES:

- (A) Words used in the present tense shall include the future; words in the singular number shall include the plural; and, use of masculine gender shall include the feminine gender, and vice versa in these cases.
- (B) The word "shall" is mandatory and unconditional, not discretionary.
- (C) The word "may" is permissive and conditional.
- (D) Any statute or other publication referenced in these regulations shall refer to the latest edition or amendment of such.

CHAPTER 3

DEFINITIONS

SECTION:

- 10-3-1: General Definitions
- 10-3-2: Functional Classifications of Streets
- 10-3-3: Other Thoroughfare, Road and Street Terms

10-3-1: GENERAL DEFINITIONS:

ALLEY: A public thoroughfare, not over twenty feet (20') in width, which affords only secondary means of access to abutting property.

BLOCK: Property having frontage on one side of a street and lying between the two (2) nearest intersecting or intercepting streets, or nearest intersections or intercepting street and railroad rights-of-way, waterway, or other barrier.

BUILDING, SETBACK LINE: The line, established by this Ordinance, beyond which a building shall not extend unless varied according to procedures in this Ordinance. Also called a "building line". This may be applicable to the front, side and/or rear yard.

CAPPED SEWERS: Unused pipes that are installed and ready for use when the time comes to tap onto an available community sanitary sewer system.

CONSTRUCTION: The building of a home, garage or other structure, the moving of earth, the laying of culverts or tile, and other similar man-made improvements.

DEVELOPER: Any person, individual, subdivider, trust or other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or another.

DEVELOPMENT: See: "Subdivision".

EASEMENT: A grant, by the property owner for the use of land by the public, a corporation, or persons, for specific purposes.

FLAG LOT: A tract of land not having sufficient width on a road to create more than one (1) lot abutting said road but having sufficient area and depth to be divided into more than one (1) buildable lot that will meet all other requirements of these regulations.

IMPROVEMENT: Street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related things normally associated with land development.

JURISDICTIONAL AREA: This Ordinance shall be applicable to any and all subdivisions of land within the boundaries of Arthur, Illinois, and outside the corporate boundaries but within one and one-half (1 ½) miles of the corporate limits.

LOT: A parcel of land occupied or to be occupied by one (1) building and any accessory buildings or uses authorized in connection therewith, including such open spaces as are required by this Ordinance, and such open spaces as are arranged or designed to be used in connection with such building. It may be a single parcel separately described in a deed or plat which is filed in the office of the County Recorder, or it may include parts of or a combination of such parcels when adjacent to one another and used as one (1). In determining the lot area and boundary lines no part thereof within the limits of a street shall be included.

MINOR SUBDIVISION: A minor subdivision shall be considered a subdivision of not more than three (3) lots which shall require no new rights-of-way dedications, easements of access or variations from these regulations. Such minor subdivision may be processed for preliminary and final plat approval simultaneously.

MONUMENT: An object set in the earth to mark a boundary and conforming to State Statutory requirements.

PERSON: A natural person, corporation, firm, partnership, association, organization, or any other entity acting as a unit.

PLAT: A map or chart indicating the subdivision or resubdivision of land intended to be filed for record in compliance with these regulations and the Illinois Revised Statutes.

PUBLIC IMPROVEMENT: Public improvements shall include streets, water systems, ditches, tile, sidewalks, parks, sewage systems, drainage systems, and other items of construction dedicated to the public.

REVIEWING AUTHORITIES: The Village Zoning Board and any individual or agency designated by the Village Board of these regulations.

SPITE STRIP: A spite strip is a piece of land other than a lot legally meeting the minimum requirements of these regulations, used to separate a public street or road rights-of-way from adjoining property and whose primary purpose is to preclude access to such rights-of-way.

STREET: A public way established or dedicated by duly recorded plat, deed, grant, governmental authority or by operation of law. Also see Sections 10-3-2 and 10-3-3.

SUBDIVISION: At a minimum, those expressed conditions found in the Plat Act, Chapter 109 of the Illinois Revised Statutes, latest amended edition, and inclusive of any subdivision or resubdivision of a tract, parcel or lot of land into two (2) or more parts by means of mapping, platting, conveyance, change or rearrangement of boundaries or otherwise, and shall also relate to the process of subdividing or to the land subdivided where appropriate to the text. The use of metes and bounds of description for the purpose of sale, transfer, or lease with the intent of evading these regulations, shall not be permitted. Any device or mechanism intended to evade these regulations including but not limited to: the sale, transfer or lease of a parcel or tract of land containing five (5) or more acres to another party where it is intended to sell or transfer back to the seller any part of the parcel or tract which would thereby create a parcel or tract of land containing less than five (5) acres is an evasion of these regulations and shall not be permitted.

SURETY BOND: A bond safeguarding performance of a contract or obligation. The specific amount of the bond shall be determined in accordance with applicable State Statutes and these regulations. Also see: Section 10-5-3 (E) of these regulations.

THOROUGHFARE: a right-of-way, other than an alley, dedicated or otherwise legally established for the public use, usually affording the principal means of access to abutting property. A thoroughfare may be designated as a highway, parkway, boulevard, road, avenue, street, lane, drive, or other appropriate name.

VARIANCE: A modification of the specific requirements of this Ordinance granted by the Village Board in accordance with the terms of this Ordinance for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly

enjoyed by other properties in the same vicinity and district. The modification may allow a change in standards or use.

VILLAGE: The Village of Arthur.

ZONING BOARD: The Village of Arthur Zoning Board.

10-3-2: FUNCTIONAL CLASSIFICATIONS OF STREETS:

ARTERIAL: The definition of "Arterial" shall be that as defined by the Illinois Department of Transportation and utilized in the Federal "Functional Classification System." Standards for arterials, when necessary, are to be determined on a case-by-case basis in cooperation with County Superintendent of Highways and designed to follow standards of the Illinois Department of Transportation's Bureau of Design, Design Manual, latest amended edition.

COLLECTOR: Also called "feeder". A street or road planned to facilitate the collection of traffic from local streets, linking larger population concentrations to cities and villages, or feeding arterial routes while accommodating shorter trips.

LOCAL: Connects minor population concentration as found in subdivisions with arterials and collectors; local roads are the minimum class of roads or thoroughfares not considered alleys or driveways and providing frontage or marginal access serving localized commercial, industrial or residential traffic.

10-3-3: OTHER THOROUGHFARE, ROAD AND STREET TERMS:

SUBDIVISION: Those thoroughfares constructed within a subdivision and intended to primarily carry internal traffic. These thoroughfares are the lowest class intended to serve individual residential lots. For purposes of these regulations, subdivision thoroughfares shall, at a minimum, meet the requirements for local roads.

AGRICULTURAL: Roads and thoroughfares intended to provide access primarily between farms, and farms and urban centers for the transportation of crops to market or service to the farm; to local public services benefiting the farm population (i.e. rural schools, fire district buildings); and, agricultural businesses and farms. These roads and thoroughfares are developed primarily for agricultural use and are not

designed for general purpose, nonagricultural commercial or industrial use nor, for nonagricultural residential use.

MARGINAL ACCESS: Also called "frontage". A local or collector road constructed adjacent and parallel to an arterial or collector, which provides access to abutting property and ways for traffic to reach controlled or limited points of access on arterials or primary collectors.

CUL-DE-SAC: Also called "court" or "dead end". A short street having one (1) end open to traffic and being permanently terminated by some type of vehicle turn around.

CHAPTER 4

ADMINISTRATION

SECTION:

- 10-4-1: Village Board
- 10-4-2: Village Zoning Board
- 10-4-3: County Soil and Water Conservation District
- 10-4-5: County Health Department

10-4-1: VILLAGE BOARD: Administers regulations, exercises authority and fulfills responsibilities as required by these regulations. The Village shall maintain all necessary records, administer the subdivision regulations, be the final authority in cases of appeal, and review the preliminary and final plat. Specifically, with regard to the recommendations of the Zoning Board regarding subdivision review, the role of the Village Board shall be to consider the proposal in regard to: the regulations and standards within these regulations; reports of other bodies and agencies as they pertain to design standards and specifications herein contained; all other Village regulations and Ordinances, State Statutes and codes and federal codes and regulations deemed to be applicable minimum requirements in the interests of health, safety, and convenience of the public of the Village and not in conflict with the intent and purpose of these regulations.

10-4-2: VILLAGE ZONING BOARD: Shall review and examine these regulations and recommend to the Village such changes as may be necessary. The Zoning Board shall review preliminary and final plat applications and make recommendations to the Village Board as applicable and necessary.

10-4-3: COUNTY SOIL AND WATER CONSERVATION DISTRICT: Reviews the preliminary plat; makes all natural resource information available to the Zoning Board, the County Health Department, and the developer/owner, and issues a written opinion concerning the plat to the Zoning Board not more than thirty (30) days from the time of receipt of the plat. Use of District reviews will be for general guidance purposes.

10-4-4

10-4-4

10-4-4: COUNTY HEALTH DEPARTMENT: If any part of the platted land will not be served by a public sewer system, the County Health Department shall review the preliminary and final plats of subdivision, and all related materials required by these regulations. The Health Department shall approve in writing, and within thirty (30) days from the time of receipt of the plat, the proposed sewage disposal system(s).

CHAPTER 5

PROCEDURE

SECTION:

- 10-5-1: Compliance
- 10-5-2: Preapplication Phase
- 10-5-3: Preliminary Plat Review Phase
- 10-5-4: Final Plat Review Phase

10-5-1: COMPLIANCE: The developer/subdivider or his representative shall be responsible for compliance including all standards, specifications, certificates and sureties herein contained.

10-5-2: PREAPPLICATION PHASE: Informal, not mandatory. If any deviation from these regulations is anticipated, or the developer anticipates a potential problem area, this informal phase is intended to conserve time, effort and expense by encouraging the developer to discuss the proposed subdivision with the Zoning Board Chairman, or Zoning Board, prior to any formal application being made.

10-5-3: PRELIMINARY PLAT REVIEW PHASE: Formal, Mandatory.

(A) Filing: A person or corporation desiring approval of a plat of a subdivision of any land lying within the jurisdiction of the Village, shall submit a letter of application therefore to the Village Clerk's Office at least fifteen (15) days prior to the date of a regular or special Zoning Board meeting. At least three (3) copies of Preliminary Plat Documents shall be made available by the developer for use at the above mentioned Zoning Board meeting. The developer shall also submit a letter with the preliminary plat indicating all requests for variations from the requirements and standards herein contained, whether temporary or permanent in nature. The granting of variations shall be by action of the Village Board.

(B) Preliminary Plat Document Specifications and Support Materials:

The developer or his representative shall submit the following:

The plat drawn or printed upon tracing paper, tracing cloth, or a similar reproducible medium. The plat shall be drawn at a scale of one inch equals one hundred feet (1" = 100') or at a scale of one inch equals fifty feet (1" = 50'). All materials shall contain information concerning the name of the subdivision; the name, address and telephone number of the firm and person preparing the material, and if appropriate, signature and certification; and the date of material preparation with reference to any changes made. There shall be one (1) common scale for all maps and plans presented for each subdivision, unless otherwise stated herein. The plat may be prepared, at the developer's discretion, so as to contain items required in both the preliminary and final plats. NOTE: Adjacent shall mean for these specifications and at a minimum, the area lying outside of but contiguous to the subdivision site and extending a distance of one hundred feet (100'), or to such further distance as may be necessary.

(C) Preliminary Plat Contents:

1. The proposed subdivision name, which shall not duplicate the name of any platted subdivision previously recorded in the County;
2. Date, bar scale, and North arrow;
3. Location by distances and bearings from true North or Grid North, as established by the Illinois State Plane Coordinate System, East Zone, and angles with reference to a corner or corners established in the United States Public Land Survey;
4. All angular and linear data along the exterior boundary of the tract, which meets the criteria for a "second order" accuracy survey, by Professional Land Surveyor's Standards;
5. The width, course and extent of all existing and proposed on-site and adjacent roads, streets, and thoroughfares; and, railroad rights-of-way, if present;
6. The names of all existing and proposed roads, streets and other thoroughfares;
7. The location, dimensions and easements of all existing and proposed public utilities (surface and subsurface) and private utilities affecting the site or proposed for extension thereupon,

- including but not limited to water lines, sanitary sewers, storm sewers, and drainage tile lines;
8. Locations and dimensions for any other easements and any limitations upon each easement;
 9. All existing adjacent and developer-proposed on-site tracts, parcels, lots or blocks giving their precise dimensions where proposed, including square footage for proposed parcels and lots;
 10. The progressive numbering of all proposed tracts, parcels, lots and blocks;
 11. Existing and proposed building setback lines and dimensions;
 12. All existing and proposed adjacent and on-site parks, playgrounds, school grounds or other grounds to be dedicated or reserved for public, semi-public, common, or community use;
 13. The locations and widths of any proposed walkways and easements, clearly indicating any connections to present or proposed public lands or facilities and/or private walkways and easements.
 14. The identification of all civil and/or political divisions within which the proposed subdivision is wholly or partially located. And where applicable, the location of the division's boundary lines if within or adjacent to the site. Such divisions shall include, but are not limited to: school districts, fire protection districts, incorporated municipalities, soil and water conservation districts, park districts, and water districts;
 15. The location and direction of flow, as applicable, of natural drainage ways, streams, rivers and lakes, and similar natural flows or impoundments;
 16. The location and identification of all existing man-made features including but not limited to: buildings, excavations, bridges, impoundments, drainage improvements and tiles within and adjacent to the site;

17. Present zoning of the site and the authority of that zoning, if applicable;
18. The name(s), address(es), and telephone number(s) of the owner(s) and developer(s) of the subdivision or their duly authorized representative; and,
19. The name(s), address(es), and telephone number(s) of the surveyor, engineer, or planner preparing the preliminary plat.
NOTE: The final plat must be prepared by a Professional Land Surveyor.

(D) Supplementary Information Required:

1. Vicinity Map – A small scale map to a scale of not less than one inch equals two thousand feet (1" – 2,000'), which may be shown on or accompany the preliminary plat. The map shall indicate the site's relationship to boundaries, traffic arteries, community facilities, railroads and other non-residential land uses for adverse influences. The map itself must include a minimum five hundred feet (500') radius surrounding the site;
2. Water Supply and Sewage Disposal – Preliminary plans for water supply and sewage disposal facilities shall be presented. Including:
 - (a) The location of the nearest public water supply and fire hydrant with a statement from the controlling authority indicating the ability to serve the site, as well as available capacity. Requests shall be in writing by the developer with notice that reply be made within fourteen (14) calendar days of receipt. In addition, if the site is to be served by private wells, a statement of the adequacy and usability of the proposed water supply available on-site; such statement shall include available well logs of the area.
 - (b) The location of the nearest public or private sewer system shall be shown; information concerning the possibility of connection and the capacity of the system will be required where necessary. If the subdivision lots are to be served with individual wastewater systems, the plans shall be reviewed by the County Public Health Department for conformance to the County Private Sewage Disposal Ordinance, as amended, as well as other applicable State or local ordinances.

3. **Drainage and Stormwater Management** – Preliminary plans for site drainage, surface and subsurface, and stormwater management shall be presented. Also to be included is a statement of whether the proposed subdivision is located in a drainage district and identifying and agreements that have been made with the drainage district in which the subdivision is located, if any.
4. **Water Course and Impoundments** – Preliminary plans for any proposed water course changes or impoundments to be developed. Existing and proposed impoundments shall indicate points of discharge, design capacities and calculations, and shall indicate normal pool elevations. Water courses shall show direction of flow. Both impoundments and water courses shall indicate elevations of the one hundred (100) year flood.
5. **Topographic and Profile Studies** – There shall be submitted simultaneously with the plat a study which shows topographically and by profile the elevation of the land prior to the commencement of any change in elevations as part of any phase of subdividing as well as a study which shows topographically and by profile any changes contemplated from such land when change is contemplated. Topography of the site shall be identified with contour lines at one foot (1') vertical intervals on grades of less than five percent (5%) and with five foot (5') contours elsewhere. Contours and elevations shall be based on sea level datum, USGS standards, where possible. Further, the topographical studies shall be prepared in such a manner as will permit the studies to be used as overlays to the subdivision plat. The studies shall have on their face a certification of an Illinois Registered Professional Engineer and the owner of the land or his duly authorized representative confirming the topographic and drainage certificate in these regulations.
6. **Road and Thoroughfare Design Plan** – Such preliminary plan shall contain information as to right-of-way widths, pavement design, standards and specifications, cross sections and profile drawings of roads, streets, thoroughfares and other public ways, all conforming to the design requirements herein contained, including standard detail and culvert sizes for each entrance.

7. **Variance Narrative** – If a variation or variations are to be requested from the standards herein contained, a narrative for each variation the developer is requesting shall accompany all other documents.

(E) **Reviewing Agencies:**

The developer or his representative shall be responsible for sending the preliminary plat document and support materials to the following agencies at the time of making formal application:

1. The County Health Department, if applicable;
2. Illinois Department of Transportation, if applicable;
3. Applicable Fire Protection District;
4. Township Road Commissioner, if applicable;
5. Supervisor of Village Employees;
6. The County Highway Superintendent, if applicable;
7. The County Soil and Water Conservation District, if applicable.

- (F) **Approval:** After an application for approval of a plat of a subdivision with three (3) copies of all maps and data, has been filed, the Village Zoning Board shall review the application and shall approve the plat proposed in the application, subject to its receipt of an acceptable Final Plat, as described in Section 10-5-4 of this Ordinance, or disapprove the plat, setting forth its reasons in its own records and providing the applicant with a copy. An approval shall be effective for a period of twelve (12) months, unless, upon request of the applicant, the Village Zoning Board grants an extension. If the Final Plat is not received by the Village Zoning Board within the period of time specified, all previous actions by the Village Zoning Board with respect to the plat shall be deemed to be null and void.

- (G) **Appeal:** Any party aggrieved by a decision of the Village Zoning Board may within fifteen (15) days thereafter, appeal therefrom to the Village Board and he shall file with the Village Board a written

notice of appeal specifying the decision from which such appeal is taken. Procedure for appeal shall be provided by the Village Board.

10-5-4: FINAL PLAT REVIEW PHASE: Formal, mandatory.

(A) Final Plat Document Specifications and Support Materials:

The developer or his representative shall request the Zoning Board Chairman, at least fifteen (15) days before a regular or special Zoning Board meeting, to place final plat review of the proposed subdivision on the Zoning Board agenda. At least three (3) copies of Final Plat Documents shall be made available for use at the Zoning Board meeting. The final plat shall meet the following specifications:

The final plat shall be prepared by a Professional Land Surveyor and drawn in ink on reproducible mylar at the same scale as the preliminary plat. When more than one (1) sheet is used for any plat, they shall be numbered consecutively and each sheet shall contain a notation showing the whole number of sheets in the plat and its relation to other sheets.

(B) Final Plat Contents:

1. Name of Subdivision;
2. Date, bar scale, and North arrow;
3. Locations by distances and bearings from true North or Grid North, as established by the Illinois State Plane Coordinate System, East Zone, and angles with reference to a corner or corners established in the United States Public Land Survey;
4. All angular and linear data along the exterior boundary of the tract, which meets the criteria for a "second order" accuracy survey, by Professional Land Surveyor's Standards;
5. The width, course, and extent of all existing and recorded roads, streets, thoroughfares and other rights-of-way intersecting the boundaries of the subdivision with accurate dimensions in feet and decimal parts of feet and accurate angles to streets, thoroughfares, alleys and property lines;

6. The width, course and extent of all proposed roads, streets, thoroughfares and other rights-of-way with accurate dimensions in feet and decimal parts of feet and accurate angles for all curves included in the plat;
7. Complete curve notes for all curves included in the plat;
8. Location, type and size of all monuments and lot markers;
9. The names of all existing and proposed roads, streets and other thoroughfares;
10. The location and dimensions for all easements and any limitations thereupon;
11. Accurate location of all existing abutting tracts, parcels, lots or blocks;
12. All tracts, parcels, lots and blocks contained within the subdivision shall be precisely dimensioned including any property to be dedicated or reserved for public, semi-public, common, or community use;
13. All tracts, parcels, lots and blocks contained within the subdivision shall be consecutively numbered;
14. All setback lines required by these regulations or fixed within approved protective covenants shall be shown and dimensioned upon the plat;
15. The centerline of streams, rivers or other similar flows; the normal pool elevation of any lake or impoundment; and, an elevation line indicating the elevation of the one hundred (100) year flood, if applicable;
16. The name(s), address(es), and signature(s) of the owner(s) and developer(s) of the subdivision or their duly authorized representatives;
17. The name, address, registration number and seal, and signature of the Professional Land Surveyor preparing the final plat;

18. Certificates required by these regulations to be included upon the final plat; and,
19. A statement of maintenance responsibility for any public improvements.

(C) Supplementary Information Required:

1. Soil Information Plan – Such plan shall contain delineation of the subdivision by soil types utilizing the most recent soil survey techniques and classification information system in use by the United States Department of Agriculture, Soil and Water Conservation Service; any information known and relating to the site's water table elevation and, any such additional information as may be required by the reviewing authorities, including further soil tests conducted as ASTM (American Society for Testing Material) standards when indicated by soil type.
2. Percolation Report – In the absence of sanitary sewer access, a report prepared by an Illinois Registered Professional Engineer shall be required which shall contain a representative number of percolation tests as selected by the County Health Department. Tests need not exceed two (2) tests per lot or one (1) test per change in soil type, whichever is greater. These tests shall be provided where on-site wastewater disposal is contemplated. Percolation tests presented with the final plat shall be witnessed by the County Health Department. The developer or his engineer shall properly notify the County Health Department in advance of testing, such notification and requests for observation shall conform to the applicable rules and procedures of the Department. The County Health Department after witnessing the percolation tests shall sign the results indicating that the percolation tests were conducted as to proper standards and procedures. The location of each test hole shall be plotted and numbered on a map of the same scale as the final plat, and a typewritten text of the results are to accompany the plan. A minimum of one (1) copy of all such information shall be provided by the project engineer for review and comment by the County Health Department.
3. Special Studies – Where required by site conditions or these regulations, such other special studies as may be necessary

and which may include but need not be limited to erosion control plans and specifications; landscaping plans and specifications; and, fill plan with location, depth and fill type; and hazardous waste sites and disposal sites, shall be submitted;

4. Covenants, Restrictions, Home Owner's Information – There shall be submitted with the plat one (1) copy of the covenants, deed restrictions, and/or home owner's association charter and by-laws, of a home owner's association is intended. NOTE: Within the covenants, statements shall be included, as applicable, which identify subsequent lot owners as responsible for the placement of driveway culverts in accordance with approved engineering plans. Additional statements shall also be included which identify subsequent lot owners as responsible for contacting the County Health Department for review and approval of individual (non-municipal type) septic systems and well locations, prior to construction of any permanent improvements or structures upon the individual lot. All restrictions are to be reviewed as part of the plat review process and must be recorded, as approved, with the approved plat.
5. Final Water and Sewage Disposal Engineering Plans;
6. Final Drainage and Stormwater Management Engineering Plans;
7. Final Water Course and Impoundment Engineering Plans. Complete plans shall be required for improvements, minimally, where impoundments or water courses affect the subdivision, elevations shall be included for the one hundred (100) year flood;
8. Final Topographic and Profile Studies, certified by the engineer and the owner for the entire site, where topographical change is contemplated;
9. Final Road and Thoroughfare Engineering Design Plans, Profiles and Cross-Sections;
10. Special studies and engineering plans in final form as required in preliminary plat presentation or as required to provide supporting information for final plat approval;

11. Final copies of all covenants, restrictions and home owner's association charters and by-laws as intended to be filed simultaneously with the final plat of subdivision; and,
 12. Applicable certificates as required by these regulations for final plat approval.
- (D) **Reviewing Agencies:** At the time of making final plat application to the Village Zoning Board, the developer shall forward copies of the final plat to all reviewing agencies receiving copies of the preliminary plat. Within ten (10) calendar days after receipt, interested review agencies shall prepare written reports which shall be available for use and review by the Village Zoning Board.
- (E) **Guarantee of Performance:**

Prior to the final plat being approved by the Village Board, a surety bond shall be posted, as follows:

The developer's engineer shall make an estimate of the probable expenditures necessary to enable the developer to conform with the standards of construction and the required improvements contained in these regulations. Each developer or subdivider who seeks the Village Board's approval of a map, plat, or subdivision shall post a surety bond when seeking final approval; such bond being posted with the Village Clerk. The amount of the bond shall not be less than one hundred percent (100%) of the final estimate of cost of the improvements as checked by a Committee of three (3) members of the Village Zoning Board, one (1) of whom shall be the Supervisor of Village Employees. The surety bond shall be in the form of a performance bond; however, in special circumstances and where approved by the Village Attorney, an "Irrevocable Letter of Credit", Escrow Account, or similar acceptable means of surety may be authorized. The bond shall be conditioned upon adherence to the rules and regulations and upon the construction of the improvements and full conformity with the approved engineering plans and specifications, within twelve (12) months from the date thereof and with surety thereon satisfactory to the Village Attorney. The Village Board at its discretion may extend the time of the performance bond for not more than an additional twelve (12) months, to allow for completion. When such an extension is at the request of the developer or subdivider or his legal representative,

the Village Board may require an increase in the value of the bond to cover the cost of inflation.

The surety bond shall guarantee that the owner of the land shall be one (1) of the principals under said bond and that the surety shall be responsible for the completion of the work within a reasonable time after being notified of default. The Village Board shall determine the length of reasonable time.

NOTE: For release of surety, see Section 10-19-1.

(F) Final Plat Approval:

Upon a finding by the Village Zoning Board that the final plat submitted is in accordance with the requirements of this Ordinance, the Chairman and Secretary shall so certify by placing their signatures upon the plat, and shall recommend it to the Village Board for review and final approval.

Following final approval by the Village Board, the final plat may be legally recorded in compliance with the laws of the State of Illinois. Such final approval shall be null and void if the said plat is not recorded within ninety (90) days after the approval, unless application for an extension of time to so record is made in writing during said ninety (90) day period to the Village Board, and by it granted.

CHAPTER 6

SUBDIVISION DESIGN STANDARDS AND SPECIFICATIONS

SECTION:

- 10-6-1: General Requirements
10-6-2: Conformity to Natural Features

10-6-1: GENERAL REQUIREMENTS: Every subdivision plat shall be prepared in conformance with:

- (A) The Statutes of the State of Illinois;
- (B) The Village of Arthur Subdivision Regulations;
- (C) All applicable codes and ordinances as adopted by the Village of Arthur;
- (D) All applicable federal codes and regulations; and,
- (E) Modern and best available planning and design practices.

10-6-2: CONFORMITY TO NATURAL FEATURES: All subdivision and all areas contained therein shall be planned to take advantage of the natural topography of the land, to reduce the overall amount of grading and disruption of surrounding drainage. The Village Board reserves the authority to deny or require modification of any subdivision or part thereof which because of its natural characteristics or positions, cannot be developed to provide an environmentally sound location. Some conditions which may make land unsuitable for subdivision or development are as follows:

- (A) Proposed development in flood hazard areas shall be governed by these regulations, in addition to the Village of Arthur's Ordinance No. 19-88, "An Ordinance Regulating Development in Special Flood Hazard Areas";
- (B) Land areas with high permanent water tables, swamp, highly organic soils subject to overflows, soils subject to extreme erosion, and soils which in other ways present hazards to public and private construction;

- (C) Subdivision planned for development with septic systems which contain areas with soils which show a high seasonal water table, slow or excessive permeability, or soils subject to excessive frost action;
- (D) Lands lying on a general overall slope in excess of fifty percent (50%) shall be excluded from development and may be placed in a conservation easement. Non-public systems for sewage and waste disposal intended to be located on lands lying on more than twelve percent (12%) slope shall require special engineering and shall require approval of a system for each such lot prior to approval of the subdivision. Public or private improvements on lands containing more than twelve percent (12%) slope will be considered for approval provided that the developer's evidence conclusively indicates no damage will occur to the environment; the approval of the subdivision will not create or intensify negative conditions relating to public health, safety or welfare; and, there will be no increase in replacement or maintenance costs of public facilities when compared to an area of lesser slope. Meeting these conditions, the Village Board may approve the subdivision;
- (E) Lack of adequate and readily available water supply for the domestic and fire protection needs of the inhabitants of the subdivision.

CHAPTER 7

ROADS, STREETS AND OTHER THOROUGHFARES

SECTION:

- 10-7-1: Roads, Streets and Other Thoroughfares
- 10-7-2: Curbs and Gutters
- 10-7-3: Sidewalks and Pedestrian Walkways

10-7-1: ROADS, STREETS AND OTHER THOROUGHFARES:

- (A) The thoroughfare and street layout, and alley layout where permitted, shall provide access to all lots and parcels of land within the subdivision. When two (2) roads or streets intersect the same street (T-intersection), offsets less than one hundred twenty-five feet (125') shall not be permitted.
- (B) Alleys shall be permitted in those parts of the plat proposed for single family and two-family residential use. Service roadways may be required in commercial and industrial developments, except where other provisions for suitable access and off-street loading and unloading is assured. No dead-end alleys shall be permitted.
- (C) Pavement construction standards for service roadways and alleys where permitted, shall conform to the "Standard Specifications for Road and Bridge Construction", latest amended edition, adopted by the Illinois Department of Transportation.
- (D) Half-streets are prohibited except when a half-street has been previously platted abutting the tract boundary line, the remaining half-street shall be platted and improved within the tract. In cases where the platting of a half-street is approved, it shall not be constructed or used for access to any lot until such time as the adjoining half-street is platted, approved, and the entire street is constructed.
- (E) Rights-of-way widths: See Table 1.
- (F) Partial rights-of-way widths: In those instances in which the owner or owners of a new subdivision own land on only one (1) side of an existing road or street and the rights-of-way are narrower than that required by these regulations, the owner shall dedicate additional

rights-of-way lying between the center line of the existing rights-of-way at least equal to one-half (1/2) of the required rights-of-way width.

- (G) The angle or intersection between local roads and streets and collector and arterial roads shall not vary by more than ten (10) degrees from the right angle. All other local roads and streets shall intersect each other as near to a right angle as possible and in no case shall an angle of less than seventy (70) degrees be permitted.
- (H) Intersections of three (3) or more roads or streets at any one (1) point shall be prohibited.
- (I) Where parkways or special types of roads or streets are involved, the reviewing authorities may apply special standards to be followed in their design.
- (J) Horizontal visibility on curved streets and vertical visibility on all roads and streets shall be maintained along the centerline. See: Table 1.
- (K) Curvature measured along the centerline shall have a minimum radius. See: Table 1.
- (L) Maximum grades for roads, streets and thoroughfares are herein established. See: Table 1.
- (M) Whenever the proposed subdivision contains or is adjacent to a railroad right-of-way or a highway designated as a limited access highway by the appropriate highway authorities, provisions shall be made for a parallel thoroughfare.
- (N) Roads, streets, alleys where permitted, and other thoroughfares shall be designed in consideration to their relation to existing and planned roads, streets, thoroughfares; to reasonable circulation of traffic; to topographical conditions; to runoff conditions; to extraordinary future public maintenance and replacement costs; and, in their appropriate relation to the proposed uses of the land to be served by such roads, streets and thoroughfares.
- (O) Stormwater systems, roads, streets, alleys where permitted, and other thoroughfares shall have complete plans, profiles, and cross sections, provided by the subdivider and prepared by an Illinois Registered Professional Engineer.

- (P) Roads, streets, alleys where permitted, and other thoroughfares shall be graded, surfaced, and improved to the dimensions as approved and work shall be performed in the manner prescribed in "Standard Specifications for Road and Bridge Construction", latest amended edition, adopted by the Department of Transportation of the State of Illinois.
- (Q) Minimum road surface widths are hereby established by these regulations. See: Table 1. Where a subdivision is being platted upon an existing road, such road must be improved by the developer to meet the minimum standards established for the classification of that road and herein contained. Where use of an existing road or thoroughfare is to be shared between subdivision use and any general public use, required improvements above the minimum standards will be considered on a cost-sharing basis between the developer and the road or thoroughfare authority.
- (R) All roads, streets, alleys where permitted, and other thoroughfares in any subdivision shall have a drainage plan conforming to all State, County, local, and federal laws and regulations applicable and shall represent best modern engineering practices.
- (S) The diameter of the paved surface of a permanent turnaround shall not be less than ninety feet (90').
- (T) Spite or reserve strips controlling access to public roads, streets, rights-of-way, actual or proposed, shall be prohibited.
- (U) Dead-end or stub-end streets are prohibited. A road or street permanently ending in a cul-de-sac shall not be considered "dead-end" for purposes of these regulations.
- (V) All streets, roads, and other thoroughfares providing primary means of access to property shall be named. Names of streets, roads, and thoroughfares in a proposed plat shall be chosen to avoid confusion and duplication with existing names, especially with such names located within the jurisdiction supplying fire protection to the site. The developer shall be responsible for the purchase and erection of road and street name signs resulting from the development and shall construct and locate such signs according to the directions of the applicable Village or Township Road Commissioner.

- (W) Traffic control and warning devices whose need is created by the subdivision shall be purchased and erected by the developer.
- (X) Maximum length of permanent cul-de-sac streets shall be six hundred feet (600') measured from the centerline of the intersection of the street to the center of the turning circle. Each cul-de-sac shall be provided at the closed end with a turn around having a minimum diameter of ninety feet (90'), and a minimum street rights-of-way line diameter of one hundred twenty feet (120'). No cul-de-sac may intersect with another cul-de-sac.

10-7-2: CURBS AND GUTTERS:

- (A) Whenever a proposed subdivision lies adjacent to or between other subdivisions which have been provided with curbs and gutters, the subdivider shall install curbs and gutters on each side of the street or road surface.
- (B) Subdivisions having a lot area of less than ten thousand (10,000) square feet or whose average lot width is less than one hundred feet (100') at the building setback line, or when the authority duly designated for the acceptance of the roadway requires for reasons of drainage or public safety, shall have curbs and gutters. Determination of need shall be based on pavement drainage, access control, and highway appurtenances design standards of the Illinois Department of Transportation's Bureau of Design, Design Manual, latest amended edition.
- (C) Gutters and combination gutters shall be Portland Cement concrete of not less than twenty-four inches (24") in overall width and not less than six inches (6") thick, as shown on Plate 1. The curbs and gutters shall conform to one of the construction types shown in Standard Specifications Number 1790F, as amended, of the Illinois Department of Transportation or as shown on Plate 1, and herein contained, and shall be constructed according to the following specifications:
 1. The base for the curbs and gutters shall be well-compacted on the existing base or grade;
 2. The minimum specifications shall be as shown for the types of cross sections in the Standard Specifications; and,

3. All concrete used in the curbs and gutters shall meet or exceed the specifications of the Illinois Department of Transportation.
- (D) Integral or monolithic curbs of the same dimensions as shown in the Standard Specifications or on Plate 1 may be constructed with concrete pavement, provided the curb widths meet the requirements shown on Plate 1.
- (E) The minimum grade of any road or street gutter or drainage swale shall not be less than three-tenths percent (.3%) and where open ditches or swales are permitted shall be designed in conformance with Section 10-12-1 of these regulations.

10-7-3: SIDEWALKS AND PEDESTRIAN WALKWAYS:

- (A) Whenever a proposed subdivision lies adjacent to or between other subdivisions which have been provided with sidewalks, the subdivider shall install sidewalks on each side of the street;
- (B) Subdivisions having an average lot area of less than ten thousand (10,000) square feet or an average lot width at the building setback line of one hundred feet (100') or less shall have sidewalks installed on both sides of the street or road. Subdivisions with lots in excess of ten thousand feet (10,000') at the building setback line may be required to install sidewalks where it is deemed necessary to provide for the safety of pedestrians.
- (C) When sidewalks are required, they shall be constructed of Portland Cement concrete, at least four inches (4") thick and four feet (4') wide and located within the street rights-of-way, one foot (1') from the street property line.
- (D) Sidewalks and walkways with gradients steeper than 1:20 shall not be permitted without the addition of features providing safeguards against slipping and falling hazards.
- (E) Whenever walks and sidewalks intersect with other walks and sidewalks, parking lots, driveways, roads, or streets, the surface shall blend to a common level to allow smooth passage. Specific ramp criteria as indicated in "Accessibility Standards Illustrated", as amended, and as developed by the Capital Development Board of Illinois, shall be and are hereby incorporated into these regulations.

CHAPTER 8
EASEMENTS

SECTION:

10-8-1: Easements

10-8-1: EASEMENTS:

- (A) Easements shall be provided for any overhead or underground utilities including but not limited to sanitary sewer, storm sewer, water, gas, telephone, electricity, and cable television. Such easements shall have a minimum width of fifteen feet (15'). Where it is intended that both overhead and underground utilities shall share the same easement, additional width sufficient to avoid conflict shall be provided. No surface drainage easement shall be permitted to be contained in an easement intended for underground utilities where drainage creates problems of seepage or coverage of the underground utilities. To the extent possible, easements shall be established to provide continuity of alignment through the subdivision.
- (B) Land subject to a public or private easement shall be restricted to prohibit within such easement structures, plantings or other materials from being placed or permitted to remain which may damage or interfere with the installation or maintenance of utilities; which change the direction of flow or drainage channels in the easement; or, which may obstruct or retain the flow of water through drainage channels in the easement.
- (C) Conservation easements may be required to protect natural areas of excessive slope or areas subject to flooding in order to prevent erosion, changes of stream quality or flooding characteristics.
- (D) Drainage easements may be required as specified by Section 10-12-1 of these regulations.
- (E) All utilities providing service within a subdivision as well as services providing connections between transmission lines or pipes and individual structure services shall be placed underground, whenever possible, and within easements.

- (F) Any public or private utilities or drainage systems transversing any part of a proposed subdivision and not heretofore possessing a recorded easement shall have an easement indicated upon the plat and meeting the minimum criteria of this Section.

CHAPTER 9

BLOCKS

SECTION:

10-9-1: Blocks

10-9-1: BLOCKS

- (A) Blocks shall not exceed one thousand feet (1,000') in length, unless otherwise approved.
- (B) Blocks or portions thereof intended for commercial or industrial use shall be designed as such, and the plan shall show adequate off-street areas to provide for parking, loading facilities and other such facilities.

CHAPTER 10

LOT WIDTH AND AREA

SECTION:

10-10-1: Lot Width and Area

10-10-1: LOT WIDTH AND AREA:

- (A) Within the Village, the width and area of lots for the district in which the subdivision is located shall be not less than as provided in the Village of Arthur Zoning Ordinance.

The depth-to-width ratio of usable area of a lot shall be a minimum of three to one (3:1).

- (B) Outside of the Village and within one and one-half (1 ½) miles of the Village limits, the following shall be required:

1. In subdivisions provided with both an approved community water supply system and an approved community sanitary sewer and sewage treatment system at the time of final plat approval, lot width and area for the district in which the subdivision is located shall be not less than as provided in the Village of Arthur Zoning Ordinance.

2. In subdivisions not served by an approved community sanitary sewer and sewage treatment system at the time of final plat approval, and whether or not the lot is served by an approved community water supply system, lot width and area shall be a minimum of:

(a) Eighty feet (80') wide at the setback line and not less than twenty thousand (20,000) square feet in area for single and two family residences;

(b) One hundred feet (100') wide at the setback line for the first three (3) units and five feet (5') additional in width for each additional unit and not less than eight thousand (8,000) square feet in area per dwelling unit for dwelling units containing three (3) or more units;

- (c) For commercial or industrial uses: two hundred feet (200') wide at the setback line and not less than forty thousand (40,000) square feet in area;
- (d) Or, of sufficient size and capabilities to meet the recommendations of the Illinois Department of Health and the County Health Department to be able to adequately accommodate both a primary and secondary treatment site and a potable water supply. However, in no case shall a lot governed by Section 10-10-1(A) have setback and width requirements less than those standards therein contained for single and two family residences;
- (e) The depth-to-width ratio of the usable area of a lot shall be a maximum of three to one (3:1).
- (C) All corner lots shall contain the width necessary to conform to the required setbacks along both roads or streets.
- (D) All lots shall abut on a publicly dedicated and accepted all-weather road or street meeting the minimum for the classification and requirements herein contained.
- (E) Side lot lines shall be at right angles or radial to curved streets and roads.
- (F) Trees and shrubs shall be planted as to form a tight screen along the rear lot line of any lot in a subdivision which backs upon an arterial road, limited access highway, collector road, commercial or industrial area, or railroad.
- (G) Such lots shall in no case be less than one hundred fifty feet (150') in depth.
1. Double frontage lots should not be platted, except that where desired along arterial, limited access highways or streets, lots may face on an interior street and back on such thoroughfare. In that event a planting strip for a screen at least twenty feet (20') in width shall be provided along the back of the lot.
 2. In all other cases where double frontage lots are permitted, vehicular access shall be permitted to only one (1) thoroughfare, and that thoroughfare being of the lower

CHAPTER 11
REQUIRED SETBACKS

SECTION:

10-11-1: Required Setbacks

10-11-1: REQUIRED SETBACKS: Required setbacks shall be measured from the rights-of-way line of the road, street or other thoroughfare to the front foundation. Minimum lot widths shall be calculated at the minimum setback requirement. In cases where the actual foundation is located at a point further than the required setback, the lot width minimum shall be applicable to both the required setback as well as the actual foundation setback, and shall be as follows:

- (A) Within the Village, the minimum distance required by the Village Zoning Ordinance.
- (B) Outside of the Village, and within a radius of one and one-half (1 ½) miles of the Village limits, a minimum distance required by the Village Zoning Ordinance.

CHAPTER 12**DRAINAGE****SECTION:**

10-12-1: Drainage

10-12-1: DRAINAGE:

- (A) All subdivisions shall have an engineer designed and Zoning Board approved drainage system plan which shall include full details of all surface and/or subsurface improvements. Design of the drainage system plan and stormwater management facilities shall be in accordance with current and best engineering practices. The standards for the design shall be adequate for the soils within the site as well as meet applicable local, state and federal requirements in existence at the time of subdivision approval.
- (B) Drainage systems shall have adequate capacity to bypass through the subdivision the flow from all upstream areas currently accepted upon the subdivision site and for that volume of water generated by a storm of one hundred (100) year frequency for the County. See: Plate 3.
- (C) Internal drainage of the subdivision shall adequately drain all portions of the subdivision, and shall be designed for a storm of one hundred (100) year frequency with a release rate from the site not to exceed the stormwater runoff rate in its natural undeveloped state, as otherwise herein indicated. Runoff concentration shall not be permitted which cause erosion or other hazards to life and property within, adjacent to, or downstream from the subdivision.
- (D) Whenever agricultural tiles are located within a subdivision which drains an area outside of the subdivision, the developer shall dedicate an easement not less than ten feet (10') in width along each side of the agricultural drainage tile for purposes of maintenance, improvements or replacement of the tile. Tiles may be relocated but shall be placed in easements or contained within public rights-of-way. The developer shall be responsible for relocating all agricultural field tile in the subdivision that services any area located outside the subdivision. New tile must replace all disturbed agricultural tile. Relocated tile shall retain the design flow

of the original tile. Agricultural drainage tiles which drain an area outside of the subdivision shall remain a separate system and not incorporated into the subdivision surface and/or subsurface system, except that a connection may be permitted where the flow entering the agricultural tile system is not increased beyond the flow of the site in its present natural undeveloped state. There shall be no connection between a septic system, storm sewer, road drainage system, or sink to any agricultural field tile unless approved by the County Health Department. The Zoning Board may require the subdivider to take those actions necessary for the purpose of discovery of the agricultural drainage tile. Agricultural drainage tiles shall, where possible, be aligned in easements located along property lines. Tiles crossing potential building pads and septic system locations shall be relocated or the lot designed to avoid such potential conflict.

- (E) Design flows for roadside ditches shall conform to the requirements of the Illinois Department of Transportation's Bureau of Design, Design Manual, latest amended edition; however, at a minimum, such ditches shall be designed to accommodate the maximum discharge from a storm of twenty (20) year frequency. Stormwater sewers which serve as main or terminal collectors shall be of sufficient design to accommodate a maximum discharge from a storm of ten (10) year frequency. Those storm sewers which serve as laterals shall be of sufficient design to accommodate a maximum discharge from a storm of five (5) year frequency.
- (F) The filling, alteration, widening or any other restriction or alteration of a natural stream and flood basin shall be permitted only as shown upon the final approved engineering drawings. Where erosion occurs along stream side slopes, whether caused by alteration or natural occurrence, suitable erosion controls shall be instituted by the developer. All disturbed areas will be seeded, fertilized, and mulched to prevent soil loss in excess of tolerable soil loss limits as defined by the U.S. Soil Conservation Service. Temporary erosion control measures will be used during the time of development to control excess soil erosion caused by development activities. Permanent measures will be installed as well where needed. Where such occurrences exist on stream slopes extending twelve percent (12%), said slopes shall be contained and dedicated in a natural easement.
- (G) Where roadway ditches or swales are permitted, such ditches or swales shall be completely included within the road rights-of-way.

Where ditch or swale integrity requires additional protection, additional easements may be required either permanently or during construction. Unless lesser standards are approved due to special circumstances, drainage shall be improved as follows:

1. Slopes: Both front and back slopes shall not exceed a four to one ratio (4:1) ratio slope; and,
 2. Grades: With grades to four percent (4%), ditches may have sod bottoms and banks; where ditch grades of four percent (4%) to eight percent (8%) occur, gradient control structures shall be used to maintain the ditch slope at four percent (4%) or less; with greater than eight percent (8%) grades, ditches or swales shall have riprap or be paved.
- (H) Where crossroad culverts occur, the rights-of-way shall be sufficient to include any headwall or similar structure.

Floodplain data used in all design work shall be as per the Village of Arthur's Ordinance No. 19-88, "An Ordinance Regulating Development in Special Flood Hazard Areas".

CHAPTER 13
MONUMENTS

SECTION:

10-13-1: Monuments

10-13-1: MONUMENTS:

- (A) Permanent Monument: A permanent monument shall consist of a ferrous metal pin, one-half inch (1/2") in diameter, thirty-six inches (36") long, set in a concrete post four inches (4") in diameter and twenty-four inches (24") long.
- (B) Corner Pin: A corner pin shall consist of ferrous metal pin, one-half inch (1/2") in diameter and thirty inches (30") long.
- (C) All subdivisions shall contain a minimum of two (2) permanent monuments plus additional monuments as may be required. Such monuments shall be located at points of curvature and points of tangency.