

Title 16 SUBDIVISIONS*

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* **Editor's Note:** This title contains a document, as amended, entitled "Subdivision Control Ordinance" dated November, 1996, which contains Ords. 76-12, 79-53, 83-42, 93-5, 95-23 and 96-45. History notes following the text of sections in this title that refer to sections of the Subdivision Control Ordinance are labeled "SCO."

Chapter 16.04 INTRODUCTORY PROVISIONS

Sections:

16.04.010 Title.

16.04.020 Scope.

16.04.030 Intent and purpose.

16.04.040 Word usage.

Section 16.04.010 Title.

This title shall be known, referred to and cited as "the land subdivision ordinance of the City of Olney." (SCO 1.1)

Section 16.04.020 Scope.

For the purpose of present and future development of the City of Olney and for the promotion of public health and safety, comfort, morals and welfare of persons living within the territory governed by the City, the provisions and regulations hereinafter contained in this title shall govern the subdivision and platting of lands lying within the corporate limits of the City of Olney as now or hereafter existing and, to the extent that such provisions and regulations may be lawfully applicable, shall also govern the subdivision and platting of lands lying within contiguous territory which is not more than one and one-half miles beyond the corporate limits

of the City of Olney, except as otherwise provided in Section 16.12.060. Within this area of jurisdiction of the City the provisions of the statutes of the state of Illinois are adopted as part of the official plan of the City.

This title prescribes procedures for the subdivision or resubdivision of land within the area of jurisdiction of the City of Olney and comprises the procedures, requirements, standards and specifications with respect thereto. The area of jurisdiction of the City of Olney is defined to include lands lying within contiguous territory which is not more than one and one-half miles beyond the corporate limits of the City. (SCO 1.2)

Section 16.04.030 Intent and purpose.

This title is intended for the purpose of providing adequate service and utilities, safe convenient access, a desirable and attractive living environment through good subdivision design, and utilizing development standards directed toward reasonable costs for initial development and continuing maintenance including the following:

- A. The proper location and width of streets, building setback lines, open spaces, recreational area and public lands;
- B. The avoidance of conditions which would lead to the creation of blighted areas;
- C. The avoidance of overcrowding of population and congestion of vehicular traffic;
- D. The manner in which streets are to be graded and improved, and the extent to which water, sewer, stormwater and other utility services are to be provided;
- E. The provision of adequate space for traffic; for utility facilities; access of emergency apparatus; for the control of the number, spacing, type and design of access points to existing or future streets; for minimum width, depth, and area of lots; for light and air; and for a proper distribution of population. (SCO 1.3)

Section 16.04.040 Word usage.

Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building," shall include the word "structure"; the word "may" is permissive. (SCO 2.1)

Chapter 16.08 DEFINITIONS

Sections:

16.08.010 Definitions.

Section 16.08.010 Definitions.

For the purpose of this title, the terms used herein are defined as follows:

Area, Gross. "Gross area" means the entire area within the boundary lines of the territory proposed for subdivision, including the area to be dedicated for street rights-of-way and public use.

Area, Net. "Net area" means the entire area within the boundary lines of the territory proposed for subdivision, less the area to be dedicated for street rights-of-way and public use.

"Barrier (natural or artificial)" means any street, highway, river, pond, canal, railroad, levee, embankment or screening by a fence or hedge.

"Block" means an area of land entirely bounded by streets, highways, barriers or ways (except alleys, pedestrian ways, or exterior boundary is a street, highway or way), or a combination of streets, and/or corporate boundary lines.

"Building" means any structure, whether temporary, semipermanent, or permanent, designed or intended for the support, enclosure, shelter, or protection of persons or property.

Building Line. See "setback line."

"Commission" means the Planning Commission of the City of Olney.

"Comprehensive plan" means the plan or any portion thereof adopted by the City for the coordinated physical development, including, among other things, plans and programs regarding the location, character, and extent of highways, transportation routes, bridges, public buildings or uses, utilities, schools, residential, commercial or industrial land uses, parks, forests, dams, drainage facilities, and projects affecting the conservation of natural resources of the City.

"Cul-de-sac" means a short, minor local street, having only one end open for vehicular traffic, and the other permanently terminated by a turn-around for vehicles.

"Design" means the arrangement of uses on the land and uses of land for easements, lots and rights-of-way, including materials, alignment, grade and width of these elements.

"Flood hazard area" means all land subject to periodic inundation from overflow of natural waterways when subjected to the maximum possible run-off from three inches of rain per hour using a fifteen (15) year storm as calculated by approved engineering methods or areas subject to periodic ponding.

"Hillside area" means an area with an average slope of twenty (20) percent or more.

"Improvement" means and refers to site grading, street work and utilities (including water, sewer, electric, gas and stormwater) to be installed or agreed to be installed by the subdivider on land to be used for public or private streets, and easements or other purposes as are necessary for the general use of lot owners in the subdivision.

"Improvement plans" means the engineering plans showing types of materials and construction details for the physical structures and facilities to be installed both in, or in conjunction with, the subdivision.

"Lot" means a parcel of land intended to be separately owned, rented, developed or otherwise used as a unit.

"Lot area" means the total horizontal area within the boundaries of a lot, exclusive of any land designated, for street or alley purposes.

Lot, Double Frontage. "Double frontage lot" means a lot having a frontage on two non-intersecting streets as distinguished from a corner lot.

Lot, Corner. "Corner lot" means a lot abutting upon two or more streets at their intersection.

"Parking lane" means an auxiliary lane of a street used primarily for vehicular parking.

"Plans" means all of the drawings including plats, cross-sections, profiles, working details and specifications, which the subdivider prepares or has prepared to show the character, extent and details of improvements required in Chapter 16.28, and which plans shall conform to any requirements of the Planning Commission as to scale and details for submittal to the appropriate officials of the City for consideration, approval or disapproval.

"Plat" means the maps, drawings, charts and other documents complying with all applicable provisions of this title which constitute the plan for subdivision and which the subdivider submits to the City for consideration of approval and intends in final form to record.

Plat, Final. "Final plat" means a plat drawn in ink upon tracing cloth or mylar and conforming to the requirements of 16.20.020.

Plat, Preliminary. "Preliminary plat" means a plat drawn upon tracing paper or other materials from which reproductions can be made and conforming to the requirements of 16.20.020

"Person" means any agent, individual, firm, association, partnership or corporation.

Re-subdivision. See "subdivision."

Road, County. "County road" is a term denoting a tract of land which is used primarily for the purpose of vehicular movement and includes all of the facilities and improvements within the right-of-way. This tract of land must have been presented to and accepted by the County Superintendent of Highways.

"Roadbed" means the graded portion of a street upon which the base course, surface course, shoulders and median are constructed.

"Roadway" means the entire improved portion of the street, including shoulders, parking lanes, travel way, curbs and gutter which lies between the right-of-way lines.

"Setback line" means the line parallel to the front, side or rear lot line establishing the minimum space to be provided as the front, side or rear yard.

"Street" means a general term denoting a public or private way for the purpose of vehicular travel. The term includes all facilities which normally occur within the right-of-way; it shall also include such other designation for a street as: a highway, thoroughfare, parkway, through way, road, pike, avenue, boulevard, bicycle or bridle path, lane, place, drive, court or as otherwise designated, but excluding an alley or a way for pedestrian use only.

Street, Arterial. "Arterial street" means a street designed or utilized primarily for high vehicular speeds or for heavy volumes of traffic on a continuous route, with intersections at grade, and which may have direct access to abutting properties, and on which geometric design and traffic control measures are used to expedite the safe movement of through traffic.

Street, Collector. "Collector street" means a street which carries or is proposed to carry intermediate volumes of traffic from local streets to arterial streets and which may or may not be continuous.

Street, Local. "Local street" means a street used primarily for access to abutting properties, providing for minimum speeds and traffic volumes.

Street, Marginal Access or Service Road. "Marginal access street" or "service road" means a local street parallel and adjacent to arterial streets providing access to abutting properties.

"Slope" means the degree of natural inclination of the existing ground.

"Structure" means anything constructed, which requires permanent or temporary location on the ground or is attached to something having a permanent or temporary location on the ground.

Subdivide. See "subdivision."

"Subdivider" means any person, firm, partnership, association, corporation, estate, or other group or combination acting as a unit, dividing or proposing to divide land in a manner that constitutes a subdivision as herein defined.

Subdivision. For the purpose of these regulations a subdivision of land is: (1) the division of land into two or more tracts, sites or parcels of less than five acres in land area; or (2) the establishment or dedication of a road, highway, street or alley through a tract of land regardless of area; provided, however, that the sale or exchange of small parcels of land to or between adjoining property owners, where such sale or exchange does not create additional lots, shall not be considered as a subdivision of land.

Subdivision, Minor. "Minor subdivision" means a division of land into two but not more than six lots, all of which front upon an existing street, not involving any new streets or other rights-of-way, easements and improvements, or other provisions for public areas and facilities.

"Travel way" means that portion of a street used for the movement of vehicles, exclusive of shoulders and auxiliary lanes. (SCO 2.2)

Chapter 16.12

ADMINISTRATION AND ENFORCEMENT

Sections:

- 16.12.010 Interpretation.**
- 16.12.020 Application of title.**
- 16.12.030 Suitability of land for subdivision development.**
- 16.12.040 Conformity of official map.**
- 16.12.050 Minor subdivisions.**
- 16.12.060 Exceptions.**
- 16.12.070 Recording.**
- 16.12.080 Violations--Penalties.**
- 16.12.090 Amendments.**

Section 16.12.010 Interpretation.

This title is intended as minimum requirements to provide for coordinated, efficient and economic development of the City, to insure the adequacy of street and utility facilities, and to promote the public health, safety and welfare.

If any other provision of law relates to any matter covered herein, the regulation providing the high standard shall apply. (SCO 1.4)

Section 16.12.020 Application of title.

No lot in a subdivision, as defined herein, may be conveyed unless a final plat of the property has been approved according to the requirements and provisions of this title, and recorded in the office of the Richland County Recorder of Deeds. (SCO 1.5)

Section 16.12.030 Suitability of land for subdivision development.

Land unsuitable for subdivision development due to drainage, flood hazard area, hillside area, rock formation, or any other conditions constituting a danger to health, life or property shall not be approved for subdivision development unless the subdivider presents evidence or data satisfactory to the City establishing that the methods proposed to meet any such conditions are adequate to avoid any danger to health, life or property. (SCO 1.6)

Section 16.12.040 Conformity of official map.

In the event that an area to be subdivided includes lands proposed to be used for parks or schools as shown on the official map of the City of Olney, such subdivision shall be subject to Ordinance No. 69-11 as adopted by the City Council. (SCO 1.7)

Section 16.12.050 Minor subdivisions.

Minor subdivisions or re-plat may be exempted from the procedures and requirements for preliminary plats and the subdivider may proceed to filing of the final plat for review. Final plat procedures and requirements shall be as specified in Sections 16.20.010 and 16.20.020.

The City Council may require the definite reservation for adequate access to prevent land locking of the adjoining territory. (SCO 6.1)

Section 16.12.060 Exceptions.

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this title would result in real difficulties or substantial hardships or injustices, the Council, after report by the Commission, may vary or modify such requirements so the subdivider may develop his or her property in a reasonable manner, but so that, at the same time, the public welfare and interests of the City and surrounding area are protected and the general intent and spirit of this title are preserved. (SCO 6.2)

Section 16.12.070 Recording.

A. The City Clerk shall not accept a final plat for filing with the County Recorder of Deeds unless the following conditions are met:

1. The final plat conforms to all requirements specified by the City Council as conditions of approval;
2. The final plat meets the design standards and engineering specifications set forth herein;
3. The final plat meets all requirements of the laws of the state of Illinois;
4. The subdivider or applicant establishes sufficient proof of his or her intent and ability to post a guarantee or performance bond or bonds with the City equal to the estimated construction cost of all improvements intended to be dedicated to the City for maintenance and operation.

B. No subdivision plat or re-plat shall be filed for record or recorded in the office of the Recorder of Deeds unless and until the approval of the City Council is endorsed thereon by the Mayor and attested to by the City Clerk. No lot shall be sold for such subdivision plat or re-plat until it has been approved by the City Council and filed for record in the office of the Recorder of Deeds of Richland County, Illinois, as herein provided.

C. The City Clerk shall file the approved final plat and order resolution with the Richland County Recorder of Deeds not more than thirty (30) days from the date of posting of, and not prior to the posting of, the performance guarantee or bond as required by Section 16.28.010; two copies of such final plat and order or resolution shall be kept on file by the City Clerk; one such copy filed with enforcement officer; and one copy shall be returned to the subdivider.

D. The City Council shall not permit any public improvements under its jurisdiction to be constructed or maintained within an area that has been subdivided after the adoption of the ordinance codified in this title unless such subdivision has been approved in accordance with the requirements contained herein.

E. No building permit shall be issued by any governing official, City or County, for the construction of any building, structure or improvement to the land or any lot within the subdivision as defined herein, until all requirements herein have been fully complied with or provided for. (SCO 6.3)

Section 16.12.080 Violations--Penalties.

A. Any person, firm or corporation who constructs any public improvement or portion thereof in violation of the provision of this title shall be, upon conviction, fined not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed committed on each day during, on, or which a violation occurs or continues.

B. Any person who shall sell or offer for sale, lease or offer for lease, while this title is in effect, any lot or lots or block or blocks, within the area of jurisdiction of the City or any addition thereto, or any re-subdivision of any lot or block therein, before all of the requirements of this title have been complied with or provided for, shall be fined not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) for each lot, block or part thereof so disposed of, offered for sale, or lease. (Editorially amended pursuant to Ord. '2014-20 & § 1.08.030: Editorially amended during 1999 codification; SCO 6.4)

Section 16.12.090 Amendments.

The regulations and provisions of this title may be changed and amended from time to time by motion of the City Council or on petition of any citizen to amend, supplement, or change this title; however, no such amendment shall be made without a public hearing before the City Plan Commission and its report to the City Council. Notice of the time, place and purpose of such hearing shall be given in a newspaper of general circulation at least fifteen (15) days but not more than thirty (30) days prior to such hearing. (SCO 6.7)

Chapter 16.16 PRELIMINARY PLATS

Sections:

16.16.010 Preliminary plat procedures.

16.16.020 Preliminary plat requirements.

Section 16.16.010 Preliminary plat procedures.

A. A subdivider desiring to subdivide a tract of land shall file an application with the City Clerk. Such application shall include the following:

1. A written request to the Commission for preliminary review of such subdivision and a general description of the location and size of the tract to be platted; the intent as to character, type and use of the property and structures to be developed; the deed restrictions proposed, if any; the extent and character of the improvements to be made by the subdivider; the zone district classification(s) of the territory and compliance of the proposed subdivision thereto. If appropriate, a description of any unique hardship or difficulty limiting the physical development of the property under consideration and a description of any past history of the property under consideration which is pertinent thereto;

2. Four copies of prints of the preliminary plat and other necessary documentation in accordance with the requirements of Section 16.16.020;

3. A filing fee of one dollar (\$1.00) for each lot with twenty-five dollars (\$25.00) minimum for review of said preliminary plat.

B. The City Clerk shall forward three copies of the preliminary plat and documents to the City Manager who shall review the same and note in writing all deviations from the requirements and conditions of this title. The City Manager shall then forward to the Planning Commission the three copies of the plat and documents together with the aforesaid written note.

C. The Commission shall review the Preliminary Plat within ninety (90) days from the date of application or the filing by the subdivider of the last item of required supporting data, whichever date is later, unless such time is extended by written mutual consent, and shall determine whether the preliminary plat shall be recommended for approval as submitted; shall be recommended for approval subject to certain conditions or modifications; or shall be recommended for disapproval.

D. The action of the Commission shall be noted in writing and if such preliminary plat is disapproved or is conditionally approved the Commission shall furnish written notice of such action to the applicant setting forth the reasons for its actions and specifying with particularity the aspects in which the preliminary plat fails to conform to the City's ordinances, including the official map.

E. The City Council shall accept or reject said preliminary plat within thirty (30) days after its next regularly scheduled meeting following the action by the Commission, unless such time is extended by written mutual agreement of the City Council and the applicant, or such preliminary plat will be deemed as approved. The City Council shall issue by order or resolution whether the preliminary plat is approved or disapproved as submitted. If the preliminary plat is disapproved, the order or resolution shall state the reasons for disapproval, specifying with particularity the aspects in which the preliminary plat fails to comply with the City's ordinance.

F. A certified copy of the order or resolution of approval or disapproval by the City Council shall be attached to the preliminary plat and shall be filed with the City Clerk, one such copy shall be filed with the Administrative Officer, and one copy shall be returned to the subdivider. Approval of the preliminary plat shall not qualify the preliminary plat for recording with the County Recorder of Deeds.

G. Preliminary plat approval shall confer upon the subdivider the following rights and privileges:

1. That the preliminary plat approval will remain in effect for a one-year period. Application for final approval of a plat shall be made not later than one year after preliminary approval has been granted. The applicant may elect to have final approval of a geographic part or parts of the plat that received preliminary approval, and may delay application for approval of other parts until a later date or dates beyond one year with the approval of the City Council. In the event that the subdivision is being developed in stages, the applicant may, by written mutual agreement with the Commission, have final approval of the last part of the plat delayed for a period not to exceed five years from the date of the preliminary plat approval. Any part of a subdivision which is being developed in stages shall contain a tract of land at least one block in length;

2. That the general terms and conditions under which the preliminary plat approval was granted will not be changed. (Ord. 98-131 § 1: SCO 3.1)

Section 16.16.020 Preliminary plat requirements.

The preliminary plat is to be provided by the subdivider and shall meet and include the following specifications:

- A. Proposed name of the subdivision and location;
- B. Small key map showing the relation of the proposed subdivision to section or U. S. survey lines and to platted subdivisions and dedicated streets within three hundred (300) feet of the proposed subdivision;
- C. Names and addresses of the owner, subdivider and land planning consultant, and the licensed engineer or registered land surveyor who prepared the preliminary plat;
- D. Streets and rights-of-way on and adjoining the site of the proposed subdivision, showing the names and including street roadway and right-of-way widths, approximate gradients, types and width of pavement, curbs, sidewalks, crosswalks, platting strips and other

pertinent data, including classification of all existing or proposed streets as to function as collector, arterial or local street or country road;

E. All lot lines adjacent to and abutting the subdivision;

F. Layout of lots, showing approximate dimensions, numbers, lot area, and zone district classification(s);

G. Parcels of land, if any, proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semipublic or community purposes and use(s) of the area to be subdivided and compliance of the proposed use to the comprehensive plan as adopted by the City of Olney;

H. Easements, existing and proposed, showing locations, widths and purposes;

I. Building setback line and dimensions;

J. Location and size of existing public utilities and drainage ways or facilities within or adjoining the proposed subdivision and the location and size of nearest water trunk mains, interceptor sewer lines, and other pertinent utilities;

K. Location, type and approximate size of utility improvements to be installed;

L. Tract boundary lines showing dimensions, bearings, angles, and references to known land lines;

M. The gross area and net acreage of the proposed subdivision, the acreage of streets, and of any areas reserved for the common use of the property owners within the subdivision and/or for public use;

N. Where the topography has a significant bearing upon the street grades, the plan of public utilities and drainage ways or facilities in the proposed subdivision and when it would be difficult for the Commission or the City Council to understand the relation of the plan to the existing topographic conditions, contour lines at not greater than two-foot intervals are to be shown. Contour lines shall be shown for all hillside areas and all other areas of significant slope;

O. Location of major watercourses, ponding areas, natural drainage ways and flood hazard areas;

P. The preliminary plat shall be drawn to a scale of one inch equals fifty (50) feet, provided, however, that if the resulting drawing would be over thirty-six (36) inches in the shortest dimension, a scale as recommended by the Commission may be used;

Q. North arrow and date;

R. Whenever a large tract is intended to be developed in stages, and only a part of that tract is to be submitted for final plat approval, a preliminary plat for subdivision of the entire tract shall be submitted. (SCO 3.2)

Chapter 16.20

FINAL PLATS

Sections:

16.20.010 Final plat procedures.

16.20.020 Final plat requirements.

16.20.030 Recording of final plat.

Section 16.20.010 Final plat procedures.

The final plat shall be filed with the City Clerk. The final plat shall include all plans and specifications and such other documents as may be necessary concerning the form of guarantee or performance bond to be used.

The City Clerk shall transmit the final plat to the City Manager for a review. The City Manager shall forward the final plat and any findings and recommendations to the Commission for consideration at the next meeting of the Commission, but in no event shall the City Manager be required to forward said documents to the Commission unless the City Manager has had at least fifteen (15) days to review the final plat.

The Commission shall review the final plat and plans and transmit a report of findings and recommendations to the City Council within thirty (30) days from the date of receipt of the final plat by the Commission. The action of the Commission, whether recommended for approval or disapproval of the final plat as well as the date of said action, shall be noted in writing and attached to the final plat, and if the final plat is recommended for disapproval, the reasons why shall be so stated.

The City Council shall take action on the final plat within thirty (30) days from the date of receipt from the Commission, unless such time is extended by written mutual consent of the City Council and subdivider.

If the final plat is disapproved by the City Council the reasons for such action shall be noted in writing by order or resolution stating the reasons for disapproval, specifying with particularity the aspects in which the final plat fails to conform with the City's ordinance.

If the final plat is approved by the City Council, the final plat shall be held by the City Clerk until such time the subdivider posts a performance guarantee or bond as required by Section 16.28.010. Upon receipt of said performance guarantee or bond, the Mayor shall affix his or her signature to the final plat and attach thereto a notation that the final plat has received final approval of the City Council, the Clerk shall attest the signature of the Mayor and affix his or her seal and attach a certified copy of the City Council's order or resolution of approval to said approved final plat. If such performance guarantee or bond is not posted by the subdivider within sixty (60) days from the date of approval of the final plat by the City Council, approval of such final plat shall expire and become null and void. (SCO 3.3)

Section 16.20.020 Final plat requirements.

The final plat to be provided by the subdivider shall meet the following specifications:

A. The final plat may include all or only a part of the preliminary plat which has received approval.

B. The plans of the final plat shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar or new linen tracing cloth with waterproof black india ink to a scale of one inch to one hundred (100) feet, provided that if the resulting drawing would be greater than thirty-six (36) inches in the shortest dimension, a scale of up to one inch to two hundred (200) feet may be used. Four black or blue line prints shall be submitted with the original final plat, or, in order to conform to modern drafting and reproduction methods, four black or blue line prints and reproducible cloth or film positives of the final plat shall be submitted. Prints filed with the City

shall include: One linen or mylar print made after recording of the final plat and bearing the official stamp attesting the fact of the recording.

C. All dimensions shall be shown in feet and decimals of a foot.

D. All surveys for a final plat shall be made under the active and personal direction of a registered professional engineer or registered surveyor of Illinois, and the following basic information shall be shown:

1. Accurate boundary lines, with dimensions and bearings or angles, which provide a survey of the tract, closing with an error of closure of not more than one foot in five thousand (5,000) feet. Coordinates shall be established for all property corners;

2. Accurate distances and directions to the nearest established official monument. Reference corners shall be accurately described on the final plat;

3. All elevations shall be referenced to the established datum and the said reference shall be clearly stated on any plans or drawings showing such datum, provided that bench marks are located within a reasonable distance;

4. Accurate legal description of the boundary and the included area of the subdivision to the nearest one-hundredth of an acre;

5. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract, shown by heavy solid line;

6. Right-of-way line of streets, easements and other rights-of-way and property lines and areas of lots and other tracts, with accurate dimensions, bearings and curve data, including radii, arcs and chords, points of tangency, and central angles;

7. Name and right-of-way width for each street or other right-of-way subject to approval by the City;

8. Location, dimensions and purposes of any easement, shown by light dashed lines;

9. Locations and sizes of all water mains, sanitary sewer mains, storm sewers, fire hydrants, manholes, and storm sewer intakes;

10. Number to identify each lot or site;

11. Purpose for which sites, other than residential lots, are dedicated or reserved;

12. Lot dimensions of each lot and building setback lines and dimensions;

13. Names of owners and mortgages accepting said plat with owner or owners personally signing all plans;

14. Names of owners of record of adjoining platting land;

15. Reference to recorded subdivision plats of adjoining platted land by record name, date and number;

16. Restrictions of all types which will run with the land and become covenants in the deeds for lots. Restriction lines should be shown by medium dashed lines;

17. Title or name of subdivision; section, township and range numbers in which the subdivision is located; and north arrow, scale and date;

18. Certification by registered land surveyor with registration numbers and seal affixed to all final documents of the final plat. Certification shall be in the following form:

State of Illinois

County of Richland

I, _____, to hereby certify that I have surveyed the property described in the above caption and that I have subdivided the same into blocks and lots as shown on the hereon drawn plat. This plat correctly represents said survey and subdivision in every detail. Monuments

shown are in place as located. All lots corners are marked with _____. Dimensions are in feet and decimal parts thereof corrected to 62 degrees Fahrenheit temperature.

Dated this ___ day of ___, 19

Registered Ill. Land Surveyor #

Seal:

19. Certificate of dedication of all public areas. Conveyance certification shall be in the following form:

State of Illinois

County of Richland

I, _____, do hereby certify that proper and satisfactory conveyance of good title of the City of Olney have been executed and filed with the City Clerk applying to rights-of-way for streets, alleys, and easements and that the necessary procedure has been established for acquisition of lands for parks, playgrounds, and for other public use.

Dated this ___ day of ___, 19

City Attorney

20. Certificate that all taxes due have been paid:

State of Illinois

County of Richland

I, _____, do hereby certify that the records of the County Clerk and the City of Olney have been checked and there are no unpaid taxes or assessments on the above described property.

Dated this ___ day of ___, 19

City Clerk

(Seal)

21. Certificate for approval by the Planning Commission. Form for final approval:

State of Illinois

County of Richland

Under the authority provided by Chapter 24, Illinois Revised Statutes, 1975, enacted by the State Legislature of the State of Illinois and ordinances adopted by the City Council of the City of Olney, Illinois, this plat was given final approval by the City of Olney. Approved by the Plan Commission at a meeting held _____.

(date)

Chairman

Secretary

22. Certificate of approval by the City Council:

State of Illinois

County of Richland

Under the authority provided by an ordinance adopted by the City Council of the City of Olney, Illinois, this plat was given final approval by the City of Olney. Approved by the City Council at a meeting held _____.

Date

Mayor

City Clerk

23. Certificate for approval by the Fire Chief. The Fire Chief certification shall be in the following form:

State of Illinois

County of Richland

This is to certify that I have this date checked the plat for compliance to the City of Olney Fire Code and find that it complies in all respects.

City Fire Chief

Date

24. Certificate for approval by the City Engineer. The form for engineering approval is as follows:

State of Illinois

County of Richland

I, _____, do hereby certify that this plat has been checked for conformance to the City of Olney's standards and requirements and working drawings and specifications for all improvements have been prepared in conformance with the City of Olney's standards and requirements and all engineering fees due to the City of Olney have been paid.

City Engineer

Date

(Seal)

City Attorney

Date

25. Certificate for approval by the City Manager. Form for guarantee of improvement:

State of Illinois

County of Richland

This is to certify that provisions have been made according to the Code of Ordinances for the City of Olney in accordance with the subdivision regulations for guarantee of performance in the construction of all public investments.

City Manager

Date

City Attorney

Date

(SCO 3.4)

Section 16.20.030 Recording of final plat.

The City Clerk shall retain the final plat so approved, and upon payment by the owner to the City Clerk of the cost of recording, the City Clerk shall record the plat in the office of the Richland County, Illinois Recorder of Deeds. The supporting documents transmitted with said final plat to the City Council shall be filed in the office of the City Clerk. A permanent type of copy of the final plat, after recording, shall remain on file in the office of the City Clerk. A print or copy of the final plat, with copy of the approval thereof by the City Council, and one copy of all supporting documents, shall be made available to the owner. (SCO 3.5)

Chapter 16.24 DESIGN STANDARDS

Sections:

- 16.24.010 Conformance required.**
- 16.24.020 Streets.**
- 16.24.030 Easements.**
- 16.24.040 Blocks.**
- 16.24.050 Lots.**

Section 16.24.010 Conformance required.

The subdivider shall conform to the following principles and standards of land subdivision in the design of each subdivision or portion thereof. No preliminary plat shall be approved unless it conforms to the following minimum standards of design. (SCO 4.1)

Section 16.24.020 Streets.

A. The street arrangement shall be such as to not impose undue hardship upon the owners of adjoining property when they plat their own land and seek to provide for convenient access to streets.

B. The arrangement of right-of-way in a subdivision shall provide for the continuation of the existing streets or rights-of-way in adjoining areas, unless the City deems such continuation undesirable for reasons of topography or design. Where subdivision streets or rights-of-way are continuations or extensions of existing streets or rights-of-way, the width thereof shall be of the same or greater width as the existing street or right-of-way except that in no case shall the street or right-of-way in the subdivision be of less width than hereinafter provided in subsections K, L, and M of this section.

C. Where, in the opinion of the City, it is desirable to provide future street access to adjoining areas, the right-of-way in the subdivision shall be extended to the property line. If deemed necessary by the City, any temporary dead-end street shall be provided with temporary

turn-arounds. In no case shall access be denied to any parcel or part of a parcel of ground by the subdividing of land.

D. Streets shall intersect at right angles.

E. Local street curb intersections shall be rounded by radii of at least fifteen (15) feet; intersections involving collector or arterial streets shall have radii of not less than twenty-five (25) feet.

F. Street jogs are prohibited.

G. Unless topography indicates a need for a greater length, dead-end streets, designed to be so permanently, shall be no longer than five hundred (500) feet and shall terminate in a circular open space having a radius at the outside of the pavement of at least forty (40) feet and a diameter at the outside of the right-of-way of at least one hundred (100) feet.

H. Noncollector streets shall be designed so as to discourage through traffic.

I. No local street grade shall be in excess of ten percent and no collector street or arterial street grade shall be in excess of seven percent except as otherwise approved by the Commission due to adverse topographic conditions. For adequate drainage, the minimum grade of any new street shall not be less than one-half of one percent.

J. The City shall not approve streets which will be subject to frequent inundation or flooding.

K. The minimum right-of-way of local streets, including marginal access streets and cul-de-sacs, shall be fifty (50) feet.

L. The minimum right-of-way collection streets shall be sixty (60) feet.

M. The minimum right-of-way of arterial streets shall be ninety (90) feet.

N. Intersections of more than two streets at one point shall be avoided.

O. Where the subdivision abuts on or contains an existing or proposed arterial street, the City may require that marginal access streets be provided in order that no lots front on such existing or proposed arterial street.

P. Dedication of half-streets shall be discouraged, but may be permitted whenever there is no other logical method of platting. However, wherever there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half of the street shall be platted, unless otherwise permitted by the City. (SCO 4.2)

Section 16.24.030 Easements.

A. Easements of not less than ten feet in width shall be provided on each side of all rear lot lines, and alongside lot lines where necessary for storm and sanitary sewers, gas, water and other mains, and for electric and telephone lines or for other public utilities. Easements of greater width may be required along or across lots when necessary for the extension of main sewers or other utilities or where both water and sewer lines are located in the same easement.

B. Adequate easements for stormwater drainage shall be established along any natural drainage channel and in such other locations as may be necessary to provide satisfactory disposal of stormwater from streets, and all other portions of the subdivision. The location and minimum width of such easements shall be determined by the administrative office.

C. No tree, shrub or building shall be placed or erected in any easement for utility or drainage purposes or within the right-of-way of any street, except at the owner's risk as to all

costs for demolition, removal or reconstruction, and the proper authorities may have free access to and use the easements at any time. (SCO 4.3)

Section 16.24.040 Blocks.

- A. No block shall be longer than nine hundred (900) feet.
- B. All blocks, whenever it is deemed essential to provide access to schools, playgrounds, shopping centers and other community facilities, shall have a crosswalk with a right-of-way of at least ten feet in width near the center of the block.
- C. The length, width and shapes of blocks shall be determined with due regard to building sites, land use, zoning requirements, access, safety and convenience.
- D. Where a subdivision adjoins an arterial or collector, the greater dimension of the block shall generally front or back upon such arterial or collector to avoid unnecessary ingress or egress. (SCO 4.4)

Section 16.24.050 Lots.

- A. Lot area and dimensions shall conform to the requirements of the zoning ordinance.
- B. The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development.
- C. All side lines of lots shall be at right angles to straight street right-of-way lines and radial to curved street right-of-way lines except where a variation of this rule will provide a better street and lot design.
- D. All remnants of lots below minimum lot area size left over after subdividing of a larger tract shall be added to adjacent lots, rather than allowing to remain as unusable land, except when designated for utility purposes or accepted for public space for park or other public uses.
- E. Lots which cannot be served by either a public or private sanitary sewer, and/or a public water system, shall comply with the applicable provisions of the zoning ordinance and shall be not less than one acre in size per lot or household unit, whichever is greater. Such lots shall have a width of not less than one hundred twenty-five (125) feet or a depth in excess of three times its width, unless otherwise permitted and approved by the City Council.
- F. Lots with double frontage are not encouraged. Corner lots and lots with double frontage shall have extra dimension sufficient to permit the establishment of front building setback lines on the adjoining streets.
- G. The subdividing of the land shall be such as to provide each lot with satisfactory access to a public street. (SCO 4.5)

**Chapter 16.28
IMPROVEMENTS**

Sections:

- 16.28.010 Performance guarantee or bond.**
- 16.28.020 Construction performance and plan requirements.**
- 16.28.030 Inspections.**
- 16.28.040 Minimum standards of improvement.**
- 16.28.050 Reference monuments.**
- 16.28.060 Street improvements.**
- 16.28.070 Stormwater detention.**
- 16.28.080 Sanitary sewers.**
- 16.28.090 Water.**
- 16.28.100 Street markers and traffic signs.**
- 16.28.110 Telephone and electric utilities.**
- 16.28.120 Sidewalks.**

Section 16.28.010 Performance guarantee or bond.

A. A performance guarantee or bond as approved by the City Attorney or the City Manager shall be posted by the subdivider with the City Clerk after final plat approval, within the time requirements set forth in Section 16.20.010, and before construction of the improvements is started. Such performance guarantee or bond shall be in an amount determined by the City Manager or his or her designee as equal to the estimated construction of all improvements intended to be dedicated to the City for maintenance and operation. Performance of work necessary to complete construction and installation of the required improvements to be dedicated to the City shall be within two years of the date of approval of the final plat, unless such time is extended by written mutual consent of the subdivider and the City. If such improvements are not satisfactorily installed within the time constraints imposed herein, then such guarantee or bond shall be forfeited by the subdivider, and the surety shall be used to complete and/or install such improvements in accordance with the requirements specified herein. The guarantee or bond shall be in force for one year after the City officially accepts the improvements.

B. During the one-year period after acceptance by the City, all deficiencies due to workmanship, material and/or method of construction must be corrected at the subdivider's expense.

C. Acceptance by the City will be as follows:

1. The City Engineer or his or her designee will inspect the improvements for conformity to the appropriate ordinance(s). The City Engineer shall list all deficiencies in writing and give them to the subdivider for corrective action. When the City Engineer accepts the improvements, he or she shall make a written recommendation to the Council. Within thirty (30) days of the City Engineer's recommendation, the Council must take appropriate action. If the Council disapproves the acceptance recommendation by the City Engineer, the Council must notify the subdivider in writing indicating what deficiencies must be corrected.

2. At the end of the one-year warranty period the City Engineer will inspect the improvements. If he or she finds deficiencies, he or she must specify them in writing to the subdivider for corrective action. When the City Engineer determines that the improvements have been completed and the deficiencies corrected, he or she shall recommend in writing to the City

Council that the performance guarantee or bond be returned to the subdividers. Within thirty (30) days the Council must accept the recommendation or specify in writing the deficiencies remaining. The performance guarantee or bond may be in the form of a bond issued by a surety company, a pledge of lots within the subdivision, pledged cash, or similar collateral acceptable to the City Council. (SCO 3.6)

Section 16.28.020 Construction performance and plan requirements.

All improvements in the proposed subdivision or part thereof intended to be dedicated to the City for maintenance and operation shall be constructed and/or installed within two years of the date of the final plat approval in accordance with the requirements specified herein, and such improvements shall not be considered as completed until officially approved and accepted by the City Council.

Construction plans and specifications for such improvements shall be provided by the subdivider at the time that the final plat is submitted to the City Council. The plans and profiles of all streets, storm and sanitary sewers, water lines and drainage structures together with their drainage area, shall be prepared on standard plan and profile sheets and shall bear the seal and signature of the registered professional engineer responsible for the preparation. A cross-section of the proposed streets shall be included showing the widths of roadways, location and width of sidewalks, and the location of underground City utilities. The plans shall show the line of all proposed sidewalks and the location of all proposed street lights. The plans, cross-sections and specifications for the proposed improvements shall be submitted to and approved by the Administrative Officer prior to submission to the City Council with the final plat. Four black or blue line prints of the approved documents shall be included with the final plat submission. After the completion of the construction of the improvements, a set of reproducible prints showing the as-built details and changes, if any, shall be filed with the City. (SCO 3.7)

Section 16.28.030 Inspections.

All public improvements proposed to be made under the provisions of this title shall be inspected during the course of construction by the City Engineer or his or her designee. Required inspections are those listed in the sections of this title dealing with the improvements under inspection and any other inspections designated by this title or amendments thereto. All fees and costs connected with such inspection and in reviewing the plans and specifications for such improvements shall be paid for by the subdivider at a rate to be determined by resolution of the City Council. (SCO 3.8)

Section 16.28.040 Minimum standards of improvement.

Utility and street improvements shall be provided by the subdivider in each new subdivision in accordance with the standards and requirements described in this chapter. The requirements set forth below shall be considered as minimum requirements. (Ord. 98-131 § 2: SCO 5.1)

Section 16.28.050 Reference monuments.

Permanent monuments shall be of stone or concrete six inches by six inches by thirty (30) inches with a three-fourths inch by thirty (30) inch iron pipe cast in the center, set in such manner that they will not be moved by frost and shall be placed as required by the statutes of the state of Illinois as revised.

All lot corners shall be marked by one-half inch iron pins not less than twenty-four (24) inches in length and driven into the ground and shall not protrude above the ground surface more than one and one-half inch. (SCO 5.2)

Section 16.28.060 Street improvements.

A. All streets shall be constructed as hereinafter provided:

1. All new streets, which are created and dedicated for use within a subdivision, shall be graded, drained and surfaced in accordance with the minimum requirements set forth below and in a manner which will provide complete and adequate drainage of all the streets and public grounds in the entire subdivision, including any such work which may be necessary in order to provide adequate and satisfactory drainage along the side of any existing public street which lies adjacent to the subdivision.

2. In general, all such new streets within the subdivision and all work to be undertaken thereon shall be designed and constructed according to the specifications adopted by the Division of Highways, Illinois Department of Transportation, in effect at the time the preliminary plat and plans for such improvement work are submitted for approval.

B. Pavement Width. All streets within the subdivision shall be improved to have a total pavement width, back-to-back concrete curb, as follows:

1. Major streets in business areas: Thirty-six (36) feet;
 2. Major streets in industrial areas: Thirty-six (36) feet;
 3. Local streets in residential areas: Thirty (30) feet, providing all dwellings have paved off-street parking on private property for two four-wheel motor vehicles;
 4. Secondary and minor streets in industrial or business areas: Thirty-six (36) feet;
- and

5. Collector streets in residential areas: Thirty-six (36) feet.

C. Grading Roadway and Side Slope. The roadway shall be considered to be that part of the improvement which lies between the right-of-way lines, and shall not be less than fifty (50) feet in width on local streets and sixty (60) feet on collector streets and shall be constructed substantially in accordance with the typical cross-section shown on Standard #1 attached to the ordinance codified in this section.

D. Curb and Gutter. A suitable curb and gutter shall be constructed along the outside lines of all streets. The type of curb and gutter shall be a six-inch barrier curb with eighteen (18) inch gutter, Type B-6.18, or a six-inch mountable curb with eighteen (18) inch gutter, Type M-6.18. The curb and gutter is to be constructed in accordance with Standard 2130-3 of Highway Standards, state of Illinois, Division of Transportation, Bureau of Design. See detail sheet attached to the ordinance codified in this section.

In addition the barrier and mountable curb and gutter construction set forth above, another suitable type of curb and gutter shall be a four-inch rollover curb with five-inch gutter as

more fully described in the curb and gutter detail attached to the ordinance codified in this section.

E. All construction shall be in accordance with the Standard Specifications for Road and Bridge Construction in Illinois, dated January 1, 1997, or the latest revision thereof.

Residential		Commercial, Industrial, and Major	
Base	Surface	Base	Surface
Alt. #1 3" CA-10 crushed stone or 8" lime stabilized soil	6" *port- land concrete	3" CA-10 crushed stone concrete or 8" lime stabilized soil	8" *port- land concrete
Alt. #2 8" CA-6 crushed stone course	3" bitum- inous concrete surface course	10" cement stabilized CA-6 aggregate	3" bitum- inous concrete surface
Alt. #3 8" cement stabilized CA-6 aggregate	3" bitum- inous concrete surface course		

* Integral type curbs may be used.

F. Before any paving work is commenced, the City Engineer must certify in writing that the street grading meets the grading plan submitted with the final plat of the subdivision. All of the underground work, such as sewer, water, and gas mains, building service connections therewith, and any underground conduits for electric and telephone lines shall be completely installed in place and approved before grading of the streets is completed and approved and before the base course of the roadway pavement is laid. Before the base course of the roadway pavement is laid, the City Engineer must approve in writing the above-described work.

The surface course of the roadway pavement shall not be laid until the back filling of all trenches dug for the installation of the aforementioned utility services have been compacted and the City Engineer or his or her designee has given his or her written approval that such back filling and compacting has been properly accomplished in accordance with engineering standards adopted by resolution of the City Council incorporated herein by reference. Additionally, all trenches, ditches, cuts of the street and similar depressions which will lie under a street or which will run parallel to the curb within three feet of said curb, must also be back filled and compacted in accordance with the provisions of this paragraph.

G. Underground utility lines in street or alley right-of-way shall be installed prior to the construction of such streets and/or alleys.

All utilities shall be run in the easements outside of the street curb except:

1. Service connections for lots on the opposite side of the street;
2. Where main lines must cross streets to connect with existing main lines and the

City Engineer certifies in writing that such routing is necessary;

3. When the public interest is best served by location of utilities under the street due to the unusual topography or similar problems and the City Engineer certifies that an alternate routing designated by him or her is in the best interests of the City of Olney.

Caveat: Any work performed by the subdivider before preliminary work has been approved in writing by the City Engineer or his or her designee shall be performed at the risk of the subdivider. The City Engineer or his or her designee, at his or her sole discretion, may require the subdivider to do whatever is necessary to accommodate the inspection of the preliminary work including, but not limited to, the removal of all improvements constructed after the uninspected preliminary work was completed. (Ord. 98-54 § 1: SCO 5.3)

Section 16.28.070 Stormwater detention.

A. All subdivisions shall have an engineer-designed and Plan Commission-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 Richland County, Illinois.

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 concentrations shall not be permitted which cause erosion or other hazards to life and property within, adjacent to, or downstream from the subdivision.

D. The drainage system plan shall consist of an adequate underground system of stormwater drainage, consisting of pipes, tiles, manholes, inlets, and other necessary facilities, provided, however, that the City Engineer may certify that unusual topography or other special conditions indicate that it is in the best interests of the City to permit open ditches and the City Council may, upon such findings, approve open ditches for the subdivision. 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. Storm sewers which serve as main or terminal collectors shall be of sufficient design to accommodate a maximum discharge from a storm of ten-year frequency. Those storm sewers which serve as laterals shall be of sufficient design to accommodate a maximum discharge from a storm of five-year frequency. (SCO 5.4)

Section 16.28.080 Sanitary sewers.

When located within the service area of a public sanitary sewerage system, sanitary sewer mains shall be constructed throughout the entire subdivision in such manner as to serve

adequately, as approved with respect to technical capability and capacity by the City Engineer or his or her designee, all lots and tracts with connection to such public system. Where lots cannot be connected with a public sewerage system, provisions shall be made for installation of sewer vaults or other suitable installations as approved by City Council and Plan Commission. (SCO 5.5)

Section 16.28.090 Water.

Water mains of adequate size and in any event not less than six inches in diameter together with shut-off valves and fire hydrants as approved by the Plan Commission and City Council shall be constructed throughout the entire subdivision in such manner as to serve adequately all lots and tracts with connection to such public system; fire hydrants shall be installed throughout the entire water system at intervals not exceeding four hundred fifty (450) feet. All fire hydrants shall have a seven-inch barrel and shall be provided with two and one-half inch hose connections and one steamer connection.

Where residential lots cannot be connected with a public water supply system, provision must be made for a water supply suitable for domestic use approved by the Illinois Environmental Protection Agency. (SCO 5.6)

Section 16.28.100 Street markers and traffic signs.

Signs shall be erected by the City at all street intersections giving names of streets. (SCO 5.7)

Section 16.28.110 Telephone and electric utilities.

All utility lines for telephone and electric service shall be placed in rear-line easements when carried on overhead poles. Where telephone and electric service lines are placed underground entirely throughout a subdivided area, said conduits or cables shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services. Further, all transformer boxes shall be located so as not to be unsightly or hazardous to the public. (SCO 5.8)

Section 16.28.120 Sidewalks.

A. Sidewalks shall be constructed by the developer in the subdivision in conformance to the following requirements:

1. Dimensions:
 - a. Width: Four feet (minimum) in residential districts, five feet (minimum) in nonresidential districts,
 - b. Thickness: Four inches minimum;
2. Location: One foot in from the property line;

3. Grade: Parallel with the street grade;
4. Materials: 5.5 bag portland cement concrete with crushed stone; five to eight percent air;
5. Contraction joints with joint tool at four-foot centers;
6. Cross slope: Minimum equals one-eighth inch per foot; maximum equals one-half inch per foot.

B. Sidewalks shall be constructed within one hundred twenty (120) days of completion of the lot development on a block-by-block basis. In the event the development is not complete within three years of City Council approval of the final plat, the developer shall complete the sidewalks as required by this section within one hundred twenty (120) days after the end of the three-year period.

C. Location Requirements:

1. Sidewalks are required on both sides of the street in all residential districts.
2. Sidewalks are required on both sides of the street in all commercial districts.
3. Sidewalks are not required in manufacturing districts unless specifically requested by the City at the time of preliminary plat submittal.

D. A variance may be granted by the City Council if one or more of the following conditions are met:

1. Where sidewalks are not deemed necessary for public safety or where topographical or other conditions make their installation and use impractical;
2. Where the subdivision designed has a proposed pedestrian movement plan that provides for more direct and safer movement of pedestrian traffic.

E. Curbs shall be cut and sidewalks shall be ramped at all intersections in accordance with 4.7 Curb Ramps in CABO/ANSI A117.1-1992, Accessible and Usable Buildings and Facilities. (Ord. 97-69 § 2: SCO 5.9)

ⁱ (2014-20, Amended, 06/23/2014, Amount of fines throughout code amended from \$60 to \$75)