

Revised Code

CHAPTER 34

SUBDIVISION CODE

ARTICLE I - GENERAL REGULATIONS

34-1-1 APPLICABILITY OF ARTICLE. No land within the subdivision jurisdiction of the Village--other than land that is specifically exempted from the requirements of the Illinois Plats Act Illinois Revised Statutes, Chapter 109, Section 1(b)--shall be subdivided or developed except in compliance with the regulations of this Chapter and the applicable provisions of State law. No lot in any subdivision shall be conveyed or offered for conveyance until: (See Ill. Rev. Stats., Ch. 24; Sec. 11-12-8; Ch. 109; Secs. 1, et seq.)

(A) The final plat of the subdivision has been approved by the Village Board and recorded in the office of the County Recorder of Deeds; and

(B) the portion of the subdivision in which the lot is located has been improved in accordance with the requirements of this Chapter or until a performance bond or other security has been posted to assure the completion of such improvements.

The Building Inspector shall not issue a Flood Plain Permit for any lot conveyed in violation of this section.

34-1-2 SUITABILITY FOR SUBDIVISION; GENERALLY. Land that is unsuitable for development due to flooding, poor drainage, rough topography, adverse soil conditions, or other features which will be harmful to the health, safety, and general welfare of the inhabitants of the subdivision and/or its surrounding areas shall not be subdivided or developed unless the subdivider/developer formulates adequate plans/methods to solve the problems caused by the adverse land conditions.

34-1-3 LOT REQUIREMENTS. All lots shall contain adequate space for required off-street parking and loading.

34-1-4 ACCESS AND RELATIONSHIP TO STREET. Land shall be subdivided in such a way that each lot abuts a street meeting the requirements of Section 34-1-6. All side lot lines shall be at right angles to straight street right-of-way lines or radial to curved street right-of-way lines except where a deviation from this rule will provide a better street and lot design.

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34-1-5 REFERENCE MONUMENTS. Stone or reinforced concrete reference monuments, set in the ground in such a manner that they will not be moved by frost, shall be placed in the field in accordance with the Plats Act, as now or hereafter amended. All lot corners shall be marked by one-half inch iron pins not less than 24 inches long. These pins shall be driven into the ground deep enough that they do not protrude above the ground surface more than one and one-half inches. (Ill. Rev. Stats., Ch. 109, Sec. 1.)

34-1-6 STREET DESIGN STANDARDS. All streets shall be properly integrated with the existing and proposed street system indicated in the Village's Comprehensive Plan, and shall meet the specifications set forth in tabular form below.

TABLE OF STREET DESIGN SPECIFICATIONS

<u>Type of Street</u>	<u>Required 1/ Pavement Width</u>	<u>Permitted On Street Parking</u>	<u>Required Sidewalks</u>	<u>Total Required R.O.W</u>	<u>Maximum Minimum Grades</u>
Marginal, Access, Local & Collector	42 ft.	Both Sides	One Side	50 ft.	Max.8% Min.0.3%

1/ With the exception of marginal access streets, the required pavement width is the face-to-face measurement from curb and gutter to curb and gutter.

34-1-6.1 TOPOGRAPHICAL CONSIDERATIONS. Grades of streets shall conform as closely as possible to the natural topography, but shall not exceed the maximum grade nor be less than the minimum grade indicated in the Table of Street Design Specifications.

All streets shall be arranged so that as many as possible of the building sites are at or above street grade.

34-1-6.2 THROUGH TRAFFIC DISCOURAGED. Marginal access and local streets shall be laid out so as to discourage use by through traffic. The rigid rectangular gridiron street pattern shall be avoided, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged to effect a more desirable street layout.

34-1-6.3 LIMITED ACCESS TO ARTERIALS. Where a subdivision abuts or contains an existing or proposed arterial street, the Street Committee may recommend to the Village Board that access to the arterial be limited by one of the following means:

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(A) The subdivision of lots so that they back onto the arterial street and front onto a parallel local street (double frontage lots), coupled with the installation of screening in a reserve (access-restricting) strip along the rear lot lines of such lots;

(B) a series of cul-de-sacs, U-shaped streets, or short loops entered from and generally at right angles to the arterial street, with the rear lot lines of the lots at the termini of such streets backing onto the arterial; or dead-end streets as provided in the following section.

34-1-6.4 DEAD-END STREETS.

(A) Temporary Stub Streets. Streets shall be so arranged to provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire and police protection, and efficient provision of utilities, and where such continuation comports with the Village's Comprehensive Plan. If the adjacent property is undeveloped and the street must dead-end temporarily, the right-of-way shall be extended to the property line, and no strip that would prevent connections with future streets shall be reserved. A temporary turnabout, either circular or Y-shaped shall be provided at the terminus of any temporary dead-end street.

(B) Permanent Dead-End Streets. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall be limited to 1,000 feet in length.

The terminus of a permanent dead-end street shall not be closer than 50 feet to the boundary of an adjacent tract. A cul-de-sac turn-around having a minimum right-of-way radius of 56 feet and a minimum pavement radius of 42 feet, shall be provided at the end of every permanent dead-end street.

34-1-6.5 ALLEYS. Alleys shall generally be prohibited in the Residential District, but may be required in the Business and Industrial Districts unless other adequate provisions for service access are made. When required or provided, alleys shall be at least 15 feet wide, and shall be paved in accordance with Section 34-1-7. Alleys shall not normally intersect with one another nor change sharply in alignment. Adequate vehicular turn-around space shall be provided at the terminus of any dead-end alley.

34-1-6.6 INTERSECTIONS.

(A) Two Streets Only. Not more than two streets shall intersect at any one point.

(B) Right Angle Streets shall be laid out so as to intersect as nearly as possible at right angles. In no case shall

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two streets intersect at an angle of less than 75 degrees. An oblique street shall be curved approaching an intersection and shall be approximately at right angles with the intersection for at least 100 feet therefrom.

(C) Proper Alignment. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jobs with centerline offsets of less than 150 feet shall not be permitted, except where the intersected street has divided lanes without median breaks at either intersection. Intersections involving collector or arterial streets shall be at least 800 feet apart.

(D) Curb Radii. To permit safe vehicular movement at corners, the minimum curb radius at the intersection of two streets shall be 20 feet.

(E) Flat Grade. Intersections shall be designed with a flat grade wherever practical. In hilly terrain, an area having not greater than a 2 percent slope for a distance of 60 feet from the nearest right-of-way line of the intersecting street shall be provided at the approach to an intersection.

(F) Maximum Cross-Slope. The cross-slopes on all streets, including intersections, shall not exceed 3 percent.

(G) Adequate Sight Lines. Where any street intersection will involve earth banks or existing vegetation on the triangular area of land which is bound by the intersecting street lines and a line joining the two points along those street lines that are each 30 feet from the point of intersection, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent necessary to provide an adequate sight distance.

34-1-6.7 REVERSE CURVES. A tangent (i.e., straight section) at least 100 feet long shall be introduced between reverse curves on collector streets for better alignment and improved visibility.

34-1-6.8 IMPROVEMENTS TO EXISTING STREETS. Whenever any subdivision abuts an existing street that is narrower than the standards indicated in the Table of Street Design Specifications, the subdivider shall dedicate sufficient right-of-way on the side abutting the subdivision to permit compliance with those standards. The developer shall improve the street to the standards imposed by Section 34-1-7, provided the Village shall pay one-half the cost of the improvements, or the township, where applicable.

34-1-6.9 CONDITIONS REQUIRING EXCESS RIGHT-OF-WAY. Right-of-way width in excess of the standards set forth in the Table of Street Design Specifications shall be required where:

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- (A) Due to topography, additional width is necessary to provide adequate earth slopes; or
- (B) due to the location of railroad tracks, additional width is needed to construct overpasses, underpasses, and approaches thereto.

34-1-7 **STREET IMPROVEMENT STANDARDS.** All new streets shall be graded, curbed, and surfaced in accordance with the standards of Illinois Department of Transportation and the provisions of the subsections below.

34-1-7.1 **CURBS AND GUTTERS.** All streets shall be bound by integral concrete curb and gutter in conformity with Illinois Department of Transportation Specifications unless otherwise approved by the Village Board; provided that this requirement shall be waived in the case of marginal access streets with adequate shoulders. [See also, Section 34-1-9.1(E)]

34-1-7.2 **PAVEMENT.** All streets and alleys shall be paved as indicated below with the Village Superintendent of Utilities reserving the right to select the most appropriate option. Likewise, equivalents to the following standards may be approved by the Superintendent of Utilities, depending on engineering and traffic volume considerations.

- (A) **Alleys - Marginal Access, Local.**
 (1) 8 inches of base rock, then primed, oiled and chipped for 2 years .
- (B) **Collector (Residential).**
 (1) First Year - 8 inches of base rock (CA6) compacted, then primed, oiled, chipped, compacted; oiled and chipped; then compacted again.
 (2) Second Year & Third Year - Street/alley must first be swept, and then oiled, chipped, and compacted.
 (3) Fourth Year - Street/alley must be swept before Village will assume future maintenance.
- (C) **Collector (Non-Residential).**
 (1) 8 inches of reinforced concrete; or
 (2) asphaltic concrete construction meeting Illinois Department of Transportation Specifications.

34-1-8 **BLOCKS.**

- (A) **Block Width.** Blocks shall be sufficiently wide to accommodate two tiers of lots having the minimum depth required by the Village regulations; provided, that this requirement may be waived in blocks adjacent to local collector or collector streets, railroads or watercourses.
- (B) **Block Length.** No block shall be longer than 1,200 feet not shorter than 300 feet . Wherever practicable, blocks along collector streets shall not be less than 800 feet in length.

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(C) Crosswalks. Crosswalks, not less than 10 feet wide, may be required throughout the center of blocks more than 800 feet long where necessary to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities.

34-1-9 SIDEWALKS. Sidewalks shall be required as follows:

(A) on at least one side of a local street when residential density is two or more dwelling units per net acre; and

(B) along collector streets, near schools, and in shopping areas and similar public places.

These requirements shall not be waived unless in the area in question, sidewalks are not needed to ensure public safety, and/or that topographical conditions make the installation of sidewalks impractical.

34-1-9.1 SIDEWALK CONSTRUCTION STANDARDS.

(A) Relationship to Curb. the street-side edge of every sidewalk shall either abut the curb or be located at least 6 feet from the curb to allow sufficient space for tree planting.

(B) Thickness of Concrete. All sidewalks shall be constructed of concrete at least 4 inches thick, except that across driveways, the thickness shall be increased to 6 inches thick and/or Number 6 Reinforcing Mesh shall be used.

(C) Width. Residential sidewalks shall be at least 4 feet wide.

(D) Grade. No sidewalk shall be constructed at a grade steeper than 10 percent.

(E) Ramps at Intersections. Curbs shall be cut and sidewalks shall be ramped at all intersections so as to enhance the mobility of handicapped individuals.

34-1-10 STREETLIGHTS. Streetlights shall be provided at each intersection of streets (or alleys) within a subdivision and at each cul-de-sac, but in no event shall there be less than one streetlight per 400 feet (or portion thereof) of street frontage between intersections, or between a street intersection and the terminus of a dead-end street. Additionally, in multi-family dwelling developments, lighting shall be provided within parking areas at a minimum rate of one light per 25 parking spaces or any fraction thereof.

34-1-10.1 STREETLIGHT SYSTEM STANDARDS.

(A) The design and installation of the streetlight system in every subdivision shall be reviewed by the Superintendent

of Utilities, the appropriate electric company, and the streetlighting district (if any).

(B) The lighting intensity of each streetlight shall be equivalent, at a minimum, to a 175-watt lamp or 6800 mercury luminaire lamp. Each streetlight standard (post) shall be at least 16 feet high.

(Unless Otherwise Noted, This Chapter #84-05; 06-06-84)

ARTICLE II - STORM DRAINAGE IMPROVEMENTS

34-2-1 IMPROVEMENTS. The Village Superintendent shall not recommend the approval of any plat unless, after consultation with the Village Engineer, he/she determines the provisions for storm water drainage are adequate. Drainage improvements in the subdivision shall be coordinated with existing and planned drainage improvements elsewhere so as to form an integrated municipal system. The storm water drainage system shall be separate and independent of the sanitary sewer system. The design of storm sewer systems, culverts, curb and gutter, inlets, ditches, detention ponds, lakes, and other drainage improvements, shall be based on procedures outlined in the current addition of the Illinois Department of Transportation Drainage Manual, hereinafter referred to as the R & B Drainage Manual, with the additional requirements and modifications of the Village Code. Drainage improvements that fall under the jurisdiction of state agencies, including those for developments abutting State-owned right-of-way and facilities, shall be reviewed and approved by the appropriate state agency in conjunction with the Village.

34-2-2 PLANS AND SPECIFICATIONS.

(A) Layout drawings and profiles for storm drainage improvements may be incorporated with the street improvement drawings, but in all cases they shall include but not be limited to, the following information:

- (1) Name of subdivision or development;
- (2) Name, address and phone number of subdivider/developer and Illinois registered professional engineer that prepared the design documents;
- (3) Date of submittal, with revision block to identify submittal sequence of dates and purpose of submittal;
- (4) North arrow (it is preferable that north be up or to the right);
- (5) Scale (is preferable that the scale of plan layout drawings be one inch equals fifty feet, or enlarged scale to more clearly show the layout of the project; it is preferable that the scale of profile drawings be one inch equals fifty feet horizontal and one inch equals five feet vertical, or enlarged scale to more clearly show the layout of the project; other drawings shall use a scale appropriate to clearly indicate the details being shown);

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(6) Layout dimensions indicating horizontal and vertical elevation location of all drainage improvements, including indication of spatial relationship to other improvements (indicate slopes of sewers, culverts and drainageways, and rim and invert elevations of all manholes, catch basins, inlets, and associated structures);

(7) Location of other utilities and structures that will affect design and construction of storm drainage facilities (indicate horizontal and vertical clearances where utility lines cross each other and storm sewers);

(8) Signature and seal of Illinois registered professional engineer that prepared the documents, with date.

(B) Specifications (or special provisions) shall contain sufficient information to demonstrate compliance with requirements of the Village's standards, and other information as required to identify the specifications that apply to the required improvement. Specification documents shall be on eight-and-one-half by eleven-inch pages, bound into individual copies.

34-2-3 PERMITS.

(A) The engineer engaged by the subdivider/developer to prepare plans and specifications shall prepare all necessary permit application documents applicable to the project.

(B) If permits are required to connect to storm drainage facilities under jurisdiction of other agencies (including but not limited to state, county, township, drainage district, or other municipality), they shall be obtained by the subdivider/developer, or its engineer.

(C) If permits are required to comply with environmental and other regulations through the Illinois Department of Transportation, Corps of Engineers, or Environmental Protection Agency, they shall be obtained by the subdivider/developer, or its engineer. The subdivider/developer shall give special attention to requirements for projects adjacent to flood plains, wet lands, and any other areas governed by regulations.

(D) The subdivider/developer shall pay all applicable fees for permits.

34-2-4 REFERENCE SPECIFICATIONS AND DOCUMENTS.

(A) General. Except where noted otherwise in this article, the following reference specifications, standards, and documents shall apply. The edition current at the time of preliminary plat filing governs.

(B) Reference Documents.

(1) Standard Specifications for Road and Bridge Construction, and addenda thereto, Illinois Department of Transportation (referred to as standard R & B specifications).

(2) Highway Standards, Illinois Department of Transportation (referred to in this article as R & B standards).

(3) Design Manual, Illinois Department of Transportation (referred to in this article as R & B design manual).

(4) Culvert Manual, Illinois Department of Transportation (referred to in this article as R & B culvert manual).

(5) Drainage Manual and Drainage Manual Appendix, Illinois Department of Transportation (referred to in this article as R & B drainage manual).

(6) Frequency Distributions of Heavy Rainstorms in Illinois, Circular 172, Huff, Floyd A. and Angel, James R., State of Illinois Department of Energy and Natural Resources, Illinois State Water Survey (referred to in this article as Circular 172) most of which can also be found in the Drainage Manual Appendix.

34-2-5 MINIMUM DESIGN REQUIREMENTS - GENERAL.

(A) Minimum design requirements set forth in this article shall not be construed as relieving the subdivider/developer of any legal responsibility for downstream or upstream storm water damages inflicted by runoff or backup of storm water from the subdivision or development.

(B) All proposed storm runoff facilities shall be designed in accordance with the R & B drainage manual.

34-2-6 MINIMUM DESIGN REQUIREMENTS - DESIGN REPORT.

(A) The subdivider/developer's engineer shall prepare and submit a drainage design report to the Village in conjunction with submittal of the development plans for required drainage improvements. The design report shall include, but not be limited to, the following information:

- (1) Name of subdivision or development;
- (2) Name, address, and phone number of subdivider/developer and Illinois registered professional engineer that prepared the report;
- (3) Date of submittal, with revision block to identify submittal sequence of dates and purpose of submittal;

(4) Layout of the subdivision or development and contiguous areas in the affected drainage basin, showing tributary areas (expressed in acres or square feet) of individual drainage basins, contours and elevations in sufficient detail to identify terrain slopes, design flows expressed in CFS, pipe sizes with slopes and carrying capacity expressed in CFS;

(5) Supporting engineering calculations to indicate methodology employed in computing storm water flows and conveyance system capacities; with application of runoff coefficients for the development that provide a reasonable estimation of future impervious surfaces; including gutter encroachment calculations such that there is provision for a minimum 10 foot drivable lane and gutter flow depths do not exceed the back of curb; including inlet capacities;

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(6) List of technical references used for calculations and design of storm drainage facilities, including detention and outlet facilities for storm water management purposes;

(7) Signature and seal of Illinois registered professional engineer that prepared the report, with date;

(B) Storm sewers shall be provided on both sides of the right-of-way in order to accommodate the sump pump discharge of sub-surface groundwater. This groundwater is not acceptable on Village curb. Alternative methods could be acceptable.

34-2-7 MINIMUM DESIGN REQUIREMENTS - RAINFALL INTENSITY.

Rainfall intensity shall be based on the "Frequency Relations for Madison County, Adjusted for St. Louis Urban Effect," contained in Circular 172.

34-2-8 MINIMUM DESIGN REQUIREMENTS - DESIGN STORM RECURRENCE INTERVAL. Proposed storm runoff facilities shall be designed per the R & B drainage manual requirements, except that commercial and industrial storm sewer systems shall be designed for a minimum 25-year storm frequency. All such portions of proposed facilities that accept runoff from beyond the properties being developed immediately, as sheet flow, open channel flows, or as a closed conduit, or as part of a comprehensive plan, shall be designed for a minimum 25-year storm recurrence interval capacity and for a maximum 100-year recurrence interval created head of 0.5 feet, unless it can be shown that the increased head remains within the property immediately platted and within proposed easements, and unless the proposed, intercepting drainageway will be an open channel, in which case the open channel shall be designed for a 50-year storm recurrence interval capacity.

34-2-9 MINIMUM DESIGN REQUIREMENTS - STORM WATER DETENTION FACILITIES. The rate of storm water runoff leaving the subdivision or development shall not exceed the flow rate and velocity that would have occurred under natural, undeveloped conditions by an amount that would increase the exiting water surface by more than 0.25 feet and/or increase the existing runoff velocity such that it was greater than 4 feet per second.

34-2-10 MATERIALS - PRECAST CONCRETE ITEMS. All manholes, catch basins and inlets shall be of precast concrete construction, in accord with standard R & B specifications and R & B standards.

34-2-11 MATERIALS - PIPE.

- (A) Pipe for storm sewers and culverts shall be reinforced concrete in accord with standard R & B specifications.
- (B) Minimum size of storm sewer or culvert shall be not less than twelve inches.
- (C) Use of arch or elliptical pipe is permissionable if required to provide clearance and necessary depth of cover over top of pipe.
- (D) Where storm sewers and culverts discharge to open drainageway, the subdivider/developer shall provide precast concrete end sections in accord with standard R & B specifications and R & B standards.

34-2-12 MATERIALS - FRAMES AND GRATES.

- (A) Ductile or cast iron frames and grates for manholes, catch basins and inlets shall comply with the standard R & B specifications and R & B standards, and shall meet the acceptance of the Village Superintendent.
- (B) Open grates shall be of a pattern and design recommended for bicycle traffic.
- (C) Grates shall have sufficient open area, with single or multiple inlet points, to allow entry of design storm flow into storm sewer without creating excessive ponding conditions.
- (D) Frames and grates shall be set on full mastic bed.

34-2-13 INSTALLATION AND CONSTRUCTION - GENERAL. Installation and construction shall be in accord with standard R & B specifications.

34-2-14 INSTALLATION AND CONSTRUCTION - RECORD DRAWINGS.

- (A) Record drawings shall be furnished to the Village within ten days after new storm water facilities are accepted and placed into service.
- (B) Record drawings shall be reproducible and shall include sizes, lengths, and horizontal and vertical locations (elevations) of all facilities to accurately reflect as-constructed conditions.

ARTICLE III - PLANNING COMMISSION

34-3-1 **PURPOSE - CREATED.** In order that adequate provisions be made for the preparation of a comprehensive Village plan for the guidance, direction and control of the growth and development of the Village, a planning commission, which shall be a department of the Village government, is created under authority of Illinois Revised Statutes, Chapter 65, Division 12.

34-3-2 **COMPOSITION.** The planning commission shall consist of all the members of the Zoning Board of Appeals as established herein Section 40-9-1 of the Revised Code of Ordinances of the Village of Germantown.

34-3-3 **POWERS AND DUTIES.** The Planning Committee shall have the following powers and duties:

- A. Prepare and recommend to the Board of Trustees a comprehensive plan for the present and future development of the Village;
- B. Recommend changes from time to time in the official comprehensive plan;
- C. Prepare and recommend to the Board of Trustees from time to time plans for specific improvements in pursuance of the official comprehensive plan;
- D. Give aid to municipal officials charged with the direction of projects for improvements embraced within the official plan, to further the making of these projects, and generally, to promote the realization of the official comprehensive plan;
- E. Prepare regulations, projects and programs pertinent to the development, redevelopment and renewal of the Village and such surrounding territory over which the Village exercises subdivision jurisdiction;
- F. Prepare and recommend to the Board of Trustees schemes for regulating or forbidding structures or activities which may hinder access to solar energy necessary for the proper function of solar energy systems, as defined in the Comprehensive Solar Energy Act of 1977, or to recommend changes in such schemes; and
- G. Perform such other powers germane to the powers granted by Article II of the Illinois Municipal Code, as may be conferred by the Corporate authorities.

34-3-4 **SUBDIVISION PLATS.** Following the adoption of an official plan in the manner prescribed by this Code and the statutes of the State, no map or plat of any

subdivision presented for record, affecting land within the corporate limits of the Village, or in contiguous territory outside of and distant not more than one and one-half miles from such limits, and not included in any other municipality, shall be entitled to record or shall be valid unless the subdivision thereon shall provide for streets, alleys and public grounds in conformity with any requirements made applicable by the official plan.

34-3-5 **IMPROVEMENTS.** The Village Clerk shall furnish the planning commission, for its consideration, a copy of all ordinances, plans and data relative to public improvements of any nature. The planning commission may report in relation thereto, if it deems a report necessary or advisable, for the consideration of the Board of Trustees.

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