

**DuPage County, Illinois**  
*Subdivision Regulations*

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LOCAL STREET DESIGN STANDARDS

LINE OF SIGHT EASEMENTS

RESERVE LOTS



**DU PAGE COUNTY, ILLINOIS  
SUBDIVISION REGULATIONS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ENACTED UNDER CHAPTER 55, ILCS 5/1041, 5/1042, 5/14004, 5/14006, 5/14007, AND 5/15003 THROUGH 5/15022; AND 765 ILCS 205, AS AMENDED, ESTABLISHING REGULATIONS GOVERNING THE SUBDIVISION OF ALL LAND; PRESCRIBING REASONABLE RULES AND REGULATIONS FOR STANDARDS, PROCEDURES FOR THE PREPARATION AND FILING OF PLATS, AND TO PROVIDE FOR APPROVAL OR REJECTION OF SUCH PLATS BY DU PAGE COUNTY, ILLINOIS; AND IMPOSING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.**

**BE IT ORDAINED, BY THE COUNTY BOARD OF DU PAGE COUNTY, ILLINOIS:**

**ARTICLE I. TITLE, PURPOSE AND JURISDICTION**

**SEC. 31-100. TITLE.**

This Ordinance shall be known and may be designated as the "DuPage County, Illinois Subdivision Regulations".

**SEC. 31-101. PURPOSE**

The purpose of this Ordinance is to provide for establishing reasonable rules and regulations governing the locations, width, and direction of streets, highways, storm or floodwater runoff channels, basins and wetlands, while protecting the continuity of section line and planned streets; providing necessary public grounds for schools, parks and playgrounds in any map, plat or subdivision; establishing reasonable requirements with respect to water supply and sewage collection and treatment; establishing reasonable requirements with respect to street drainage and surfacing; guiding and facilitating the Orderly and Beneficial development of the County to implement the recommendations of the DuPage County Comprehensive Plan and elements thereof; establishing procedures for approving maps, plats, subdivisions and resubdivisions of any block, lot or subplot, or any part thereof, or any piece or parcel of land, not within any City or Village. Such requirements are deemed to be the minimum requirements in the interest of the health, safety, welfare and convenience of the residents of the County of DuPage.

## **SEC. 31-102. JURISDICTION**

All subdivisions located within the unincorporated area of the County shall be subject to the requirements of this Ordinance and shall be reviewed and approved by the Plat Committee.

Subdivisions located within one and one half (1-1/2) miles of the corporate limits of Cities or Villages that have adopted and recorded a Comprehensive Plan in accordance with applicable States Statutes shall be subject to the most restrictive subdivision requirements of either the County or the incorporated area.

The DuPage County Board adopted the Year 2000 Street and Highway Plan for DuPage County on May 12, 1980; therefore, said Board may, by Resolution, prohibit the construction of buildings on unsubdivided land within the proposed right-of-way of major streets.

## **ARTICLE II. RULES AND DEFINITIONS**

### **SEC. 31-200. RULES.**

The following rules of construction apply to the text of this Ordinance:

- a. Words used in the present tense shall include the future, and the words used in the singular number shall include the plural number, and the plural the singular.
- b. The word "shall" is mandatory and not discretionary.
- c. The word "may" is permissive.
- d. The masculine gender includes the feminine and neuter.
- e. The word "person" includes individual, partnership, firm corporation or association.
- f. In the case of any difference of meaning or application between the text of this Ordinance and any caption or illustration, the text shall control.
- g. Terms not herein defined shall have the meaning customarily assigned to them.

### **SEC. 31-201. DEFINITIONS.**

The following definitions shall apply in the interpretations and enforcement of this Ordinance:

**ALLEY.** A dedicated minor public right-of-way affording a secondary means of access to abutting property and not intended for general traffic circulation.

**BLOCK.** A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

**BOND.** Bond shall mean: Cash, certified check, surety bond, irrevocable letter of credit, or other methods approved by the appropriate legal authority of the County or other local political jurisdiction, which is posted with a local political jurisdiction to guarantee proper installations of improvements required by that local political jurisdiction.

**COMPREHENSIVE PLAN.** A plan for the County including graphic and written proposals indicating the general locations recommended for the streets, parks, schools, public buildings, zoning districts, and all physical developments of the County, including any unit or part of such plan separately adopted, and any amendment to such plan and parts thereof, adopted by the DuPage County Regional Planning Commission and the DuPage County Board.

**DIRECTOR OF COUNTY DEVELOPMENT DEPARTMENT** (Planning, Building, Zoning and Community Development Divisions). The official appointed by the County Board as the Director of the County Development Department or authorized representative(s).

**EASEMENT.** Authorization or grant by a property owner for the use by another, and for a specific purpose, of any designated part of his/her property. Easements required under this Ordinance are as follows:

- a. Detention easement and covenant provisions (see Sec.31-407).
- b. Utility easement (see Sec.31-402.3.b).
- c. Roadway, utility and drainage easements (see Sec.31-402.3.a).
- d. No-access strip easement as defined (see Secs.31-201 and 402.3.c).
- e. Clear sight distance easement (see Sec.31-402.3.d).
- f. Temporary vehicular turn-around easement (Sec.31-402.3.g).
- g. Drainage easement (see Sec.31-402.3.f and g).
- h. Access easement (see Sec.31-402.3.i).

**HEALTH OFFICER.** Executive Director of DuPage County Health Department or authorized representative.

**HIGHWAY AUTHORITY.** The Illinois Department of Transportation, the County Superintendent of Highways, the Township Highway Commissioner or the corporate authority of any municipality.

**HIGHWAY COMMISSIONER.** The applicable Township Highway Commissioner.

**IMPROVEMENTS.** Any structure, grading, street surfacing, curbs and gutters, sidewalks, bikeways, cross walks, water mains, sanitary sewers, storm sewers, drainage ditches, culverts, bridges, trees, and other additions or deletions from the natural state of land which increase its utility or habitability.

**LAND DIVISION (Deed Division).** A land division or deed division is the division of a parcel of land into two (2) or more parts, lots or parcels in accordance with one of the nine (9) exemptions under Section 765 ILCS 205 (Plat Act), as amended (see this section under Subdivisions).

**LOT.** A tract, lot or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development. (See example of Residential Lot Types in the Illustration Section.)

**LOT, CORNER.** A lot situated at the intersection of two (2) or more streets, where the interior angle of such intersection coterminous with the right-of-way lines of such street does not exceed one hundred thirty-five (135) degrees.

**LOT IMPROVEMENT (Private).** Lot improvement (private) shall include but not be limited to any building, structure, object, street improvements, sidewalks, crosswalks, storm water drainage facilities, retention/detention areas, wells and water mains and lines, individual sanitary sewage disposal facilities and other sanitary sewer mains and lines, recreational and open space amenities and buildings, trees and street informational signs when located upon any lot or within any private right-of-way or easement.

**LOT, INTERIOR.** Any lot other than a corner lot.

**LOT, THROUGH.** Any interior lot which has a pair of opposite lot lines along two substantially parallel streets, and which is not a corner lot. On a through lot, both street lines shall be designated front lot lines, and front yards shall be provided as required.

**MAJOR STREETS OR ARTERIAL PLAN.** The part of the highway improvement program element of the Comprehensive Plan which sets forth the location, alignment and dimensions of existing and proposed streets.

**NO-ACCESS STRIP EASEMENT.** A land area at least twelve (12) feet wide located along a lot line abutting a street, upon which no vehicular driveway shall be permitted.

**OPEN SPACE.** Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for either passive or active recreational use.

a. Public Open Space:

Any area regardless of how such property is controlled, is permanently reserved for open space purposes, or which is owned, operated and maintained by a local political jurisdiction with no limitations on access or use.

b. Private Open Space:

Any areas within a conventional subdivision which: are reserved by choice of the owner; under private ownership and management; have some limitations on access and use; and areas, notwithstanding the Zoning Ordinance, are not subject to control by the local political jurisdiction.

c. Planned Residential Open Space - Condominium Open Space:

- 1) LIMITED PRIVATE OPEN SPACE (Elements) shall mean a portion of the common elements so designated in the condominium declaration or homeowners' association agreement as being reserved for the use of a certain unit or units to the exclusion of other units, including but not limited to balconies, terraces, patios and parking spaces or facilities.
- 2) COMMON OPEN SPACE (Elements) shall mean all portions of the property except the units and except limited private open space (elements) herein defined.

**OWNER.** A person having either a legal or an equitable interest in land.

**PARCEL.** A parcel is a contiguous area of land described in a single description in a deed or as one (1) of a number of lots on a plat; separately owned, either publicly or privately; and capable of being separately conveyed. For ease of indexing data, a segment of a street, highway, railroad right-of-way, pipeline, or other utility easement may be treated as though it were a parcel.

**PLANNED DEVELOPMENT.** Planned development means a parcel of land or contiguous parcels of land of a size sufficient to create its own character, controlled by a single landowner or by a group of landowners in common agreement as to control, to be developed as a single entity, the character of which is compatible with adjacent parcels, and the intent of the zoning district or districts in which it is located; the developer or developers may be granted relief from specific land use regulations and design standards and may be awarded certain premiums in return for assurances of an overall quality of development, including any specific features which will be of exceptional benefit to the County as a whole and which would not otherwise be required by the Zoning Ordinance. The area of a planned development shall remain under sole ownership or unified control, unless safeguards are provided by the owner, which, in the opinion of the Plat Committee of DuPage County, will ensure the continuation of the original planned development concept as modified from time to time by the Plat Committee and approved by the DuPage County Board.

**PLAN/PLAT.** A map or chart of a subdivision of land.

- a. Preapplication Plan: A drawing indicating the proposed layout of a subdivision in sketch form exhibiting sufficient detail to provide adequate basis for review

and to meet the requirements and procedures set forth in Article III, Sec.31-301, of this Ordinance.

- b. Preliminary Plat: A map showing all requisite details of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration, prepared in conformance with the Plats Act and Article III, Sec.31-302, of this Ordinance.
- c. Final Plat: A map of all or part of a subdivision in substantially the same form as the Preliminary Plat of subdivision, prepared in conformance with the requirements of the Plats Act, Article III, Sec.31-304 of this Ordinance and for the recording by the County Recorder.

**PLATS ACT.** Chapter 765, Section 205 of the Illinois Compiled Statutes, as amended.

**PLAT COMMITTEE.** That committee of elected and appointed officials designated by the County Board as the Plat Review Committee.

**PUBLIC IMPROVEMENTS.** Public improvements shall include but not be limited to street improvements, curbs; gutters; sidewalks; crosswalks; storm water drainage facilities; retention/detention areas; water mains and lines; fire hydrants; sanitary sewer mains and lines; bridges; street lighting and street informational signs when located within the dedicated public rights-of-way or easements.

**PUBLIC RESERVATION.** A portion of a subdivision which is set aside for public use and held available for public acquisition.

**PUBLIC UTILITY.** As defined in Chap. 220, Act 5, Section 3-105 of the Illinois Compiled Statutes, as amended.

**PUBLIC WALKWAY.** A right-of-way dedicated for the purpose of a pedestrian access (to be improved with a sidewalk pursuant to Secs.31-502.1, 502.2), through residential areas, and located so as to connect two (2) or more streets, or a street and a public land parcel.

**RIGHT-OF-WAY.** A strip of land dedicated to the public and occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right-of-way" for land platting purposes in DuPage County shall mean every right-of-way hereafter established and shown on a final plat and shall be separate and distinct from the lots or parcels adjoining such right-of-way which are not included within the dimensions or areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the Plat on which such right-of-way is established. (For exceptions, see Sec. 31-400.2, footnote No. 3.)

**SEWAGE SYSTEM.** A sewage system in DuPage County shall be defined as follows:

- a. **Public Sewage System:** A public sewer system is one operated by a public agency or public utility and is subject to regulation by the Illinois Environmental Protection Agency.
- b. **Private Sewage System - nonresidential:** A sewage system that is privately owned, nonresidential and discharges effluent to a public sewage system, a watercourse, or on site.
- c. **Private Sewage System - residential:** A private sewage system that discharges effluent on site or to a watercourse.

**SOIL AND WATER CONSERVATION DISTRICT.** The Kane-DuPage Soil and Water Conservation District.

**STORM WATER RUNOFF CONTROL.** See Sec.31-405, "Flood Plain and/or Wetland Areas", and 31-406, "Storm Water Management". The following definitions shall be applicable:

- a. **Base Flood.** The flood having a one percent (1%) statistical probability of being equaled or exceeded in a given year. The Base Flood is also known as the 100-Year Flood.
- b. **Base Flood Area.** The land area subject to inundation by waters of the Base Flood.
- c. **Base Flood Elevation (BFE).** The highest water surface elevation of the Base Flood.
- d. **Building.** The purpose of "Flood Protection" regulation, a building is any structure with a permanent roof separated on all sides from adjacent open space by exterior or party walls, permanently affixed to the ground, built for shelter, or enclosure of persons, animals, chattels, or movable property of any kind. For purposes of Flood Protection regulation, the term also includes a gas or liquid storage tank and a trailer or prefabricated building meeting the requirements of the Zoning Ordinance and the Building and Construction Codes of DuPage County, and which is fixed on a permanent site and connected to the required utilities.
- e. **Compensatory Storage.** An artificial excavation creating a volume of storm water storage on-site, at or above the Base Flood Elevation used to accommodate the existing storm water storage displaced by on-site development.



- f. Control Structure. A structure designed to regulate the volume of storm water runoff that is released during a specific length of time.
- g. Detention. A dry bottom storm water storage area that is designed to be normally dry and contains water only when excess storm water runoff occurs.
- h. Development. Any man-made change to improved or unimproved real estate, including but not limited to construction of or substantial improvements to buildings or other structures, the placement of trailers, mining, dredging, filling, grading, paving, excavation, or drilling operations.
- i. Excess Storm Water. That portion of storm water runoff which exceeds the natural drainage channels serving a specific watershed.
- j. Flood. A temporary condition of inundation of normally dry land areas contiguous with and usually lying on both sides of a riverine.
- k. Flood Bypass Channel. A drainage ditch designed to handle off-site storm water runoff and carry same through a specific area.
- l. Flood Insurance Rate Map (FIRM). An official map of DuPage County issued or approved by the Administrator of the Federal Emergency Management Agency, in which the areas having special flood hazards have been drawn and designated as Risk Premium Zones A, A1, A99 and AH.
- m. Flood Insurance Study (FIS). An examination and evaluation of hydrologic and hydraulic data sponsored by the Federal Emergency Management Agency to determine Base Flood flows, floodways, and related information.
- n. Flood of Record. An actual historical flood event for which sufficient records are available to establish its extent. No uniform probability of occurrence is associated with Floods of Record. However, the probability of occurrence may be determined for the event at specific locations.
- o. Flood Plain Area. The land area adjacent to surface water bodies or waterways that is subject to periodic inundations when greater than normal water flows are experienced. (See Base Flood.)
- p. Flood Profile. Graphical representations of the elevations of the water surface of the 100-Year Flood along the watercourses in DuPage County.
- q. Flood Protection Elevations (FPE). The elevation to which uses regulated by this Ordinance are required to be elevated or flood proofed. It is the elevation of the Base Flood plus two (2) feet at any location in the Special Flood Hazard Area (SFHA).

- r. Floodway. The Flood Insurance Study includes a Flood Boundary and Floodway Map which delineates a floodway. This floodway is the channel of a river or other watercourse and adjacent land required to store and convey the Base Flood.
- s. Groundwater Recharge. Replenishment of existing natural underground water supplies.
- t. Minor Adjustment to Natural Flood Storage. An artificial excavation creating a volume of flood water storage provided outside of but contiguous to the existing Base Flood Area which compensates and balances an equal volume of loss or flood water storage caused when artificial fill or portions of structures are placed in the Special Flood Hazard Area (SFHA). Such minor adjustment shall be opposite or immediately adjacent to the areas so filled or occupied as approved by the DuPage County Department of Public Works, Drainage Engineer.
- u. Natural Drainage. Channels formed by the original ground elevations prior to changes made by unnatural causes.
- v. Nonconforming Building, Structure or Use (Special Flood Hazard Area and/or Wetland Area). Any lawfully established building, structure or use which, on the effective date of this Ordinance, does not comply with all of the applicable storm water, flood plain and/or wetland management regulations of the Special Flood Hazard Area (SFHA) and/or Wetland Areas in which such building, structure or use is located.
- w. Positive Gravity Outlet. The drainage of any area by means of natural gravity so that it lowers the free water surface to the invert of storm drains within the area.
- x. Recognized Agency. An agency or governmental unit that has statistically and consistently examined local and climatic geological conditions and maintained records as they apply to storm water runoff, e.g., United States Geological Survey, Department of the Army, U.S. Corps of Engineers, Soil Conservation Service, U.S. Department of Agriculture, U.S. Weather Bureau, University of Illinois Engineering Experiment Station, Illinois State Water Survey, etc.
- y. Retention. A wet bottom storm water storage area that is designed to be maintained as free water surface or pond.
- z. Risk Premium Rate Zones. Flood hazard areas designated according to the degree of flooding they would experience during the Base Flood. The symbols used to designate these zones are as follows: Zone Symbol:
  - A Area of special flood hazard without water surface elevations determined.

A1-99	Area of special flood hazard with water surface elevations determined.
AH	Area of special flood hazard having a level water surface (ponding) with water depths between one (1) and three (3) feet.
B	Area of moderate flood hazard.
C	Area of minimal hazard.

- aa. Riverine. Relating to, formed by, or resembling a river (including tributaries, stream, creek, drainage ditch or brook).
- bb. Safe Storm Drainage Capacity. A term used to describe the quantity of storm water runoff that can be transported downstream by a channel and/or conduit without having the water surface raise above the Base Flood Level.
- cc. Sediment. Solid material having a particle size of .02 millimeters or greater, including but not limited to, all organic and mineral substances and debris, which is transported by surface water.
- dd. Special Flood Hazard Area (SFHA). Those lands within the jurisdiction of DuPage County that are subject to inundation by the Base Flood. The Special Flood Hazard Areas of unincorporated DuPage County are generally identified as Special Flood Hazard Areas on the Flood Insurance Rate Maps (FIRM) for DuPage County, Illinois (unincorporated areas) prepared for the Federal Emergency Management Agency and dated April 15, 1982, as may be amended. (For specific delineation, see Methodology for Delineation contained in Sec.31-405, "Flood Plain and/or Wetland Areas".)
- ee. Storm Water Runoff. Rainfall which is not absorbed or detained by soil or plant material, or lost by evaporation.
- ff. Storm Water Runoff Release Rate. The rate at which storm water runoff is released from dominant to servient land.
- gg. Storm Water Storage Area. The areas designated to store excess storm water until it can be released without exceeding servient land "safe storm drainage capacity".
- hh. Tributary Watershed. All of the area that contributes storm water runoff to a given point.
- ii. Wetlands. Those land areas that are periodically inundated or saturated by surface of groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

**STREET.** An improved public or private right-of-way or easement which affords a primary means of vehicular access to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane, throughway, or however otherwise designated, but excepting driveways to buildings. The following street types are based on the functional Highway Classification for the adopted Year 2000 Street and Highway Plan for DuPage County:

- a. Arterial Street. A major or minor street of greater continuity which is intended to serve as a large volume traffic way for both the immediate County area and region beyond, and may be designated on the County's Year 2000 Street and Highway Plan as a major or minor arterial, tollway, freeway, expressway, or equivalent term to identify those streets comprising the basic structure of the street plan.
- b. Major Collector Street. A street which distributes vehicle trips between the local street system and arterial streets. A major collector street will have moderate continuity (generally one (1) to three (3) miles) and may serve intercommunity travel.
- c. Local Streets. The following streets serve primarily a land access function.
  - 1. "Minor Collector" is a street whose primary function is to collect and distribute local subdivision traffic to major collectors and arterials. Direct residential driveway access to these streets shall be minimized.
  - 2. "Industrial Service Street" is a street of limited continuity, used primarily for access to abutting industrial or office research properties.
  - 3. "Minor Street" is a street of limited continuity used primarily for access to abutting residential properties.
  - 4. "Frontage Road" is a minor street paralleling, adjacent and often within the right-of-way of an arterial which provides access to local street systems and protection from through traffic.
  - 5. "Other Streets"
    - i. Cul-de-sac Street is a minor street of short length having only one outlet, and having a suitable terminus as approved by the appropriate highway authority to provide for the safe and convenient reversal of traffic movement.
    - ii. Private Street is an undedicated street which is privately owned and maintained, or an easement of access benefiting a dominant tenant.

**SUBDIVIDER.** A natural person, firm, association, partnership, corporation or combination thereof, which holds legal title or equitable interest in land, whether recorded or not, who subdivides land under the provisions of this Ordinance.

**SUBDIVISION.** The partitioning or dividing of a parcel or tract of land by the subdivider thereof or by his heirs, executors, administrators, legal representatives, successors or assigns where the act of division creates two (2) or more parcels of land any of which is less than five (5) acres in area. The provisions of this Ordinance shall not apply and no subdivision is required in any of the following instances (see Chapter 765 ILCS, Section 205 [Plat Act], as amended):

- a. The division or subdivision of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access;
- b. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
- c. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
- d. The conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
- e. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
- f. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
- g. Conveyances made to correct description in prior conveyances;
- h. The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
- i. The sale of a single lot of less than five (5) acres from a larger tract when a survey is made by a registered surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.

**SUPERINTENDENT OF HIGHWAYS.** The official appointed by the County Board as the County Superintendent of the Highway Department.

**SUPERINTENDENT OF PUBLIC WORKS.** The official appointed by the County Board as the Superintendent of the Public Works Department.

**UTILITY.** The transportation of persons or property, except motor vehicles regulated by 'The Illinois Motor Carrier Property Act', transmission of telegraph or telephone messages; the production, storage, transmission, sale, delivery or furnishing of heat, cold, light, power, electricity, or water; the disposal of sewerage; or the conveyance of oil or gas by pipeline.

**WATER SUPPLY.** A water supply in DuPage County shall be defined as follows:

- a. **Public Water System.** A public water system means a system for the provision to the public of piped water for human consumption, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily, at least sixty (60) days out of the year. Such term includes, (1) any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system, and (2) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. A public water system is either a "community water system" or a "non community water system".
- b. **Community Water System.** A community water system serves one (1) or more lots; maintains fifteen (15) or more connections or serves at least twenty-five (25) residents on a regular basis; and meets all Federal and State of Illinois Standards.
- c. **Non-Community Water System.** A non-community water system is a public water system which is not a community water system.
- d. **Private Water System for Human Consumption.** A private water system for human consumption is one that serves only one (1) lot and fewer than twenty-five (25) residents.
- e. **Private Water System - Non-Potable.** Any well providing water for non potable consumption must in no way be cross-connected to a community water system, a non community water system, or a private water system for human consumption.

**ZONING ORDINANCE.** The DuPage County, Illinois Zoning Ordinance, as amended.

## **ARTICLE III. SUBDIVISION PROCEDURE**

The preparation of a subdivision for platting may be preceded by an initial investigation and shall go through three phases: Preapplication Plan, Preliminary Plat, and Final Plat, all in accordance with the procedure as follows:

### **SEC. 31-300. INITIAL PLAT INVESTIGATION.**

Prior to the preparation of a preapplication plan and preliminary plat, it is suggested that the subdivider meet informally with the County departments concerned to investigate the procedures and standards of the County with reference to this Subdivision Regulation Ordinance and with the proposals of the Comprehensive Plan as they affect the area in which the proposed subdivision is located.

### **SEC. 31-301. PREAPPLICATION PLAN.**

The procedure for the preparation and submittal of a Preapplication Plan for a subdivision to be in compliance with this Ordinance shall be as follows:

#### **1. Filing.**

Five (5) copies of the preapplication plan of the proposed subdivision together with a written application in triplicate, shall be submitted to the Secretary of the Plat Review Committee not less than seven (7) days before the date the Plat Review Committee will review the preapplication plan. Upon acceptance, the Secretary shall schedule the preapplication plan for discussion by the Plat Review Committee, including subdivider, not less than seven (7) days after receipt thereof.

The Secretary shall not accept the preapplication plan for processing unless all requested documentation is submitted.

Three (3) of the five (5) copies of the preapplication plan submitted to the Plat Committee shall be transmitted by the Secretary of the Plat Committee to the Planning and Zoning Division of the County Development Department for staff review. The staff review is intended to identify any major constraints to the proposed subdivision plan. The review by the Planning and Zoning Division shall be submitted to the Secretary of the Plat Review Committee within seven (7) days after receipt of the preapplication plan.

#### **2. Preparation**

The preapplication plan shall be drawn in sketch form and shall show the following:

- a. Proposed layout of streets, lots and blocks.
- b. Proposed dedications and reservations, i.e., school sites, park sites, major thoroughfares.
- c. Existing topographic data and contour lines with a minimum of ten (10) foot intervals (U.S.G.S.).

**3. Identification and Description.**

- a. Proposed name of subdivision, date and north point.
- b. Location by township, range, section and parcel number.
- c. Names and addresses of the subdivider and owner.
- d. Names and addresses of the site planner, designer, engineer or surveyor who prepared the subdivision layout.

**4. Review of the Pre-Application Plan.**

The Plat Review Committee shall review the preapplication plan and make recommendations to the subdivider, so that any major changes can be made prior to the submission of a preliminary plat.

Recommendations relative to a preapplication plan are advisory and do not constitute a waiver from compliance with any changes in the DuPage County Ordinances or Regulations which may occur after review of a preapplication plan, and prior to approval of a preliminary plat by the Plat Review Committee.

**SEC. 31-302. PRELIMINARY PLAT.**

The procedure for the preparation and submittal of a preliminary plat of the land area to be subdivided shall be as follows:

**1. Filing.**

In the case where the subdivider wishes to subdivide a given area, but wishes to begin with only a portion of the total area, the preliminary plat shall include the proposed general layout for the entire area. The part which is proposed to be subdivided first shall be clearly superimposed upon the overall plan in order to illustrate clearly the method of development which the subdivider intends to follow. Each subsequent portion shall be self-contained and shall follow the same procedure until the entire area covered by the preliminary plat is subdivided.

The subdivider shall forward twenty (20) copies of the preliminary plat of the proposed subdivision together with written application, and appropriate fees as established by the County Board, to the Secretary of the Plat Committee. Submittal to the Secretary shall be at least twenty-one (21) days prior to the



regular Plat Committee meeting at which the subdivider will be scheduled to appear. Should any of the data required in Secs. 31-301 and 302 of this Ordinance be omitted, the subdivider shall be notified of the additional data required not less than seven (7) days before the Plat Committee meeting at which the subdivision will be reviewed. The Plat Committee shall act on the preliminary plat within sixty (60) days after its first meeting, unless the subdivider requests an extension of time in writing. The subdivider shall forward two (2) copies each of the preliminary plat and required application to the Kane-DuPage Soil and Water Conservation District for their review and recommendation directly to the Plat Committee. Preliminary plat approval shall not be granted until the natural resource information report has been received by the Plat Committee.

## **2. Preparation.**

The preliminary plat shall be drawn to scale and show the arrangement of lots, blocks, streets and the approximate dimensions and areas of all lots. The preliminary plat shall include:

### **a. Existing Conditions:**

- (1) Boundary line of proposed subdivision, section or corporate lines within or adjacent to the tract and overall property dimensions.
- (2) Property lines of adjacent tracts of subdivided and unsubdivided land shown in relation to and within one hundred (100) feet of the tract being proposed for subdivision, including those areas across abutting roads.
- (3) Location, width and names of all existing or prior platted streets or other public ways, railroad and utility rights-of-way, parks and other public open spaces, permanent buildings or structures, and section and municipal corporation lines, within 100 feet adjacent to the tract.
- (4) In case of a resubdivision, all descriptive lines of the original plat being vacated shall be shown by dotted lines in their proper position in relation to the new arrangement of the plat, the new plat being clearly shown in solid lines so as to avoid ambiguity or confusion.
- (5) Location and/or size of existing channels, natural and man-made retention/detention areas, flood plains, wetlands, storm sewers, sanitary sewers, water mains, culverts, wells, septic systems, or other underground facilities within the tract and to a distance of

one hundred (100) feet (unless a greater distance is required for review) beyond the tract to include such data as grades, invert elevations and locations of catch basins, manholes, valves and hydrants.

- (6) The location of features such as trees, rock formations or outcroppings, or scenic views, beaches, historic areas, or other cultural features and other similar assets shall be shown on the preliminary plat. Where a subdivider will seek credits in meeting other requirements of the subdivision regulations for preserving such features, the exact location of all such features shall be shown. The locations of trees in heavily wooded areas may be delineated by use of aerial photography, however, credits will be given only for specific trees shown on the plat unless a heavily wooded or forested area is not to be disturbed in any way.

b. Proposed Conditions.

- (1) Layout of streets, right-of-way widths, and connections with adjoining platted streets and also the widths and location of alleys, easements and public walkways.
- (2) Layout, numbers, and approximate dimensions, including building lines of all lots shall be shown on the preliminary plat in accordance with the requirements of these regulations and the Zoning Ordinance.
- (3) Indication of parcels of land and acreage intended to be dedicated, preserved or otherwise set aside for public care and enjoyment, or for the use of property owners in the subdivision, including any natural environmental features or significant cultural features which will be retained on the site. The subdividers should also prepare a schedule indicating: (a) what provisions of the Subdivision Regulations are being complied with; and (b) what subdivision credits are being applied for.
- (4) An indication of the ownership, and existing and proposed use of any parcels identified as "excepted" on the preliminary plat. If the subdivider has an interest or owns any parcel so identified as "excepted", the preliminary plat shall indicate how this property could be developed in accordance with the requirements of the existing zoning district in which it is located and with an acceptable relationship to the layout of the proposed preliminary plat.

- (5) An indication of the system proposed for sewage disposal by a method approved by the County Board, Health Officer, Director of the County Development Department - Building Division, and the Superintendent of Public Works.
- (6) An indication of the system proposed for water supply by a method approved by the County Board, Health Officer, Director of the County Development Department - Building Division, and the Superintendent of Public Works.
- (7) An indication of the system proposed for storm water management by a method approved by the County Board and the Superintendent of Public Works and the Highway Authority and in conformance with DuPage County storm water management, erosion and sedimentation control regulations.
- (8) An indication of any protective covenants or deed restrictions which are to be placed upon the property to be subdivided and the expected date of its development.
- (9) A calculation of population equivalents shall be shown.
- (10) At the discretion of the subdivider, streets may be numbered, instead of being named, on the Preliminary Plat. Streets shall be named on the Final Plat.

If streets are named on the Preliminary Plat, the names shall be approved by the Plat Committee, in accordance with the following guidelines:

- (a) No street names shall be used which will duplicate or be confused with the names of existing or proposed streets, or that can be interpreted by the Plat Committee as being offensive in character.
- (b) A separate name shall be provided for each segment of a street that changes direction forty-five (45) degrees or more (as measured from the centerline of the right-of-way), except by approval of the Plat Committee.
- (c) Streets which have a similar alignment with existing or proposed streets may be required to continue use of that name.

- (d) Street designations (such as road, court, etc.) shall reflect the classification of the proposed streets as shown as follows:

"Collector and Arterial Streets" shall be designated as STREETS, BOULEVARDS, ROADS, AVENUES, DRIVES, PARKWAYS.

"Minor Streets and Cul-de-sacs" shall be designated as COURTS, LANES, WAYS, STREETS.

### 3. Identification and Description.

The preliminary plat shall include that information contained within Sec.31-302.2, and shall further include the following:

- a. An overall area map shall be provided at a scale of not less than 1" = 1,000' showing the relationship of the subdivision to its surroundings within one-half ( $\frac{1}{2}$ ) mile to include section lines, collector and arterial streets.
- b. Statement of ownership (whether in fee or as a beneficiary of trust), with subdivider's interest in land indicated.
- c. Scale of Plat (minimum):

Up to twenty (20) acres	1" = 50 ft.
Twenty (20) acres to 100 acres	1" = 100 ft.
Over 100 acres	1" = 200 ft.
- d. Topography drawn as contours with an interval of not less than one (1) foot, based on established United States Geological Survey datum, including the location and elevation of bench marks used to determine said topography.

### 4. Review of Preliminary Plat.

- a. Whenever a subdivision is within one and one-half (1-1/2) miles of a municipality or the area to be subdivided is within a sanitary sewer district, or other public entity, a representative of the municipality or other public entity having jurisdiction shall be requested to attend the Plat Committee meeting as an ex officio member or to submit a written recommendation prior to the approval of a Preliminary Plat.
- b. The Preliminary Plat documents shall be reviewed by the Plat Committee as to compliance with the requirements of this Ordinance.

- c. The subdivider shall request that applicable school or local park districts state their intent regarding school or park land or cash donations within fourteen (14) days of the date of filing, in accordance with Secs.31-408 and 409.
- d. The Plat Committee shall approve, approve conditionally, disapprove or table the Preliminary Plat. Any of the above actions by the Plat Committee shall continue the Plat on an active status for a period of six (6) months from the date of such action.

NOTE: Preparation and submission of Final Engineering Documents pursuant to Sec.31-303, FINAL ENGINEERING, shall also continue the Plat on an active status for a period of six (6) months from the date of submission of such Final Engineering Documents.

- (1) Should the Plat Committee disapprove the Preliminary Plat, it shall record the reasons in the minutes of the regular meeting.
- (2) Should the Plat Committee find that all conditions have been satisfactorily met, it shall give approval to the Preliminary Plat. The Chairman shall make a notation to that effect on each copy of the Preliminary Plat and distribute copies of same as follows:
  - (a) Return two (2) copies to the subdivider;
  - (b) Retain one (1) copy which shall become a matter of permanent record in the Plat Committee file.
- (3) In accordance with the above provisions, approval of the preliminary plat shall be effective for a period of six (6) months. Should a final plat, or final engineering documents not be submitted for approval within this time limit, the Preliminary Plat shall again be submitted for approval, unless an extension is applied for by the subdivider and such request is granted in writing by the Plat Committee. The first extension request, not to exceed six (6) months, shall be granted automatically. All other requests for extension shall not be unreasonably withheld by the Plat Committee.
- (4) Should the Plat Committee approve a Preliminary Plat establishing a phasing plan, such approval shall be effective for a period of six (6) months, provided however, that upon the recording of the final plat for each portion or phase of the development, each portion being self-contained, the approval of the entire preliminary plat shall be automatically extended for a period of time, not to exceed two (2) years from the date of recording of the final plat(s).

## **SEC. 31-303. FINAL ENGINEERING.**

Final engineering documents may be filed concurrent with or prior to submission of the Final Plat. Not less than ten (10) copies of the final engineering documents shall be filed, and said final engineering documents shall meet the following criteria:

1. **Storm Water Management Facilities:** The engineering drawings showing proposed storm water facilities as required by Sec.31-406 shall be submitted to and approved by the Drainage Engineer of the Department of Public Works.
2. **Profile Study:** A reproducible mylar, reflecting original signatures drawn at the same scale as the Final Plat and containing the information set forth below, shall be reviewed by the Drainage Division of the Department of Public Works and approved by the Plat Committee, and shall be permanently filed with the Drainage Division of the Department of Public Works as required by the Plats Act.
  - a. All elevations shall be referenced to the United States Geological Survey datum.
  - b. Existing contours at one (1) foot intervals indicating the locations and elevations of bench marks used to determine said contours.
  - c. Finished grade elevations or contours at one (1) foot intervals of the proposed site as required by the Drainage Division of the Department of Public Works.
  - d. The elevation of any opening to a habitable area for existing and proposed buildings shall be no lower than the flood protection elevation.
  - e. Rim and invert elevations of all existing and proposed drainage structures within the development.
  - f. Size, slope and location of all storm sewers.
  - g. Size, shape, invert, and location of the downstream receiving drainage structures including capacities of downstream channels.
  - h. Signature Block Required for Profile Study - See Appendix.
3. **Sewage Disposal Facilities.**

Public Sewer: The engineering drawings showing the proposed sanitary sewer system shall be submitted to and approved by the Department of Public Works,

- a. Public Sewer: The engineering drawings showing the proposed sanitary sewer system shall be submitted to and approved by the Department of Public Works, Sanitary District, or Utility Company as applicable.
- b. Private Sewage Disposal System: The subdivider shall provide for making the preliminary tests necessary to demonstrate the feasibility of using private sewage disposal facilities within the proposed development. Said tests may include soil gradation, soil compacting, or other tests appropriate for evaluating sewage disposal proposals. All lots in the subdivision must have a percolation test witnessed by a representative of the Health Department and witnessing of other tests may be required. At least seventy-five (75) percent of all proposed lots shall pass the percolation tests to qualify the subdivision for acceptance.

Existing private sewage disposal systems shall be shown.

4. **Water Supply.**

- a. Public Water: All engineering drawings showing proposed public water supply systems shall be approved by the applicable County Department, pursuant to the requirements of the Department of Public Works or the Sanitary District.
- b. Private Water Supply System: Existing private water supply systems shall be shown.

5. **Street Plans.**

The engineering drawings showing proposed street improvements shall be submitted to and approved by the appropriate Highway Authority.

6. **Special Features.**

Engineering drawings shall show all special features pursuant to Sec.31-302.2.a(6) for which the subdivider requests credits in meeting requirements of the Subdivision Regulations. The engineering drawings shall also indicate the manner in which such special features will be preserved or protected.

**SEC. 31-304. FINAL PLAT.**

The procedure for preparation, submittal, and review of a final plat shall be as follows:

1. **Filing.**

Within six (6) months after approval of the Preliminary Plat by the Plat Committee, or within six (6) months after the date of submission of the Final Engineering Documents, the subdivider shall submit a Final Plat, prepared in accordance with the provisions of the Plats Act. One (1) reproducible copy, with original signatures and ten (10) prints, shall be submitted to the Secretary of the Plat Committee for review. The Final Plat, if desired by the subdivider, may constitute only that portion of the approved Preliminary Plat which is proposed to be recorded and developed at that time provided, however, that any portion of such approved Preliminary Plat shall conform to all requirements of these regulations.

2. **Preparation.**

The final plat shall be prepared at a minimum scale of 1" = 100' and shall show:

- a. Name of subdivision may be shown, however, a number will be assigned to the subdivision pursuant to policy of the Plat Committee.
- b. Location is to be made by appropriate legal description.
- c. Name and certification of the registered land surveyor responsible for the preparation of the plat.
- d. Scale shown graphically, date and northpoint.
- e. Size of plat on any single sheet shall be:

Minimum - 8-1/2" x 14".

Maximum - 30" x 36".

- f. Angular, linear, and curvilinear dimensions for all lines, angles, and curvatures, with functions and titles used to describe all boundaries including perimeter survey of tract, streets, alleys, easements, areas to be dedicated for public use, and other important features. Error of closure of boundary line surveys shall not exceed one in ten thousand (one (1) foot for 10,000 feet of perimeter survey). Angular error shall not exceed plus or minus twenty (20) seconds. Lot lines to show dimensions in feet and hundredths, and the bearings of all lot, street, and subdivision perimeter lines shall be shown in degrees, minutes and seconds.

Subdivisions within one (1) mile of two (2) monuments established by the DuPage County Remonumentation Program shall be tied to said monuments by survey traverse, and the Final Plat shall show the bearing(s) and distance(s) thereto. Resubdivisions of subdivisions that



have been previously tied to two (2) positions monumented by the DuPage County Remonumentation Program need only show on the Final Plat the previously plotted distances and bearings, to said monuments established by the original subdivision plat.

In accordance with the Plat Act, the surveyor shall be required to file with the DuPage County Recorder of Deeds a "Monument Record" for each section and/or quarter section corner(s) used as reference corners in the preparation of the subdivision plat. The "Monument Record" must be filed no later than the recording date of the final plat.

- g. An identification system for numbering all lots and blocks using: (1) consecutive lot number throughout all units of any one (1) subdivision, or (2) consecutive lot numbers throughout each identified block.
- h. Accurate location of all monuments required by the Plat Act and installed or to be installed in such a manner that they may be located by a licensed surveyor.
- i. Exact location, width and name of all streets within and adjoining the plat, and the exact location and width of all alleys and crosswalks.
- j. Accurate outlines and legal description or lot designation of any areas to be dedicated or reserved for public use, including any area to be reserved by deed covenant for common uses of all property owners in accordance with the Plat Act.

### **3. Certificates Required.**

No final plat shall be approved until the following Certificates, as contained in the Appendix, have been executed.

- a. Certification by an Illinois Registered Land Surveyor that the subdivision is or is not within any incorporated city, town, or village, nor within one and one half (1-1/2) miles of the corporate limits of any city, town, or village which has adopted a city plan and is exercising the special powers authorized by Division 12, of Article II, of the Illinois Municipal Code as now or hereafter amended. The Illinois Registered Land Surveyor shall also certify as to whether the subdivision is or is not within five hundred (500) feet of any surface drain or watercourse serving a tributary area of six hundred forty (640) acres or more, all in accordance with Statute.
- b. Notarized certification by owner and if required, by any mortgage holder of record, of the adoption of the plat and the dedication of streets and other public areas.

- c. Certification by the County Clerk that all taxes and special assessments have been paid up to date.
- d. Certification of approval by the DuPage County Health Department.
- e. Certification that the DuPage County Development Department, Senior Drainage Engineer, has approved drainage.
- f. Certification of the approval of the County Development Department.
- g. Certification of approval by the Township Highway Commissioner having jurisdiction over development.
- h. Certification of approval by the City or Village when required.
- i. Certification by the County Plat Officer.
- j. The Vacation of preexisting plats, easements or rights-of-way shall be accomplished by a separate recorded Plat of Vacation, approved in accordance with the Plat Act. A copy of the proposed Plat of Vacation shall be submitted to the Plat Committee concurrently with the Final Plat.
- k. Certificates of: Municipal Treasurer (for special assessments), Village or City Clerk and Sanitary District, as required.
- l. On any plat requiring more than one (1) sheet, a separate (approval) block shall be provided for each additional sheet indicating the required approvals or certificates.
- m. Certification that the approval of the DuPage County Department of Environmental Concerns has been given where DuPage County sewer and water facilities are existing or proposed and whenever the development is subject to stormwater, floodplain or wetland review by that agency.
- n. Certification of approval by the County Division of Transportation, County Engineer, shall be required for all developments. Where required, a separate certification that the DuPage County Division of Transportation, County Engineer, has approved roadway access for streets under County jurisdiction.
- o. Certification by the DuPage County Data Processing Department - GIS Section - that the plat complies with all technical survey and map standards.

**4. Agreements Required.**

No final plat shall be recorded until the owner or subdivider has provided the following:

- a. Bond to ensure the completion of the public improvements shall be deposited with the appropriate governmental authorities in accordance with the following:
  - (1) The appropriate Highway Authority for street grading, pavements, edging, signs, alley improvements, street and street storm sewer systems, and drainage.
  - (2) The DuPage County Division of Public Works for sewers and sewerage treatment, drainage, water supply systems, and storm drainage facilities not included in the Highway Authority deposit.
  - (3) The appropriate Highway Authority for construction of sidewalks at the time an entrance permit is secured.
  - (4) All deposits shall be 110 percent of the estimated cost of the completion of all required land improvements under their jurisdiction.
- b. The cost of public improvements shall be in accordance with cost estimates prepared for the subdivider at his expense by a Registered Professional Engineer, and as approved by the Plat Committee.
- c. A construction agreement shall be executed between the owner/subdivider of said development and DuPage County, before any construction begins, prohibiting the littering of any dedicated street abutting the area being developed. Littering includes, but is not limited to, soil or any similar droppings from equipment being used in such development.
- d. The subdivider shall maintain the roads within the development until accepted by the Township or County.

**5. Review of Final Plat.**

- a. The Plat Committee shall review the Final Plat as to conformance with approved Preliminary Plat.
- b. Upon approval by the Plat Committee, all required certificates may be signed with the exception of the Plat Officer Certificate.

- c. The final plat shall then be presented to the County Development Committee for information, comment and review prior to the certification by the Chair of the Committee as Plat Officer.
- d. The Plat Officer or the Deputy Officer shall review all recommendations and shall approve or disapprove the final plat within ten (10) days, subject to all necessary requirements.
- e. Once all necessary approvals are obtained, the subdivider shall, within sixty (60) days thereof, submit the original plat document to the County Development Department who shall submit the same to the County Recorder of Deeds for recording and to the County Maps and Plats Department. All required recording fees, as established by the County Recorder, shall be paid by the subdivider at the time of filing. Failure to comply with this provision shall render such approved final plat as void. After recording, the original plat document shall be forwarded by the Recorder to the subdivider.
- f. Should the subdivision be within 500 feet of a surface drain or watercourse serving a tributary area or watercourse serving a tributary area of 640 acres or more, it shall be the responsibility of the subdivider to submit two (2) copies of the final plat, one (1) copy of the topographical map for the subdivision and one (1) copy of the required application to the Illinois Department of Transportation, Division of, in accordance with State Statutes.

**6. Special Rules Regarding Certification.**

When Section 304.3 requires a certification from a specified official and that official or agency lacks the jurisdiction or no longer performs the necessary review to give said certification, certification shall be required from the appropriate successor official or agency as determined by the Plat Committee.

**7. Homeowners' Association Covenants and Agreements.**

In any subdivision for which a homeowners' association is required, the homeowners' association covenants and agreements shall be reviewed and approved as part of the final plat approval. The homeowners' association covenants and agreements shall be recorded with the County Recorder of Deeds immediately after the final plat of subdivision is recorded. The recording number of the final plat of subdivision shall be entered on the face of the homeowners' association covenants and agreements before the covenants and agreements are recorded.

## **ARTICLE IV. SUBDIVISION DESIGN STANDARDS**

The subdivision design standards as set forth under this Article are the minimum design standards to be used by the subdivider. All final plats shall be reviewed and approved by the Plat Committee.

### **SEC. 31-400. STREETS**

Streets shall conform with the most restrictive requirements, general specifications and typical cross sections (see Illustration) as set forth in either the SUBDIVISION DESIGN STANDARDS, ARTICLE IV of this Ordinance or as set forth in the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction.

#### **1. Location and Arrangements**

- a. The Proposed subdivision shall conform to the various elements of the DuPage County Comprehensive Plan.
- b. The layout of streets (rights-of-way) shall provide for the continuation of streets in adjoining subdivisions unless otherwise provided by the Plat Committee.
- c. The street layout shall include minor streets so laid out that their use by through traffic shall be discouraged.
- d. Should a proposed subdivision border on, or contain an existing or proposed arterial street, the Plat Committee may require a frontage road or lots backing on such arterial street with a no access strip easement to reduce traffic hazards.
- e. Should a proposed subdivision border on or contain a railroad, tollway, expressway or other limited access right-of-way, the Plat Committee may require the location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for the development of an appropriate use of the intervening land. Such distances shall be determined with due consideration of the minimum distance required for approach grades to future grade separations.
- f. Half streets shall be avoided, except where absolutely essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and where the Plat Committee finds it will be practical to require a dedication of the other half when the adjoining property is developed. Where a dedicated or platted and recorded half

street exists, adjacent to the tract to be subdivided, the other portion shall be platted.

- g. Reserve lots (flag lots) enabling access to interior areas of a parcel from a dedicated street only, may be permitted in accordance with the following: (See Illustrations.)
  - (1) All lots shall be a minimum of one (1) acre, exclusive of the portion of the lot used as the reserve strip;
  - (2) That each reserve strip providing access to a lot shall be not less than twenty (20) feet in width;
  - (3) That not more than three (3) lots consisting of two (2) reserve lots with reserve strips, each twenty (20) feet in width, and one (1) key lot with a frontage of not less than one hundred twenty-five (125) feet wide along the dedicated street shall be permitted;
  - (4) That all reserve lots shall be subdivided in accordance with the Subdivision Regulations; and
  - (5) That, where more than one (1) reserve lot is created, the reserve strips, i.e., forty (40) foot access to interior lots, shall be dedicated and marked as a private easement for access to interior lots, with only one (1) permitted entrance to the dedicated street.
- h. Upon the recommendation of the Plat Committee, private streets may be permitted. Such streets shall provide a permanent street easement width of fifty (50) feet, with a ten (10) foot roadway, drainage and utility easement provided on each side. Such streets shall have access only to a dedicated street and shall be constructed in accordance with ARTICLE V - IMPROVEMENTS, (See Sec.31-500, Streets). Private streets shall be subject to inspections at appropriate intervals by a Registered Professional Engineer as approved by the DuPage County Highway Department and the Township Highway Commissioner with inspection costs of same to be borne by the subdivider.
- i. The maximum length for residential cul-de-sac streets shall be 500 feet. The maximum length for nonresidential cul-de-sac streets shall not exceed 600 feet unless approved by the Plat Committee. Each cul-de-sac street shall have a suitable terminus as approved by the appropriate Highway Authority to provide for the safe and convenient reversal of traffic movement (see Sec.31-400.2).

## 2. Right-of-Way Widths

Right-of-Way widths shall conform to the following minimum requirements or to the requirements of the appropriate Highway Authority. (See example of Street Cross Sections in the Illustrations Section for lot areas less than and greater than 20,000 square feet.) **RIGHT-OF-WAY WIDTHS<sup>1</sup>**

<u>Street Type<sup>2</sup></u>	<u>Widths</u>	<u>0-19, 999</u>	<u>20,000+</u>	<u>Easement</u>	<u>Total</u>
Freeway/Expressway <sup>3</sup>	240' - 300'				
Arterials	100'				
Major Collectors	80'				
Local Streets					
Minor Collectors		70'	-	-	70'
			60'	10'(ea.)	80'
Industrial Service Streets		70'	70'	10'(ea.)	90'
Multiple-Family Residential		60'	60'	10'(ea.)	80'
Minor (Single-Family Residential and Cul-de-sac) Streets		60'	60'	10'(ea.)	80'
Planned Developments		60'	60'	10'(ea.)	80'
		50' <sup>4</sup>	50' <sup>4</sup>	10'(ea.)	70'
Local Half-Street (Single-Family Residential, where permitted)		40' <sup>5</sup>	-	-	40'
Frontage Road		40' <sup>6</sup>	-	-	40'
Alley		20'	-	-	20'
Cul-de-sac Street	As provided in				
Terminus - all types	Section 400.1.i, 400.2				
Cul-de-sac Street					
Turn-arounds when provided					
(1) Industrial	75' radius				
(2) Residential	60' radius				

<sup>1</sup> Additional right-of-way may be necessary in order to accommodate widened intersections.

<sup>2</sup> In conformance with the Year 2000 Street and Highway Plan for DuPage County Functional highway classification.

<sup>3</sup> Right-of-Way width and alignment to be determined by the appropriate Highway Authority at the time of the request for development including any reservation or dedication of land.

<sup>4</sup> For residential planned developments, a dedicated, permanent street easement of fifty (50) feet, with a ten (10) foot roadway, drainage and utility easement on each side may be permitted, subject to the review and approval of the Plat Committee. Such streets shall be subject further to the inspections required for private streets in Section 400.1.h.

<sup>5</sup> When adjoining property is developed, additional right-of-way will be dedicated from the adjoining parcel as required by the appropriate Highway Authority.

<sup>6</sup> In conformance with the design standards of the appropriate Highway Authority.

### **3. Street Grades**

For adequate drainage the minimum street grade shall be 0.5 percent. The maximum street grade shall be seven (7) percent unless otherwise approved by the Plat Committee and the appropriate Highway Authority.

### **4. Minimum Radii of Curvature on the Center Lines**

Curvature measured along street center lines shall have the following minimum radii:

- a. Arterial Streets - a minimum radius of 1,000 feet.
- b. Major Collector Streets - a minimum radius of 300 feet.
- c. Other Streets A minimum radius of 200 feet.

### **5. Tangents**

Between reverse curves the minimum tangent distance shall be as follows:

- a. Arterial Streets - 300 feet.
- b. Major Collector Streets - 100 feet.
- c. Other Streets - fifty (50) feet. (If waived by the incorporated municipality having planning jurisdiction and by the appropriate Highway Authority, this requirement could be waived by the Plat Committee.)

### **6. Intersections**

- a. All street intersections with arterials shall have a minimum curb return radius of forty (40) feet.
- b. At all street intersections, line of sight easement shall be established within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection.
- c. At all street intersections with arterial or collector streets, a maximum grade of three (3) percent for a distance of not less than 100 feet shall be established at the intersecting right-of-way lines.
- d. At alley intersections, the curbs and paving shall be rounded by an arc of at least ten (10) feet in radius.



- e. All streets intersecting an arterial or collector street shall do so at right angles or as nearly as is possible. Intersecting angles of less than sixty (60) degrees shall not be permitted.
- f. Curved streets, intersecting with arterials and collector streets, shall do so with a tangent section of centerline fifty (50) feet in length measured from the right-of-way line of the arterial or collector street (See Illustrations.)

## **7. Street Jogs**

Street jogs between residential streets, arterials and collector streets with centerline offsets of less than 225 feet shall be avoided. Street jogs between minor streets with centerline offsets of less than 150 feet shall be avoided. (See example of Street Jogs in the Illustration Section - Local Street Design Standards.)

## **8. Grading and Center Line Gradients**

Different connecting street gradients shall be connected with vertical parabolic curves. Minimum length in feet of these curves shall provide a stopping sight distance of not less than 300 feet.

## **9. Acceleration-Deceleration, Passing and Turning Lanes.**

Arterials or major collector streets shall be provided with paved acceleration and deceleration lanes, and passing or turning lanes where required by the appropriate Highway Authority.

## **10. Driveways**

All intersecting driveways shall comply with the requirements of "Rules, Standards And Procedures For Driveways And Streets" within DuPage County, as amended, the Arterial Corridor Development Manual for DuPage County, or in accordance with the requirements of the appropriate Highway Authority.

## **SEC. 31-401. ACCEPTANCE OF STREETS**

Acceptance of streets shall be in accordance with Sec.31-503. COMPLETION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS.

## **SEC. 31-402. BLOCKS**

Blocks within subdivisions shall conform to the following standards:

### **1. Sizes**

- a. Maximum length for blocks shall not exceed 1,400 feet, except where, in the opinion of the Plat Committee, conditions may justify a greater distance.
- b. Widths of blocks shall be determined by the design and topography of the subdivision.

## **2. Public Walkways**

- a. Location of dedicated public walkway or crosswalk easements may be required by the Plat Committee to obtain satisfactory pedestrian access to public or private facilities such as, but not limited to, schools and parks and where blocks exceed 900 feet in length.
- b. The minimum width for right-of-way or easement for walkways shall be twelve (12) feet. Pavement widths shall not be less than five (5) feet.

## **3. Easements**

- a. Roadway, utility, sidewalks, and drainage easements along right-of-way lines shall be provided as required in Sec.31-400.2, of this Ordinance and in accordance with standards adopted by the appropriate Highway Authority. Such easements shall not contain permanent plantings and the use of such easements shall require a permit issued by the appropriate Highway Authority.
- b. Utility easements shall be provided along the rear and side lot lines as required. Such easements shall provide for a total of not less than twenty (20) feet wide along rear lot lines, and not less than ten (10) feet wide along side lot lines, all easements to be divided equally between abutting lots. (Appendix I- "Utility Easements" and Illustration section.)
- c. No-access strip easement as defined in Sec.31-201.
- d. An easement to protect clear sight distance not to exceed 3.0 feet above centerline grade shall be provided at all intersections. Such easements shall be a triangular area measured twenty-five (25) feet from the intersections of any two (2) right-of-way lines. (See Illustration section.)
- e. Recommendations on the proposed layout of telephone, gas, water and sanitary sewer easements shall be obtained from all of the utility companies which service the area. It shall be a responsibility of the subdivider to submit copies of the approved preliminary plat to all appropriate utility agencies.
- f. Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a drainage easement conforming

substantially with the lines of such water course and shall include the flood plain where applicable, plus an additional area not less than fifteen (15) feet wide adjoining both edges of said flood plain area for maintenance access purposes as certified by the subdivider or his Registered Professional Engineer, or as approved by the Drainage Division of the Department of Public Works.

- g. Temporary Vehicular Turnaround Easement: The area shown as a temporary turnaround easement (in compliance with Sec.31-400.2) is to be placed on the final plat to be dedicated which is to read as follows:

Temporary vehicular turnaround easement may be vacated by a Plat of Vacation after street dedication, extension and acceptance of the improved street by the appropriate Highway Authority.

- h. Access Easement. (See Appendix I.)

## **SEC. 31-403. LOTS**

Lots within subdivisions shall conform to the following standards.

### **1. Sizes and Shapes**

- a. The lot size, width, depth and shape shall be appropriate for the location and type of development contemplated and shall conform to the requirements of the Zoning Ordinance for the district in which the subdivision is proposed. (See also 'Reserve Lots', Sec.31-400.1.g.)
- b. All residential lots shall be a minimum of 100 feet in depth except those lots backing to arterial and railroad rights-of-way shall not be less than 150 feet in depth. All nonresidential lots shall be a minimum of 100 feet in depth.
- c. All residential corner lots where public water and sanitary sewerage facilities are required shall be platted not less than twenty-five (25) feet wider than the lot width required by the DuPage County Zoning Ordinance.
- d. Through lots in residential subdivisions shall not be permitted except where lots back to arterial streets or where specifically approved by the Plat Committee.

### **2. Arrangements**

- a. Every lot shall front or abut on a public street or provide for means of access.

- b. Side lot lines generally shall be at right angles or radial to the street lines.
- c. Lots shall have a front to front relationship across streets wherever possible. This shall be accomplished to assure that dwellings do not face rear yards of lots across streets. Where residential through lot relationships are permitted to exist, such lots shall be screened from the street by berms or intensive and obscuring landscaping.

#### **SEC. 31-404. RESERVED**

#### **SEC. 31-405. FLOOD PLAIN AND/OR WETLAND AREAS**

Flood plain or wetland areas are determined using the following methodology as further described in the DuPage County Zoning Ordinance.

Methodology for Delineation: One (1) or more of the following sources of information, consistent with accepted engineering and environmental science practices, shall be used to delineate the Special Flood Hazard Areas (SFHA) and/or Wetland Areas of DuPage County subject to regulation under this Ordinance.

##### **1. Special Flood Hazard Areas (SFHA)**

This Ordinance's flood protection standard is the Base Flood Elevation delineated according to the best data available to the Illinois State Water Survey's Flood Plain Information Repository. Where data for determining the base flood elevation is not available from an existing study filed with the Illinois State Water Survey or the applicant disagrees with the data in an existing study in the State's Flood Plain Information Repository, the applicant shall be responsible for financing the detailed engineering study to supplement or replace the existing data. These data shall be submitted to the State Water Survey for their review and approval. If such detailed engineering studies are approved they shall be included in the Flood Plain Information Repository and given priority ranking in relation to other data available for the geographic area.

The elevations (profiles) of the Special Flood Hazard Area (SFHA), as presented in the hierarchy of information sources listed below, shall be used in all cases where it is available. The maps presented in the same documents are only aids in determining whether a specific parcel of land lies within the Base Flood Area; however, elevations (profiles) must be delineated on drawing(s) of the site with existing topography shown at a scale and contour interval as determined by the Plat Committee. At a minimum, the topographic drawings shall display the following flood data:

- ( i) The boundary of the Special Flood Hazard Area;
- ( ii) The boundary of the floodway if available;
- (iii) Drainage easements if land is dedicated to the County for access for channel maintenance; and
- (iv) The flood protection elevation for each building site.

These drawing(s) shall be reviewed and approved by the DuPage County Department of Public Works, Drainage Division.

When the drawing(s) consist of plats or plans for a new subdivision or planned development, they shall include a written certification by a Registered Professional Engineer, licensed in the State of Illinois, accounting for any change in the drainage of surface waters in accordance with the Plat Act.

a. State Certified Data:

In most cases the Base Flood Elevation(s) for the Special Flood Hazard Areas (SFHA) shall be as delineated on the 100 Year Flood Profiles in the Flood Insurance Study of the Unincorporated Areas of DuPage County prepared by the Federal Emergency Management Agency dated October 15, 1982, as may be amended. For select streams other Base Flood Elevation data is also available in studies prepared by the Illinois Department of Transportation, Division of Water Resources for the State's Flood Plain Regulation Program. Streams for which this additional State data are currently available are Salt Creek and Waubensee Creek.

In cases where Special Flood Hazard Areas (SFHA) are shown on the Federal Emergency Management Agency's Flood Insurance Rate Map (FIRM) of the Unincorporated Areas of DuPage County, dated April 15, 1982, as may be amended, but detailed flood elevations (profiles) are not available from the Flood Insurance Study or State Flood Plain Regulatory Studies, the following guidelines shall be followed to determine the Base Flood Elevation (BFE).

- (1) "AH ZONE": In each Special Flood Hazard Area (SFHA) delineated as an "AH ZONE", the Base Flood Elevation (BFE) shall be the elevation or depth listed on the Flood Insurance Rate Map, or if this is not available, it shall be the crest of the nearest road plus one (1) foot unless other data determines it should be higher.
- (2) "A ZONE": In the remaining Special Flood Hazard Areas (SFHA) delineated as "A ZONE", it shall be the 100 Year Flood depth calculated in accordance with the formulas in "Depth and Frequency of Floods in Illinois", published by the U.S. Geological Survey, 1976.

b. Data Not State Certified:

State certified data such as elevations (profiles) or Federal Insurance Rate Maps (FIRM) used to determine base flood elevations may be inaccurate because of improper flow or rainfall information; may show areas which existing data project as areas subject to inundation; or may include areas which have been adjusted from the original source information utilized in the preparation of the Federal Insurance Study. Several valid sources of information can be used in requesting amendments to the State Certified Data. These information sources when submitted to the State Flood Plain Information Repository, are given a priority as to their relative status as best available data. Some of these data sources in relative priority are:

- (1) Detailed Data Prepared for a Federal or State Agency: Elevation data prepared with detailed cross sectional information and a backwater analyses, but lacking discharge certification by the Illinois Department of Transportation, Division of Water Resources.
- (2) Other Detailed Data: Elevations based on detailed cross sectional information and backwater analysis, but prepared for some other organization.
- (3) Adjusted Flood of Record: Elevations derived from field observations and/or historical flood elevations. This type of study uses engineering judgments to develop 100 Year Flood data.
- (4) Flood of Record: Elevations taken from high water marks. This type of report may not attempt to compute the 100 Year Flood. An example of such a data source for the area is the U.S. Geological Survey Hydrologic Investigations Atlas, Series HA, as amended from time to time. It includes the following maps:

- HA - 68 Elmhurst Quadrangle
- HA - 70 Aurora North Quadrangle
- HA - 86 Hinsdale Quadrangle
- HA - 142 Geneva Quadrangle
- HA - 143 Lombard Quadrangle
- HA - 146 Romeoville Quadrangle
- HA - 148 Wheaton Quadrangle
- HA - 149 Sag Bridge Quadrangle
- HA - 154 Naperville Quadrangle

- (5) Illinois Department of Transportation Bridge Computation: Calculations done in order to receive an Illinois Department of Transportation, Division of Water Resource's Work in Water Permit. The information should be available for almost every bridge built in the last twenty (20) years. Requests should be sent to:

Illinois Department of Transportation  
Division of Water Resources  
Flood Plain Management Section  
2300 South Dirksen Parkway  
Springfield, IL 62764  
(217) 782-3862

- (6) On-site field inspections and surveys by the DuPage County Department of Public Works, Drainage Engineer, his field crew, or by Federal, State, or local agencies, which are approved by the DuPage County Department of Public Works, Drainage Division.

## **2. Wetland Areas.**

This Ordinance's wetland protection standard is land which must, at a minimum exhibit one (1) or more of the following attributes:

- (i) At least periodically, the land supports predominantly hydrophytes (the U.S. Fish & Wildlife Service maintains a list of hydrophytes and other plants occurring in wetlands);
- (ii) The substrata is predominantly undrained hydric soil (the U.S. Soil Conservation Service maintains a list of hydric soils); and
- (iii) The substrata is nonsoil and is saturated with water or covered by shallow water at sometime during the growing season.

Wetlands can occur in areas that are delineated as Special Flood Hazard Areas (SFHA), or may occur outside those boundaries. Wetlands often occur on lands where the groundwater table or zone of saturation periodically intersects the surface and which contains wetland plant species. In general, these are poorly drained soils where the water table is within two (2) feet of the ground surface for at least three (3) months of the year. Wetlands shall be delineated according to the best available data held or approved by the DuPage County Development Department. If the applicant disagrees with the data, the applicant shall be responsible for financing the detailed environmental study to supplement or replace the existing data. This data shall be submitted to the DuPage County Development Department and the DuPage County Department of Public Works, Drainage Engineer for their review and determination of which data is the best available. Currently available sources of information on wetlands includes but is not limited to:

- a. Soils and Environmental Studies: Mapping and/or source information from the Kane-DuPage Soil and Water Conservation District and/or the Forest Preserve District of DuPage County.
- b. Wetlands Inventory: An inventory of wetlands in DuPage County prepared for the Illinois Department of Conservation, Division of Forest Resources and Natural Heritage. This is not an exhaustive compilation, but is a good indication of their location. Maps are a part of this inventory. They are at a scale of 1 inch = 2000 feet on the U.S.G.S. 7-1/2 minute quad sheets. The publication, prepared by William E. Southern is entitled, "Northeastern Illinois Wetlands Inventory: Cook, DuPage, Kane, Lake and McHenry Counties, Volume 2 - DuPage County Wetlands".
- c. Other Wetland Information Sources: Other wetland information sources, including maps, prepared and made available by various Federal, State and local agencies, including on-site field inspections by the DuPage County Public Works Department's Drainage Engineer, or his field crews. Data sources for identifying and determine the significance of wetland species of flora and fauna include the following publications by Norman C. Fassett, "A Manual of Aquatic Plants", (Madison, WI: University of Wisconsin Press, 1957) and/or Floyd Swink, "Plants of the Chicago Region", Second Edition, (Lisle, IL: The Morton Arboretum, 1974) and/or Henry A. Gleason, "The New Britton and Brown Illustrated Flora of Northeastern United States and Adjacent Canada", (New York, NY: Hafner Press, 1952) and/or Illinois Department of Conservation's endangered and threatened species lists, which are amended from time to time. These publications are only guides to delineation of wetlands and do not attempt to interpret the significance of the wetlands, and their associated flora and fauna, to the County. The latter, the significance of these flora and fauna to the County shall be determined by the DuPage County Development Department.

## **SEC. 31-406. STORM WATER MANAGEMENT**

The purpose of this Section is to provide standards and regulations governing land development in order to reduce or prevent flooding and at the same time minimize damage to real property, protecting the public health, safety and welfare.

1. The controlled release and storage of excess storm water runoff shall be required in combination for all commercial and industrial development sites which exceed one (1) acre in area, and for all residential developments of fifty (50) lots or three (3) acres and whichever is less. Any exceptions shall be evidenced by a prepared engineering drainage study subject to approval by the DuPage County Drainage Engineer.



2. The controlled release of storm water runoff from all developments shall not exceed the existing safe storm drainage capacity of the natural downstream outlet channel or storm sewer system. The release rate shall be an average value computed as a direct ratio to the tributary watershed area. In any case, this value shall not exceed 0.10 inches per hour from an area designed to provide storage from excess storm water or at a proportional rate of the most restrictive capacity of downstream channel or compatible with the "safe" capacity of most DuPage County rivers and streams. The rate at which storm water runoff is transported into a designated storm water storage area shall be unrestricted. Control structure piping shall be not less than four (4) inches in diameter.
3. A natural or man-made channel system shall be designed with adequate capacity to convey the storm water runoff from all tributary upstream areas through or around the development. This system shall be designed to carry the Base Flood.

Design of this system shall also take into consideration control of storm water velocity to prevent erosion or other damage to the facility which will restrict its primary use. Depths of flow shall be totally under governmental control. In the event that the area within this bypass channel is reshaped or restricted for use as a floodway the appropriate governmental agency will cause removal or require the removal of such restrictions at the expense of the party or parties causing said restriction.

Should the development contain an existing natural waterway this land configuration shall be preserved as part of the bypass channel system. If required, construction of a "low flow" system of storm sewers to carry the minor storm runoff and reshaping of the channel to have maximum side slope ration of four (4) horizontal to one (1) vertical, and a bottom width adequate to facilitate maintenance and carry the flood runoff without eroding velocities shall be included in the plans for land development.

4. The required volume for storm water detention shall be calculated by means of a synthetic hydrograph and flood routing using technical release #55 (as published by the Soil Conservation Service) and supplemented by the U.S. Weather Bureau Technical Paper #40, or other acceptable methods approved by the Drainage Division, DuPage County. (See Procedural Manual prepared by the DuPage County Department of Public Works, Drainage Engineer.) This volume shall be provided for the excess storm water runoff that is tributary to the area designated for detention purposes. The storm water release rate shall be considered when calculating the storm water storage capacity. The control structure shall be designed to not exceed the storm water release rate. Storage capacity obtained by excavating the natural ground within the 100 Year Flood Plain may not be considered effective for storm water management.

5. Detention reservoirs or dry bottom storm water storage areas shall be designed to serve a secondary purpose such as recreation, open space, or other types of uses that will not be adversely affected by occasional flooding. A method of carrying the low flow through these areas shall be provided. In addition, a system of drains, may be provided with a positive gravity outlet to a natural channel or other storm sewer facility.

The combination of storage of the water from a one hundred (100) year storm and the design release rate shall not result in a storage duration in excess of seventy-two (72) hours however, release rate shall govern as long as possible. Maximum depths of planned storm water storage shall not exceed four (4) feet unless the existing natural ground contours and other conditions dictate greater storage depths, subject to approval by the Department of Public Works. Minimum grades for areas to be constructed shall be two (2) percent and maximum slopes shall be four (4) units horizontally to one (1) unit vertically. Storage area side slopes shall be kept as close to the natural land contours as practical.

If slopes greater than 4:1 are necessary to meet storage requirements or area restrictions, approval shall be obtained from the Department of Public Works, and erosion control shall be provided in addition to the protection required to insure public health, safety and welfare.

Outlet control structures installed shall require little or no maintenance/attention for proper operation. Each storm water storage area shall be provided with a method of emergency overflow in the event that a storm in excess of the 100 Year return frequency storm occurs. This emergency overflow facility shall be designed to function without maintenance/attention and shall become part of the natural or surface channel system described in the preceding paragraph. Hydraulic calculations shall be submitted to substantiate all design features. Both outlet control structures and emergency overflow facilities shall be designed and constructed to fully protect the public health, safety and welfare. Storm water runoff velocities shall be kept to a minimum and turbulent conditions at an outfall control structure will not be permitted without complete protection for the public safety. The use of restrictive fences shall be kept to a minimum and shall be used only as a last resort when no other method is feasible.

6. Retention reservoir or wet bottom storm water storage areas shall be designed to meet the requirements for detention reservoir or storage areas. A low flow conduit and a system of drains with a positive gravity outlet shall not be required. However, the following additional conditions are:
  - a. Water surface area shall not exceed 1/10th of the tributary drainage area.
  - b. Shoreline protection shall be provided to prevent erosion from wave action.

- c. Minimum normal water depth shall be five (5) feet. If the pond is to be stocked with fish, no less than one quarter (1/4) of the pond area shall be a minimum of eleven (11) feet deep.
  - d. Where feasible, facilities shall be provided to permit the pond level to be lowered by gravity flow for cleaning purposes and shoreline maintenance.
  - e. Control structures for storm water release shall be designed to operate at full capacity with increases in the water surface level as required. Hydraulic calculations shall be submitted with final engineering plans.
  - f. Aeration facilities to prevent pond stagnation, if required, shall be provided. Design calculations to substantiate the effectiveness of these aeration facilities shall be submitted with final engineering plans. Agreements for the perpetual operation and maintenance of aeration facilities shall be prepared to the satisfaction of the Department of Public Works.
  - g. In the event that the water surface of the pond is to be raised for purposes of storing water for irrigation or in anticipation of the evapotranspiration demands of dry weather, the volume remaining for storage of excess storm water runoff shall still be sufficient to contain the 100-year storm runoff.
7. Paved surfaces that are to serve as storm water storage areas shall have minimum grades of one (1) percent and shall be restricted to storage depths of one (1) foot maximum. Rooftop storage shall be designed with permanent type control inlets and parapet walls to contain runoff on the rooftop. Emergency overflow areas shall be provided to insure that the weight of water stored will not exceed the structural capacity of the roof. Release rate and storage volume requirements for paved storage areas shall be as hereinabove outlined in paragraph #2 above. If a portion of an area within a storm water storage area is to be paved for parking or recreational purposes, the paved surface shall be placed at the highest elevation within the storage area as possible. Parking lot grades should not exceed five (5) percent and shall not exceed ten (10) percent.
8. Where developments form only a portion of a watershed or contain portions of several watersheds, the requirements for providing storage shall be based upon that proportion of the area being developed as compared to the total watershed tributary to the storage area. Compensatory storage will be acceptable whenever it is justified and feasible. As a watershed is developed with a series of storm water storage facilities, due consideration will be given for calculation of the allowable release rate and capacity of the natural or surface channel system as described in paragraph #3 above.
9. Plans, specifications, and all calculations for storm water runoff control as required hereunder, shall be submitted to the DuPage County Department of Public Works

for review and approval of a final plat, in the case of subdivisions and planned residential developments, or issuance of a building permit, in the case of commercial or industrial construction.

10. Where development of a property presents the threat of flooding or damage by flash flood runoff to downstream residents, the facilities for storm water runoff control shall be constructed prior to any earth moving or drainage construction on the project site including provisions for siltation control as required.
11. The construction of the storm water control system shall be accomplished as part of the cost of land development. If the amount of storage capacity can be increased to provide certain benefits to the surrounding properties, negotiations for additional participation in the cost of such development may be feasible.
12. The ability to retain and enhance the groundwater recharge capacity of the area being developed is encouraged. Design of the storm water runoff control system as provided in paragraph #5 above, shall give due consideration to providing groundwater recharge to compensate for the reduction in the percolation that occurs when the ground surface is paved/roofed over. Specific design calculations and details shall be provided with the final plans and specifications presented for review. The use of natural gravel deposits for the lower portions of storm runoff storage areas, the flattening of drainage slopes and the retention of existing topography are samples of possible recharge methods.
13. During the construction phase of land development, facilities shall be provided to prevent the erosion and washing away of the earth. An erosion and sediment control plan shall be submitted for review and approval along with the Final Engineering Plans. The plan shall include the minimum criteria as follows:
  - a. List of type of soils as indicated on Soil Conservation Service Maps or soils report by a soils engineer.
  - b. Earth movement plan including approximate quantities of materials.
  - c. Method(s) of controlling erosion and sedimentation.

These submissions shall be prepared in accordance with the standards and requirements contained in "Procedures and Standards for Soil Erosion and Sedimentation Control in Illinois", October, 1981, as may be revised, prepared by the Northeastern Illinois Erosion and Sedimentation Control Steering Committee and adopted by the Kane-DuPage Soil and Water Conservation District, which standards and requirements are hereby incorporated into this Ordinance by reference. Copies of "Procedures and Standards for Soil Erosion and Sedimentation Control in Illinois", are available from the Kane-DuPage Soil and Water Conservation District. The Plat Committee may waive specific requirements

for the content of submissions upon finding that the information submitted is sufficient to show the work will comply with the objectives and principles of this Ordinance.

14. Final engineering plans shall show complete details for all of the items covered in the Ordinance and shall be submitted for review and approved prior to the start of construction.

## **SEC. 31-407. DEDICATION OF DETENTION/RETENTION AREAS**

Stormwater detention or retention areas not in dedicated rights-of-way shall either be accepted by a unit of local government or be conveyed as an undivided equal interest in each lot in the subdivision or be conveyed to a homeowners' association comprised of all the lot owners within the subdivision. The ownership of stormwater detention or retention areas shall be subject to the following conditions:.

### **1. OWNERSHIP BY A UNIT OF LOCAL GOVERNMENT.**

- a. Stormwater detention or retention areas may be transferred to, and accepted by, units of local government including, but not limited to, park districts, sanitary districts, the county, villages, cities, forest preserve districts, township highway commissioners, etc.
- b. Prior to Final Plat approval, the subdivider shall provide proof of an agreement with a unit of local government to accept such stormwater detention or retention areas at the time such Final Plat is recorded with the DuPage County Recorder's Office.

### **2. OWNERSHIP BY LOT OWNERS.**

- a. If the underlying fee of the stormwater detention or retention areas is conveyed on the Final Plat of Subdivision as an undivided equal interest in each of the lots in the subdivision, an easement provision shall be provided on the face of the Final Plat as shown in Appendix A-1.
- b. Homeowners' Associations shall be provided for subdivisions in which detention/retention areas are held as an undivided equal interest in each of the lots in the subdivision. The homeowners' association agreement and covenants shall provide for:
  - (1) The manner of holding title to the detention/retention areas;
  - (2) The manner of payment of real estate property taxes;

(3) The method of maintenance by approved engineering standards of the detention/retention areas; and

(4) The methods of financing the payment of real estate property taxes and provision of maintenance.

3. OWNERSHIP BY HOMEOWNERS' ASSOCIATION.

a. If the underlying fee of the stormwater detention or retention areas is conveyed on the Final Plat of Subdivision to a homeowners association, an easement provision shall be provided on the face of the Final Plat as shown in Appendix A-1.

b. Subdivisions in which detention/retention areas are held by a duly incorporated homeowners' association shall provide for:

(1) The manner or holding title to the detention/retention areas;

(2) The manner of payment of real estate property taxes;

(3) The method of maintenance by approved engineering standards of the detention/retention areas; and

(4) The methods of financing by the homeowners' association of the payment of real estate property taxes and the provision of maintenance.

4. HOMEOWNERS' ASSOCIATION.

a. Such homeowners' associations shall be duly incorporated; and the homeowners' association agreements and covenants shall be recorded for all the lots in the subdivision at the time the Final Plat of Subdivision is recorded.

b. The homeowners' association agreements and covenants shall provide that ownership of the detention/retention areas shall not be transferred, conveyed, deeded, assigned or given to a party other than those parties authorized to hold title to such lands as provided for in these Subdivision Regulations.

c. The homeowners' association agreements and covenants shall provide that, in the event of a dissolution, termination, or cessation of operations by the association, ownership of the stormwater detention/retention areas shall revert to an undivided equal interest in each of the individual lots in the subdivision created by the Final Plat of Subdivision.

- d. The proposed homeowners' association agreement and covenants shall be submitted to the Plat Committee for review in conjunction with these regulations at the time the Final Plat of Subdivision is submitted to the Plat Committee for approval.

5. **DOCUMENTATION OF DETENTION/RETENTION AREA OWNERSHIP.**

Documentation of the detention/retention area ownership shall be provided by the subdivider to the County prior to Final Plat approval in a manner prescribed by the Plat committee rules and procedures. Homeowners' association agreements and related materials shall meet with the County's satisfaction prior to Final Plat approval.

**SEC. 31-408. DEDICATION OF SCHOOL SITES OR FOR PAYMENTS OF FEES IN LIEU THEREOF**Error! Bookmark not defined.

In the use of this SECTION 408, it is suggested that school and parklands be combined and jointly used by the Park and School Districts in order to accrue benefits to both districts such as, but not limited to, removing less valuable land from the tax rolls, shared maintenance, and year around usage of facilities. In all cases parkland credits should be granted for the open space portion (unincorporated areas) of a school site.

As a condition of approval of a final plat of subdivision of any block, lot or sub-lot or any part thereof, or any piece or parcel of land, not being within any City, Village or incorporated town, each subdivider shall be required to dedicate land for school sites to serve the immediate and future needs of the residents of the development or, at the option of the County or the affected local political jurisdiction, a cash contribution in lieu of actual land dedication, or a combination of both in accordance with the following criteria and formula.

1. **Criteria for Dedication of School Sites**

- a. Requirement and Population Ratio: The ultimate number of students to be generated by the subdivision shall bear directly upon the amount of land required to be dedicated for school sites. The land dedication requirement shall be determined by obtaining the ratio of: (1) estimated number of children to be generated from the subdivision in each school classification, over (2) the maximum recommended number of students to be served in each school classification as stated herein, and then applying such ratio to (3) the minimum recommended number of acres of land for a school site of each such school classification as stated herein. The product thereof shall be acres of land required to be dedicated to serve the estimated increased number of children in each such school classification.

- b. School Classification and Size of School Sites: School classification and size of school sites within the County shall be determined in accordance with the following criteria unless reduced by the local school district.

<b>School Classification Grades</b>	<b>Maximum Number of Students for Each Such School Classification</b>	<b>Maximum Number of Acres of Land for Each School Site of Such Classification</b>
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Elementary Schools

Grades Kindergarten through 5th or 6th	600 Students	11 acres
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Junior High Schools

Grades 6th through 8th or 7th through 8th	900 Students	29 acres
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High Schools

Grades 9th through 12 <sup>th</sup>	1,500 Students	45 acres
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SOURCE: State Superintendent of Education, Illinois Office of Education (1980-81)

- c. Location: The Comprehensive School Plan, County Plan and the standards adopted by the affected School District shall be used as a guideline in locating sites.

**2. Criteria for Requiring Cash Contribution in Lieu of School Site Dedication.**

- a. Requirements: Where the subdivision is small and the resulting site is too small to be useful, or when the available land is inappropriate for a school site, the County shall require the subdivider to make a cash contribution or agreement calculated as provided herein, in lieu of the land dedication required. The cash contribution, in lieu of school sites, shall be payable to the applicable school district(s) which will serve the students from the subdivision and, shall be paid to such school district(s); provided, however, the subdivider who provides such cash shall be entitled to the interest accrued on such moneys, from date of deposit to date of refund, exclusive of reasonable administration fees. Proof of such payment or agreement shall be presented by the school district(s) to the Regional Superintendent of



Schools at the time of final plat approval. Certification by the Regional Superintendent of Schools to the Plat Committee that this has been done will be required by letter prior to its approval by the Plat Officer and the Plat Committee. Such cash contributions, in lieu of school sites, shall be held in a special fund by school district(s) and disbursed by such school district(s) for use in the acquisition of land for a school site to serve the immediate or future needs of children from that subdivision, for the improvements to any existing school site, school building or addition thereto, which already serves such needs, but not for the construction of any school building. If any portion of a cash contribution in lieu of a school site dedication is not expended for the purpose set forth herein within ten (10) years after the date of receipt, such cash contribution shall be refunded to the subdivider or successor who made such contribution. Prior to receiving any cash contribution in lieu of school sites, each school district shall submit a written agreement that the school district shall use any cash received pursuant to this Ordinance, and that the school district shall submit an annual written report to the Regional Superintendent of Schools as to the uses made of the cash received by the school district pursuant to said Ordinance.

- b. Fair Market Value: The cash contributions in lieu of land dedication shall be based on the fair market value of the number of acres of land in area, improved as specified herein, that otherwise would have been dedicated or improved school sites. The fair market value may be determined by agreement between affected parties or shall be determined in the following manner: Within three (3) days after submitting the tentative plat to the Plat Committee for review, the subdivider shall, in writing, furnish a copy of the proposed Preliminary Plat to each public school district in which the proposed subdivision is located. Each affected school district shall have thirty (30) days from the date of such notification to file a separate or joint fair market value appraisal prepared by an M.A.I. appraiser or other qualified land appraiser. A copy of such appraisal shall also be served by the school district(s) upon the subdivider and the Regional Superintendent of Schools. If the subdivider does not agree with said appraisal such subdivider may, within ten (10) days after receipt of same, file a written objection with the appropriate school district(s) and the Regional Superintendent of Schools. Within thirty (30) days after filing such objection, the subdivider shall submit an M.A.I. appraisal prepared by and M.A.I. appraiser or another qualified appraiser showing the fair market value of such improved land in such subdivision or other evidence thereof, with final determination of said fair market value per acre of such improved land being made by the Plat Officer at a meeting between the affected parties and being based upon the information submitted to the Plat Committee by the affected parties. The cost of all such appraisals shall be paid for by the parties submitting same.

- c. Criteria for Requiring Dedication and a Fee: There will be situations in subdivisions when a combination of land dedication and a contribution in lieu of land are both necessary. These occasions will arise when:
  - (1) Only a portion of the land to be subdivided is proposed as the location for a school site. That portion of the land within the subdivision falling within school location shall be dedicated as a site as aforesaid, and a cash contribution in lieu thereof shall be required for any additional land that would have been required to be dedicated.
  - (2) A major part of the school site has already been acquired and only a small portion of land is needed from the subdivision to complete the site. The remaining portions shall be required by dedication, and a cash contribution in lieu thereof shall also be required.

### 3. **Density Formula**

The Table of Estimated Ultimate Population per Dwelling Unit contained in Appendix II hereof, and subsequently amended from time to time, shall be considered indicative of current and short range projected trends of the number of school age children per dwelling unit for new construction, and shall be used in calculating the amount of area required to be dedicated, or the amount of the cash contribution in lieu thereof unless a written objection is filed by the subdivider or other affected party.

In the event a subdivider or other affected party files a written objection to the Table used herein, such subdivider or affected party shall submit an alternative demographic study showing the estimated additional school age population to be generated from the subdivision, and in that event, final determination of the density formula to be used in such calculations shall be made by the Plat Officer based upon all demographic information submitted to the Plat Committee.

NOTE: Population density, age distribution and local conditions change over the years, and the specific formula for the dedication of land, or the payment of fees in lieu thereof, as stated herein, is subject to periodic review and amendments. (See Appendix II for example.)

### 4. **Reservation of Additional Land**

Where the Comprehensive Plan of the County, or the Comprehensive School Plan and standards adopted by a local school district requires a greater amount of land for school sites in a particular subdivision than the subdivider is required to dedicate, the land needed beyond the subdivider's contribution shall be reserved for future acquisition; provided such local school district shall acquire the land so

reserved by purchase or commence proceedings to acquire such land by condemnation within one (1) year from the date of approval of the Final Plat. If the property is not acquired, or if condemnation proceedings are not started within one (1) year, the land so reserved may then be used by the owners thereof in any other manner consistent with this Ordinance, the Comprehensive Plan and the Zoning Ordinance.

**5. Combining with Adjoining Developments**

Where the subdivision is less than forty (40) acres, a school site which is to be dedicated should, where possible, be combined with dedications from adjoining subdivisions in order to assemble usable school sites without hardship on a particular subdivider.

**6. Topography and Grading**

The topography and geology of the site, i.e., the portion of the site to be improved with buildings, parking lots or other structures or improvements of a substantial nature, must be suitable for its intended purpose. Grading on sites dedicated shall be consistent with those purposes.

**7. Improved Sites**

All sites shall be fully improved with streets, curbs and gutters, including drainage facilities as applicable to the location of the site. The sidewalks and trees normally included within the definition of improved sites shall be waived due to the time delay between dedication of any such school sites and construction of school facilities thereon.

**8. Title to Sites**

All sites shall be conveyed to the Regional Board of School Trustees, by subdivision dedication, warranty deed, or trustee's deed. The subdivider or developer shall be responsible for payment of all real estate taxes to the date of conveyance. (See 765 ILCS, 205/3, as amended for Dedication by Subdivision.)

**SEC. 31-409. DEDICATION OF PARKLANDS OR FOR PAYMENTS OF FEES IN LIEU THEREOF.**

**1. Entities to Which Lands Must be Donated or Fees Paid; Conditions for Requiring Private Parks and Recreational Areas.**

- a. As a condition of approval of a final plat of subdivision of any block, lot, or subplot or any part thereof or any piece or parcel of land, not being within any

City, Village or incorporated town, each subdivider shall dedicate land or contribute cash in lieu thereof, or a combined dedication of land and contribution of cash for park and recreational purposes to any park district established under the Park District Code in which the subdivision shall lie; or, if it shall not lie within any such park district, then to the township in which the subdivision lies if that township maintains a park or golf course and levies a tax therefor under "AN ACT authorizing townships to acquire lands for park purposes and golf courses," approved June 23, 1915, as amended (Section 60, ILCS 150 et. seq. as amended); or if the subdivision shall not lie within such a park district or township, then to the Forest Preserve District of DuPage County unless the County shall require the subdivider to provide for park and recreational space as authorized in Paragraph b. of this Subsection 1. The use of donations to the Forest Preserve District of DuPage County shall be restricted to the construction, equipping, acquisition, extension, improvement, maintenance and operation of recreational and cultural facilities, including but not limited to natatoriums, swimming pools, ice skating rinks, tennis courts, golf courses, toboggan slides, ski areas, museums, botanical gardens, environmental education centers, comfort stations, shelter houses, paths or any combination of these, and all necessary facilities related thereto. The amount of land to be dedicated or cash to be contributed shall be in accordance with the provisions of this Section 409, But the entity which is to receive the donation shall determine exclusively whether the donation shall be a dedication of land or cash contribution or combination thereof.

- b. For any subdivision not in park district or township specified in Paragraph a. of this subsection, if the land which the subdivider would be required to dedicate meets any of the minimum size ranges stated in Subsection 2, Paragraph a., the County may require the subdivider to provide land for and establish a recreational area or areas corresponding to such size ranges in Paragraph a. of this subsection. The establishment of such a recreational area or areas shall be credited against the required donation to the Forest Preserve District of DuPage County in Paragraph a. Provision shall be made for a compulsory homeowner's association or some other means of assuring that the land will be maintained and preserved, in perpetuity, for the intended purposes. Articles of agreement for a homeowner's association or any other necessary documents shall be approved by the Plat Committee and recorded with the final plat, with a notation on the plat referring to any such documents.

## **2. Criteria for Requiring Park Land & Recreational Land Dedication**

- a. Requirement and Population Ratio: The ultimate density of a proposed development shall bear directly upon the amount of land required for dedication. The total requirement shall be 5.5 acres of land per 1,000 of ultimate population in accordance with the following classifications:

<u>Types of Recreational Area</u>	<u>Size Range</u>	<u>Minimum Acres Per 1,000 People</u>
(a) Playlot	Minimum 8,000 Sq. Ft.	Not Applicable
(b) School/Park (Neighborhood Playground)	Minimum Park of Five Acres	1.25
(c) Neighborhood Park	Minimum 3-1/2 Acres	1.00
(d) District-Wide Park/Playfield	Minimum 4 Acres Up to 30 Acres	1.25
(e) Communitywide Recreation Park	Minimum 12 Acres Up to 30 Acres	2.00
TOTAL		<u>5.50</u>

SOURCE: Adopted from National Park, Recreation and Open Space Standards, June, 1971. National Recreation and Park Association, Washington, D.C.

- b. Credit for Private Open Space/Passive & Active Recreational Areas: When subdividers provide their own open space for recreational areas and facilities, it has the effect of reducing the demand for local public recreational service. Depending on the size of the development, a portion of the park and recreational area in subdivisions may, at the option of the County, be provided in the form of private open space in lieu of dedicated public open space. The extent of same shall be determined by the County based upon the needs of the projected residents and in conformance to the total park and recreational land needs for the general area in accordance with the Comprehensive Park Plan of the appropriate public agency. In the development of a subdivision, where physical features, such as a lake, a tributary, rock outcropping, scenic view or other features warrant preservation or maintenance for passive recreation, credit may be considered in order to reduce the land area requirements for park and recreation activities.

In general, a substitution of private open space for dedicated parks will imply a substantially higher degree of improvement and installation of recreational facilities, including equipment by the developer as part of his obligation. Detailed plans of such areas, including specification of facilities to be installed, shall be approved by the Plat Committee, and before any credit is given for private recreational areas, the subdivider shall guarantee that these private recreational areas will be permanently maintained for such

use by the execution of the appropriate legal documents. When an adjustment for private recreational areas is warranted, it will be necessary to compute the total park land dedication that would have been required from the subdivision and then subtract the credit to be given.

3. **Requirements for Determining Amount of Cash Contribution In Lieu of Land Dedication.**

Fair Market Value: The cash contributions in lieu of land shall be based on the fair market value of the number of acres of land in area, improved as specified herein, that otherwise would have been dedicated as park sites. The fair market value may be determined by agreement between affected parties or shall be determined in the following manner:

At the time the Final Plat is submitted to the Plat Committee for review, the subdivider shall submit a fair market value appraisal, prepared by an M.A.I. appraiser or other qualified land appraiser, of such improved land in the area of the proposed subdivision. If the Plat Officer does not agree with said appraisal, he/she shall, within fifteen (15) days from receipt of such appraisal so notify the subdivider of such disagreement in writing. Within thirty (30) days from such notification, the appropriate public agency shall have a fair market value appraisal prepared by an M.A.I. appraiser or other qualified land appraiser of such improved land in the area of the proposed subdivision. The final determination of the fair market value per acre of such improved land shall be made by the Plat Officer at a meeting between the affected parties and being based upon the information submitted to the Plat Committee by the affected parties. The cost of all such appraisals shall be paid for by the parties submitting same.

4. **Density Formula**

The Table of Estimated Ultimate Population per Dwelling Unit contained in Appendix II hereof, and subsequently amended from time to time, shall be considered as indicative of current and short range projected trends in family size for new construction and shall be used in calculating the amount of area required to be dedicated, or the amount of the cash contribution in lieu thereof, unless a written objection is filed by the subdivider or other affected parties. In the event a subdivider or affected parties files a written objection to the Table used herein, such subdivider or other affected party shall submit to the Plat Officer, his/her own demographic study showing the estimated additional population to be generated from the subdivision and in that event, final determination of all density formulas to be used in such calculations shall be made by the Plat Officer based upon all demographic information submitted to the Plat Committee.

NOTE: It is recognized that population density and local conditions change over the years, and the specific formula for the dedication of land, or the payment of fees in lieu thereof, as stated herein, is subject to periodic review and amendment if necessary.

**5. Reservation of Additional Land**

Where the Comprehensive Plan of the County or the Comprehensive Park Plan and standards by the appropriate public agency requires a greater amount of park and recreational land in a particular subdivision than the subdivider is required to dedicate, the land needed beyond the subdivider's contribution shall be reserved for future acquisition; provided such appropriate public agency shall acquire the land so reserved by purchase or commence proceedings to acquire such land by condemnation within one (1) year from the date of approval of the Final Plat. If the property is not acquired, or if condemnation proceedings are not started within one (1) year, the land so reserved may then be used by the owners thereof in any other manner consistent with this Ordinance, the Comprehensive Plan and the Zoning Ordinance.

**6. Combining With Adjoining Developments**

Where the subdivision is less than forty (40) acres, public open space which is to be dedicated should, where possible, be combined with dedications from adjoining subdivisions in order to produce usable recreational areas without hardship on a particular subdivider.

**7. Topography and Grading**

The topography and geology of the dedicated site as well as its surroundings must be suitable for its intended purposes. Grading on sites dedicated for park and recreational uses shall be consistent with those purposes.

**8. Improved Sites**

All sites shall be fully improved with streets, curbs and gutters, including drainage facilities as applicable to the location of the site. The sidewalks and trees normally included within the definition of improved sites shall be waived due to the time delay between dedication of any such park and recreational sites and construction of park facilities thereon.

**9. Title to Sites**

All sites shall be conveyed to the appropriate public agency or homeowner's association as may be approved by the County, by subdivision dedication, warranty or trustee's deed. The subdivider shall be responsible for conveying good title to

such sites and shall be responsible for payment of all real estate taxes to date of conveyance (See Chap. 765 ILCS 205/3 as amended.)

## **SEC. 31-410. PLANNED DEVELOPMENT**

The following requirements shall apply in addition to all other requirements of this Ordinance where a preapplication plan or Preliminary Plat is filed for approval under the Planned Development Section of the DuPage County Zoning Ordinance.

### **1. Statement of Principles**

Consideration by the Plat Committee, and the County Board of proposed optional use of the planned development shall reflect the following basic principles:

- a. The Planned Development Section of the DuPage County Zoning Ordinance provides an optional method of property development whereby such developments shall be subdivided in accordance with this Ordinance. The planned development is subject further to County Board approval by Ordinance.
- b. Particular attention shall be given to the effect of a planned development upon the immediate area, where the character of that area has been established by previous development. Attention shall be given by the Subdivider and Plat Committee, to the benefits to be derived by the residents of the proposed subdivision and the County through the planned development process.
- c. The following objectives shall govern the approval of the proposed planned development.
  - (1) Provide a more desirable living environment by preserving or enhancing the natural processes of the landscape.
  - (2) Such processes may include, but not necessarily be limited to, flood control, soil development, pollution assimilation, water recharge and erosion management.
  - (3) Encourage developers to use a more creative approach to site design by recognizing and respecting the natural limitations and constraints of sites.
  - (4) Encourage a more efficient, aesthetic and ecologically compatible use of the land through a site design process which incorporates natural



site obstacles in a manner so as to minimize development costs and services.

- (5) Encourage the provision of open space within a reasonable distance of all dwelling units.

2. In addition to the information required in other Sections of this Ordinance, the application for approval of the planned development shall contain the following:

a. The proposed plan of development of the open space shall be contained in the application and shall include the following as minimum:

- (1) How legal title is to be held, and if dedicated to what private or public body.
- (2) How said property shall be regulated, such as by covenant, deed restriction and bylaws.
- (3) Provisions for the payment of taxes.
- (4) Persons or corporations to be responsible for maintenance; how the maintenance is to be guaranteed; and how maintenance and development are to be financed.
- (5) Proposed uses of open space.
- (6) List of improvements to be constructed by the developer and an estimate of the cost thereof.
- (7) Other relevant facts related to the proposed uses of open space.

3. Before any action is taken upon any planned development, copies of the preliminary plat application and supporting data should be submitted by the Secretary of the Plat Committee to the Plat Committee and to the State's Attorney's office for review and recommendation.

a. The Plat Committee shall review the proposed planned development and consider the following in their recommendation:

- (1) The suitability of the proposed open space.
- (2) The need for the proposed uses in the general area.
- (3) The location and layout of open spaces with relation to the lots within the subdivision.

- (4) The impact of neighboring areas resulting from the planned development, and the appropriateness of the proposed lot sizes.
  - (5) Any other factor related to the development and proper design of the proposed subdivision.
- b. The States Attorney's office will be requested to review the proposed planned development and render an opinion within thirty (30) days with respect to the following:
  - (1) The proposed manner of holding title to open space.
  - (2) The proposed manner of payment of taxes.
  - (3) The proposed method of regulating the use of open space.
  - (4) The proposed method of maintenance of property and finance thereof.
  - (5) Any other factor related to the legal or practical problems of ownership, use, and maintenance of open space.

## **ARTICLE V. IMPROVEMENTS**

The improvements set forth under this Article are to be considered as the minimum acceptable standards. Where standards are not specifically set forth improvements shall comply with standards established by resolution of the County Board or published rules of the appropriate Highway Authority.

### **Sec. 31-500. STREETS**

All streets and appurtenances thereto shall be constructed in accordance with the most restrictive details and specifications of either the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction or the specifications approved by the County Board or appropriate Highway Authority.

#### **1. General Requirements.**

- a. A registered professional engineer acting for the subdivider shall meet with the appropriate Highway Authority and shall present sufficient data and information relative to street construction to ensure satisfactory improvements. This information shall be in a form suitable to establish subdivider's responsibility for the construction of streets within the subdivision. Should there be any questions by the Highway Authority regarding the information furnished by the engineer, the matter shall be referred to the Superintendent of Highways.
- b. Street profile plans for all streets in the subdivision shall be prepared by a registered professional engineer in accordance with the requirements of the Highway Authority and Superintendent of Public Works. The registered professional engineer shall be responsible for establishing the proper lines and grades for all earth work and drainage.
- c. The subdivider may be required to enter into an agreement with the Highway Authority wherein for consideration of the acceptance of the street improvements by the Highway Authority, the subdivider agrees to construct streets in the subdivision to the standards prescribed herein at subdivider's own expense.
- d. All grading shall be done in a workmanlike manner in accordance with plans and specifications to grades established by the subdivider's registered professional engineer and as approved by the Highway Authority.

## 2. Street Pavement Widths Standards.

With curb and gutter measured from face-of-curb to face-of-curb; Without curb and gutter measure from edge-of-pavement to edge-of-pavement:

Street Type	Pavement Width By Lot Area 0-19,999 <sup>1</sup>	20,000+ <sup>2</sup>	Each Shoulder
Freeway/Expressway <sup>3</sup>	-	-	-
Arterials <sup>3</sup>	-	-	-
Major Collectors <sup>3</sup>	-	-	-
Local Streets Minor Collector <sup>4</sup>	36'	-	-
	-	24'	6'
Industrial Service Streets <sup>8</sup>	36'	36' <sup>1</sup>	-
Multiple-Family Residential	27'	-	-
Minor (Single-Family Residential- & Cul-de-Sac Streets)	27'	-	-
		22'	4'
Planned Developments	27'	-	-
	-	22'	4'
Frontage Roads <sup>5</sup>	-	-	-
Local Half Streets <sup>6</sup> (Single-Family Residential- where permitted)	-	-	-
	18'	-	-
Alley	20'	-	-
Cul-de-Sac Street Terminus - All types	As provided in Section 400.1 and 400.2		
Cul-de-Sac Street <sup>7</sup> Turn-arounds when provided (1) Industrial (2) Residential & Other	65' radius <sup>7</sup> 50' radius <sup>7</sup>	50' radius	

<sup>1</sup> With curb and gutter.

<sup>2</sup> With gravel or crushed stone shoulders on both sides of pavement four (4) inches in depth, and appropriate drainage ditches and embankments.

<sup>3</sup> In conformance with the Illinois Department of Transportation and County Highway Department where applicable.

<sup>4</sup> An additional eight feet six inches (8'6") of pavement with four feet three inches (4'3") on each side of the traffic pavement lanes may be provided as recommended by the DuPage County Bikeway Plan, and subject to the approval of the appropriate Highway Authority, and shall be striped, physically separated or otherwise marked so as to define said areas.

<sup>5</sup> Pavement and shoulder width as approved by an appropriate Highway Authority.

<sup>6</sup> Where property adjoining an accepted half-street dedication is improved, such improvement shall consist of the additional required improvement - 27' or 22' with an overlay over the entire improvement of not less than one and one-half (1 ½) inches thick.

<sup>7</sup> Cul-de-sac street turn-around specifications are advisory; need not be circular in shape, and shall comply with the requirements of the appropriate Highway Authority.

<sup>8</sup> Industrial Service Streets (all types) shall include curb and gutters when required by the appropriate Highway Authority.

### 3. **Curbs and Gutters**

- a. Curbs and gutters for major collector streets and higher type priority streets shall be Portland Concrete not less than B-6.12 design, pursuant to the Illinois Department of Transportation (IDOT) standard design and specifications and subject to the approval of the appropriate Highway Authority.
- b. Curbs and gutters for minor and service type streets shall be Portland Concrete not less than M-4.12 design pursuant to the Illinois Department of Transportation (IDOT) standard design and specifications and subject to the approval of the appropriate Highway Authority.
- c. All curb return radii shall be not less than forty (40) feet for arterials and twenty-five (25) feet for all other commercial and residential type streets, and subject to the approval of the appropriate Highway Authority.
- d. All curb return radii shall be not less than forty (40) feet for industrial service type streets, and subject to the approval of the appropriate Highway Authority.
- e. Sidewalk ramps and depressed curbs for the handicapped shall be provided at all intersections of public sidewalks and streets in accordance with IDOT criteria subject to approval of the appropriate Highway Authority.

Information sign(s) shall not be located within any area where there is to be handicapped movement between street pavement and public sidewalk.

### 4. **Roadway Pavements.**

Pavements shall consist of the following MINIMUM specifications subject to the approval of the appropriate Highway Authority. Surface course shall be placed after binder and base course has been in place one (1) winter season unless changed by mutual agreement between subdivider and the Highway Authority.

- a. Arterials - Arterial streets determined by appropriate Highway Authority.
- b. Collector (Major and Minor) and Industrial.

Collector and Industrial ( $D_t = 3.0$ ) Examples:

(1)	Surface Course	(.40) @ 1-1/2" = .6
	Binder Course	(.40) @ 2" = .8
	Aggregate Base Course	(.13) @ 12-1/2" = 1.62 = 3.02
(2)	Surface Course	(.40) @ 1" = .4
	Bituminous Aggregate Mix	(.33) @ 8" = 2.64 = 3.04

- c. All Other Streets.  
All other streets - ( $D_t = 2.5$ ) Examples:

(1)	Surface Course	(.40) @ 1-1/2" = .6
	Binder Course	(.40) @ 1-1/2" = .6
	Aggregate Base Course	(.13) @ 10" = 1.3 = 2.5
(2)	Surface Course	(.40) @ 1-1/2" = .6
	Bituminous Aggregate Mix	(.33) @ 6" = 1.98 = 2.58

Structural coefficients as enumerated by IDOT and updated as needed. Contact the appropriate Highway Authority or IDOT for current coefficients for design calculations. Refer to pages 10 through 13 of IDOT'S Manual for Structural Design of Flexible Pavements, revised January, 1976.

5. **Drainage Ditches.**

Drainage ditches on both sides of pavements shall be designed in accordance with IDOT standards, subject to the approval of the appropriate Highway Authority and shall be required in subdivisions containing lots of 20,000 square feet or more in area when curb and gutter is not used. Ditches shall not be used to meet detention requirements.

6. **Unpaved Areas.**

All unpaved areas within the dedicated street areas shall be graded and seeded or sodded in accordance with IDOT'S standards subject to the appropriate Highway Authority standard design and specifications.

**Sec. 31-501. UTILITIES.**

1. **Requirements For Underground Wiring.**

The subdivider shall make arrangements for all lines for telephone, electric, television and other similar services distributed by wire or cable to be placed underground entirely throughout a subdivided area, except for arterial rights-of-way. Such conduits or cables shall be placed within dedicated public ways or easements where applicable, provided only that overhead lines may be permitted by the Plat Committee where it is determined that overhead lines will not constitute a detriment to the health, safety, general welfare, plat design, and character of the subdivision. All such facilities placed in dedicated public ways or easement shall be planned so as not to conflict with other underground utilities. All such facilities shall be constructed in accordance with standards of construction approved by the Illinois Commerce Commission, and in conformance with the franchise of said utilities. All drainage and underground utility installations which traverse on privately owned property shall be protected by easements granted by the subdivider.

**2. Storm Drainage System and Other Drainage Improvements.**

Provision of a storm drainage system and other drainage improvements shall be according to plans approved by the appropriate Highway Authority and the County Drainage Engineer, and in accordance with the standards and specifications adopted by the County Board or other applicable local jurisdiction.

All paved and unpaved areas within dedicated street areas shall consider design or management elements which will reduce the pollution content of road storm water runoff.

**3. Public Water Supply and Public Sanitary Sewage Systems.**

Public water supply and public sanitary sewage systems shall comply with the requirements of the Illinois Environmental Protection Agency, the Department of Public Works or other applicable local public utility.

**4. Private Water Supply and Private Sanitary Sewage Systems.**

Private water supply and private sanitary sewage systems (all systems not under the jurisdiction of the Illinois Environmental Protection Agency) shall comply with the provisions of applicable Federal, State, and local codes and regulations.

**5. Fire Protection Criteria.**

Fire hydrants, water supplies and other fire protection criteria shall comply with the provisions of the DuPage County Fire Protection Code (Ordinance B-006-77, as amended) and other regulations as adopted by the County Board.

**Sec. 31-502. OTHER IMPROVEMENTS.**

**1. Sidewalks.**

Sidewalks shall be required in each new subdivision as follows:

- a. Sidewalks shall be required on both sides of minor streets in subdivisions containing lots less than 20,000 square feet in area. Sidewalks shall be required on one (1) side only in subdivisions containing lots between 20,000 and 40,000 square feet in area.
- b. Sidewalks may be required on both sides of all arterials and major collector streets. For (minor) collector streets within residential developments, sidewalks shall be required on both sides in subdivisions containing lots less than 40,000 square feet in area and on one (1) side only when containing lots greater than 40,000 square feet in area. Sidewalks shall be required on both sides of industrial service streets.

- c. All sidewalks where required shall be constructed of concrete, four (4) feet in width and four (4) inches in depth, with a four (4) inch aggregate base course, (see Sec.31-402).

## **2. Public Walkways.**

Walkways shall be in the form of an easement or shall be dedicated and shall be not less than twelve (12) feet in width. The surface treatment shall meet the approval of the appropriate local authority. The maintenance of such walkways shall be the responsibility of a unit of local government or homeowner's association and shall be accepted in accordance with the provisions of Sec.31-402.

## **3. Bikeways**

Bikeways may be provided as recommended by the DuPage County Bikeway Plan, and subject to approval of the appropriate Highway Authority in each new subdivision and when provided, shall be subject to the following provisions:

- a. As may be required in new subdivisions, minor collector streets shall contain a minimum of eight feet, six inches (8'6") or four feet, three inches (4'3") of additional feet of paved width for bicycle movements, unless provided in a separate right-of-way. The bicycle lanes shall be striped, physically separated, or otherwise marked so as to define the area for use by bicycles.
- b. Additional bikeways may be required to provide efficient bicycle movement between recreational areas, education facilities, community centers, employment or commercial centers. The DuPage County Bikeway Plan will serve as a guide for the alignment, placement and design of such bikeways. When the construction of a bikeway is not required to be incorporated into the road right-of-way, bikeways may be constructed with a four inch (4") compact gravel base and a two inch (2") rolled asphalt surface.
- c. Where sidewalks are required by this Ordinance, the Plat Committee may require substitution of a Class 1 (separate) bike path facility designed according to the recommendations and standards of the DuPage County Bikeway Plan, where pedestrian volumes are projected to be low and predominant use of the sidewalk would be by bicyclists. The bike path will be for both pedestrian and bike use and will allow safer bike operation on a properly designed facility.

## **4. Trees.**

As a requirement of subdivision approval, the subdivider shall plant shade trees within five (5) feet of the right-of-way or utility easement of all streets within and abutting the subdivision, or, at the discretion of the Highway Authority, within the



established utility easement. One (1) tree shall be planted for every forty (40) feet of frontage along each street unless the Plat Committee shall grant a waiver. Such waiver shall be granted only if there are existing trees along such rights-of-way or on the abutting property, which in the opinion of the Plat Committee, comply with these regulations. All trees shall have a minimum trunk diameter (measured twelve (12) inches above ground level) of not less than two and one-half (2-1/2) inches. Enforcement of this section shall be in accordance with the DuPage County Building Code. The planting of the following varieties of trees shall be prohibited:

#### PROHIBITED PLANT SPECIES

##### BOTANIC NAMES

##### COMMON NAME

Acer Negundo	Box Elder
Ailanthus Altissima	Tree of Heaven
Betula Spp.	Birch
Juglans Nigra and Hindsii	Black Walnut
Catalpa Speciosa	Catalpa
Elaeagnus Spp.	Russian Olive
Ginkgo Biloba (female)	Female Ginkgo
Maclura Pomifera	Osage Orange
Malus Spp.	Apple
Morus Spp.	Mulberry
Populus Spp.	Aspen,
	Poplar, Cottonwood
Prunus Spp.	Cherry, Plum
Salix Spp.	Willow
Sorbus Spp.	Mountain Ash
Ulmus Spp.	Elm

#### 5. **Street Lighting.**

Street lighting shall be installed at all intersections of minor streets with collector or arterial or other streets when required by the Highway Authority. Such lighting shall be of a type approved by the Highway Authority. Additional lighting may be required by the Highway Authority, with all costs of such lighting to be borne by the subdivider. All installations shall be completed within one (1) year after completion of subdivision construction and shall conform with the underground wiring provisions of Sec.31-501.

#### 6. **Street Signs.**

Reflective metal signs shall be erected at each street intersection indicating the names of the streets as shown on the Final Plat, including the number sequence as per the established housing numbering system of DuPage County. The sign shall be clearly legible to persons approaching the intersection from any

direction, and shall be approved by the local Highway Authority and provided at no cost to the Highway Authority.

### **Sec. 31-503. COMPLETION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS.**

The completion and acceptance of public improvements shall be in accordance with the following:

1. Improvements shall be completed within two (2) years of the recording of the Final Plat.
2. All bonds for all public improvements shall be in full force and effect from the date of the recording of the Final Plat or until the approval and acceptance of the public improvement by the appropriate governmental authority.
3. Bonds shall not be reduced by payouts during the period in which said instruments are in full force and effect; provided however, several bonds may be written or such bonds may be written in two (2) or more phases.
4. Record Drawings: Reproducible drawing(s) of the originally approved Engineering Plans shall be supplied to the County by the owner's Engineer prior to acceptance. Such drawings shall contain the following additional minimum criteria:
  - a. Major utility relocations (i.e., structures, grades, street lights, etc).
  - b. Rim elevations of all manholes, catch basins, inlets and valve vaults and grade ring elevations of all fire hydrants.
  - c. Lateral location by dimension of sanitary sewer and water services including individual service boxes.
  - d. Sufficient information to determine that the detention/retention facilities are substantially in accordance with the approved engineering plans and contain the required storage volumes (i.e., certification by the owner's Engineer or current topography).
5. Upon completion of the improvements, the Subdivider may request acceptance of the improvements with a release of the Bond from the appropriate governmental authority by providing a Certification by the subdivider/owner's engineer that all improvements are constructed in accordance with the specifications of the DuPage County Subdivision Regulations and shall provide record drawings. The subdivider shall also tender a Bill of Sale for all improvements pursuant to standard form when required by the governmental authority and a Maintenance Bond warranting against defective workmanship or materials which bond shall (a) be drawn in an amount equal to ten (10) percent of the original bond, and (b) be written for a period of one (1) year after acceptance of the improvement.

## **ARTICLE VI. ADMINISTRATION AND ENFORCEMENT**

### **SEC. 31-600. COMPLIANCE STANDARDS.**

The approvals required under the provisions of this Ordinance shall be obtained prior to the installation of any subdivision improvements within the County, in public streets, public alleys, public rights-of-way, and public easements, or elsewhere under the ultimate jurisdiction of the County. All such subdivision improvements shall comply with all of the provisions and requirements of this Ordinance or any other related ordinance or resolution, prior to being recorded by the County Recorder.

### **SEC. 31-601. INTERPRETATION.**

The provisions of these regulations shall be held to be the minimum requirements adopted for the promotion and preservation of public health, safety and general welfare of DuPage County. These regulations are not intended to repeal, abrogate, annul or in any manner interfere with existing regulations or laws of DuPage County, nor conflict with any Statutes of the State of Illinois except that these regulations shall prevail in cases where these regulations impose a greater restriction than is provided by existing statutes, laws or regulations unless otherwise specifically stated herein.

### **SEC. 31-602. REVIEW FEES.**

Preapplication Plan, Preliminary and Final Plat review fees shall be paid by the subdivider as provided for by a schedule of fees established by Resolution of the DuPage County Board.

### **SEC. 31-603. ENFORCEMENT.**

The enforcement officer of this Ordinance shall be the Plat Officer or deputies, as appointed by the County Board. The enforcing officer may call upon any department or official of the County to furnish such information and assistance as deemed necessary for the enforcement of this Ordinance.

1. The Plat Review Committee shall be presided over by a chairman, whom the County Board of DuPage County, Illinois, shall appoint and remove by resolution.
2. The Chairman of the County Development Committee of the County Board of DuPage County, Illinois shall be ex officio Plat Officer for the County of DuPage.

3. The Chairman of the Plat Review Committee shall be ex officio Deputy Plat Officer. He shall assume and perform all the duties of the Plat Officer. He shall assume and perform all the duties of the Plat Officer when the Plat Officer is unable to do so because of absence from the County, illness, or other reason.

#### **SEC. 31-604. VIOLATIONS AND PENALTIES.**

Any person, persons, firm or corporation or anyone acting in behalf of said person, persons, firm or corporation violating any of the provisions of this Ordinance shall upon conviction thereof be subject to a fine of not more than five hundred (\$500.00) dollars. Each day that a violation is permitted to exist shall constitute a separate offense. A complaint charging violation on two (2) or more days, may be contained in the same complaint as separate counts for each offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

The provisions of this Violations and Penalties section do not bar, suspend or otherwise affect any right or liability to damages, penalty, forfeiture, or other remedy authorized by law to be recovered or enforced in a civil action for any conduct which this Ordinance makes punishable by and may be enforced in any civil actions, either by law or in equity.

#### **SEC. 31-605. VARIATION.**

The County Board may authorize a variation from these regulations after review and recommendation by the Plat Committee when, in its opinion, undue hardship may result from strict compliance and provided the variation does not pertain to requirements of Zoning and Building Ordinances. In granting any variation, the County Board shall prescribe only conditions that it deems necessary to, or desirable for the public interest.

In making its findings, as required herein, the County Board shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variation shall be granted unless the County Board finds:

1. That there are special circumstances or conditions affecting said property, such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land.
2. That the variation is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

3. That the granting of the variation will not be detrimental to the public welfare or injurious to other property in the area in which said property is located.

#### **SEC. 31-606. SEVERABILITY.**

Should any section, paragraph, clause, phrase or part of these Subdivision Regulations, for any reason, be held invalid by any court of competent jurisdiction, such decisions shall not affect the validity of the remaining provisions of these regulations; and the application of those provisions to any persons or circumstances shall not be affected thereby.

#### **SEC. 31-607. REPEAL.**

All resolutions and regulations and amendments heretofore enacted/adopted by the County Board which are inconsistent with the provisions of this Ordinance are hereby repealed, as of the effective date of this Ordinance. The repeal of any prior resolution and its amendments does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired, or liability, penalty, forfeiture, or punishment incurred prior to the time enforced, prosecuted or inflicted.

#### **SEC. 31-608. EFFECTIVE DATE.**

This Ordinance is necessary for the health and safety of the people of DuPage County, Illinois and shall be in full force and effect from and after its passage.

Enacted Ordinance May 25, 1982.

(This revision is to incorporate changes approved after the May 26, 1982 printing. 7/29/96)

## DU PAGE COUNTY SUBDIVISION REGULATIONS

### APPENDIX I. CERTIFICATES

Contained herein are appropriate certificates of approval to be indicated, where applicable, on all Final Plats. Said certificates shall be indicated in the following order:

#### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

This is to certify that I, \_\_\_\_\_, an Illinois Registered Land Surveyor, have surveyed the following described property:

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(Legal Description)

as shown by the attached plat, which is a correct representation of said survey and subdivision. All distances are shown in feet and decimal parts thereof. No part of the property within this subdivision is situated within five hundred (500) feet of any surface drain or water course serving a tributary area of six hundred and forty (640) acres or more. I further certify that all regulations enacted by the County Board relative to plats and subdivisions have been complied within the preparation of this plat and that said plat is not within the corporate limits of any City or Village, but is located within one and one-half (1-1/2) miles of the City (Village) of \_\_\_\_\_.  
Dated at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Illinois Registered Surveyor

Registration Number \_\_\_\_\_

**OWNER'S CERTIFICATE**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

This is to certify that the undersigned is the legal owner of the land described on the attached plat, and has caused the same to be surveyed and subdivided as indicated thereon for the uses and purposes therein set forth.

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

\_\_\_\_\_  
\_\_\_\_\_  
Owner/Owners

**NOTARY'S CERTIFICATE**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

I hereby certify that the persons whose names are subscribed to the foregoing certificate be known to me as such owners.

Given under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:\_\_\_\_\_

**COUNTY CLERK'S CERTIFICATE**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

I, \_\_\_\_\_ County Clerk of DuPage County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid current taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the annexed plat. I further certify that I have received all statutory fees in connection with the annexed plat.

Given under my name and seal of the County Clerk at Wheaton, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_\_\_\_.

By: \_\_\_\_\_  
County Clerk

**DU PAGE COUNTY SUBDIVISION REGULATIONS**

**CERTIFICATE OF HEALTH DEPARTMENT**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

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

By: \_\_\_\_\_  
Environmental Engineer

**CERTIFICATE OF DEPARTMENT OF ENVIRONMENTAL CONCERNS**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

I, \_\_\_\_\_ Director for the DuPage County Department of Environmental Concerns,  
do hereby certify that this plat, and the plans and specification for the improvements thereof meet the requirements  
of the Environmental Concerns Department of DuPage County

Dated at Wheaton, DuPage County, Illinois this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_\_.

By: \_\_\_\_\_  
Director

**CERTIFICATE OIF DRAINAGE ENGINEER**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

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

By: \_\_\_\_\_  
Sr. Drainage Engineer of County  
Development Department, DuPage County



**CERTIFICATE OF COUNTY DEVELOPMENT DEPARTMENT**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

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

By: \_\_\_\_\_  
Director of County Development  
Department, DuPage County

**CERTIFICATE OF DATA PROCESSING DEPARTMENT**  
**(GIS SECTION)**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

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

By: \_\_\_\_\_  
Manager of Geographic Information Systems  
Data Processing Department

**CERTIFICATE OF TOWNSHIP HIGHWAY COMMISSIONER**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

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

By: \_\_\_\_\_  
Highway Commissioner  
\_\_\_\_\_  
Township

**DU PAGE COUNTY SUBDIVISION REGULATIONS**

**CERTIFICATE OF SUPERINTENDENT OF HIGHWAYS**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

Approved by the DuPage County Division of Transportation this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

By: \_\_\_\_\_  
County Engineer

**CERTIFICATE OF PLAT OFFICER**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

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

By: \_\_\_\_\_  
Platt Officer, DuPage County

**RECORDER'S CERTIFICATE**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

This instrument No. \_\_\_\_\_ was filed for record in the Recorder's Office of DuPage County, Illinois aforesaid on  
this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_\_\_, \_\_\_\_\_ o'clock \_\_\_\_.

By: \_\_\_\_\_  
Recorder of Deeds

The following Certificates should also be used where statutory authority has been granted within a one and one-half (1-1/2) mile radius of municipal limits, or as per local Ordinance.

**CITY COUNCIL OR VILLAGE BOARD**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

Approved by the City Council (Village Board) of the City (Village) of \_\_\_\_\_, DuPage County, Illinois.

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

By: \_\_\_\_\_  
City (Village) Clerk

**CITY OR VILLAGE PLAN COMMISSION**

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

Approved by the \_\_\_\_\_ Plan Commission, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By: \_\_\_\_\_  
Chairman

## DU PAGE COUNTY SUBDIVISION REGULATIONS

### PROFILE STUDY (Signature Block Required) see sec. 31-303.2

STATE OF ILLINOIS) SS  
COUNTY OF DU PAGE)

To the best of our knowledge and belief the drainage of surface waters will not be changed by the construction of such subdivision or any part thereof, or, that if such surface water drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas, or drains which the subdivider has a right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the subdivision.

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

By: \_\_\_\_\_  
Engineer

By: \_\_\_\_\_  
Owner or Attorney

### UTILITY EASEMENTS (see Sec. 31-402.3)

All easements for serving the subdivision and other property indicated as easements, utility easements or combined drainage and utility easements on this plat are hereby reserved for, and granted to the Township of \_\_\_\_\_, County of DuPage, and to utility companies including, but not limited to; Illinois Bell Telephone Company, Northern Illinois gas Company, Commonwealth Edison Company, and their respective facilities used in connection with overhead and underground transmission and distribution of gas, water, electricity and sounds and signals, together with storm water, sanitary sewer and any other facilities used in the transmission, distribution or transportation of any commodity in a liquid or gaseous state in, over, under, across, along and upon the surface of the alleys, together with the right to install required service connections over or under the surface of each lot to serve improvements thereon, or on adjacent lots, the right to cut, trim or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over grantee's facilities or in, upon or over the property with in the dotted lines marked easement without the prior written consent of grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

## **EASEMENTS**

**Access Easement:** All easements indicated as access easements on this Plat are reserved and granted to the Township of \_\_\_\_\_ and County of DuPage and their successors and assigns for the perpetual right, privilege and authority to obtain access to retention/detention, drainage and utility facilities with work personnel and equipment to perform construction and/or maintenance as required on such facilities.

## **DETENTION EASEMENT AND COVENANT PROVISIONS**

All easements indicated as detention easements on this Plat are reserved for and granted to the County of DuPage and their successors and assigns. No buildings shall be placed on said easement but the same may be used for together purposes that do no adversely affect the storage/free-flow of storm water. Each owner or subsequent purchaser shall be equally responsible for maintaining the detention easement and shall not destroy or modify grades or slopes without having first received prior written approval of the County of DuPage, or any other local unit of local government having jurisdiction over drainage.

In the event any owner or subsequent purchaser fails to properly maintain the water detention area easements, the County of DuPage, Illinois or any other unit of local government having jurisdiction over drainage, shall upon ten (10) days prior of written notice, reserve the right to perform or have performed on its behalf, any maintenance work to or upon the work detention area reasonably necessary to insure adequate storm water storage and free flow of storm water through the detention easement area.

In the event the County of DuPage, Illinois, or any other unit of local government having jurisdiction over drainage, shall be required to perform, or have performed on its behalf, any maintenance work to or upon the water detention area easement, the cost together with an additional sum of ten (10) percent of said cost shall upon recordation of a Notice of Lien within ninety (90) days of completion of the work constitute a lien against all lots created by this Plat which may be foreclosed by any action brought by or on behalf of the County of DuPage, Illinois.

## DU PAGE COUNTY SUBDIVISION REGULATIONS

### APPENDIX II

a. Example of Calculation of Required Dedication or Fees in Lieu Of:

The following example illustrates the operation of the formula for dedication of a school site or a payment of fees in lieu thereof. Assuming a subdivision consisting of one hundred (100) detached single family houses, consisting of fifty (50) three bedroom houses and fifty (50) four bedroom houses and an elementary school district operation a Kindergarten through 5<sup>th</sup> and 6<sup>th</sup> through 8<sup>th</sup> Junior High program, the required dedication of land would be calculated as follows:

Quantity and Type of Units	Quantity K-5 Children Produced	Quantity 6-8 Junior High Children Produced	Quantity 9-12 High School Children Produced
50 three- bedroom houses	X 0.436=21.8	X 0.193=9.65	X 0.315=15.075
50 four- bedroom houses	X 0.581=29.05	X 0.311=15.55	X 0.419=20.95
<b>TOTAL CHILREN PRODUCED</b>	<b>50.85</b>	<b>25.2</b>	<b>36.7</b>

Kindergarten through 5 <sup>th</sup> School Donation	= 50.85 Children x 11 acres = 0.933 acres
	<u>600 Children</u>

Junior High 6 <sup>th</sup> through 8 <sup>th</sup> School Donation	= 25.2 Children x 29 acres = 0.812 acres
	<u>900 Children</u>

High School Donation	= 36.7 Children x 45 acres = 1.101 acres
	<u>1500 Children</u>

TOTAL ACRES: 2.846

## DU PAGE COUNTY SUBDIVISION REGULATIONS

If fees in lieu of land donation are to be used, and assuming the FAIR MARKET VALUE of the land is determined to be \$15,000.00 per acre, the total cash donation shall be determined as follows:

Total number of acres as determined above:

$2.846 \times \$15,000 \text{ per acre} = \$42,690 \text{ total cash contributions required.}$

b. Distribution of Cash Contribution:

This cash contribution will be broken down between the elementary school district and the high school district as follows:

Elementary School District (K-5) Contribution	0.933 acres
Junior High (6-8) Contribution	0.812 acres
	<hr/>
	1.745 acres x \$15,000

$1.745 \times \$15,000 = \$26,175.00 \text{ cash contribution to Elementary School District}$

High School District 1.101 acres x \$15,000

$1.101 \times \$15,000 = \$16,515.00 \text{ cash contribution to High School District}$

TOTAL CASH CONTRIBUTIONS = \$42,690.00

**TABLE OF ESTIMATED ULTIMATE POPULATION PER DWELLING UNIT  
CHILDREN PER UNIT**

<u>Type of Unit</u>	<u>Pre School 0-4 Years</u>	<u>Elementary Grades K-5 5-10 Years</u>	<u>Junior High Grades 6-8 11-13 Years</u>	<u>Total Grades K-8 5-13 Years</u>	<u>High School Grades 9-12 14-17 Years</u>	<u>Adults 18 Years +</u>	<u>Toatal Per Dwelling Unit</u>
<b><u>Detatched Single Family</u></b>							
2 Bedroom	0.113	0.136	0.048	0.184	0.202	1.7	2.017
3 Bedroom	0.292	0.369	0.173	0.542	0.184	1.881	2.899
4 Bedroom	0.418	0.53	0.298	0.828	0.36	2.158	3.764
5 Bedroom	0.283	0.345	0.248	0.593	0.3	2.594	3.77
<b><u>Attached Single Family</u></b>							
1 Bedroom	0	0	0	0	0	1.193	1.193
2 Bedroom	0.064	0.088	0.048	0.136	0.038	1.752	1.99
3 Bedroom	0.212	0.234	0.058	0.292	0.059	1.829	2.392
4 Bedroom	0.323	0.322	0.154	0.476	0.173	2.173	3.145
<b><u>Apartments</u></b>							
Efficiency	0	0	0	0	0	1.294	1.294
1 Bedroom	0	0.002	0.001	0.003	0.001	1.754	1.758
2 Bedroom	0.047	0.086	0.042	0.128	0.046	1.693	1.914
3 Bedroom	1.052	0.234	0.123	0.357	0.118	2.526	3.053

**Note:** There are only three significant categories provided in this chart. Because of the similarity of yields of all types of attached single family dwelling units, only one category is provided. The same is true with apartments; thus, only one category. Because of the relatively short history of some new types of detached and attached single family units, individual evaluations may be necessary.



## DU PAGE COUNTY SUBDIVISION REGULATIONS

The 1996 yield table is compilation of data secured from numerous sources throughout the Chicagoland Metropolitan area. Both school districts and municipalities have provided statistical data to up-date these figures. To those agencies, organizations, municipalities and school districts which have helped and have provided pertinent information, we are most grateful.

These tables were compiled from information of various types of residential developments in the Metropolitan area of Chicago. The complication of this information represents an average for the three basic types of dwelling units. Consequently, when these figures are used, this must be kept in mind—that they represent an average for these various dwelling units. Thus, the average figures of the tables may be unreasonable to use in some instances when it is known that there are unusual circumstances. Such circumstances and conditions could deal with the amenities in certain residential developments, the fact that some residents are being subsidized, that there are significant cost differences, or that areas of location of developments are a factor.

In cases where financial arrangements are involved, it would appear prudent to arrive at a more equitable arrangement to satisfy all parties involved.

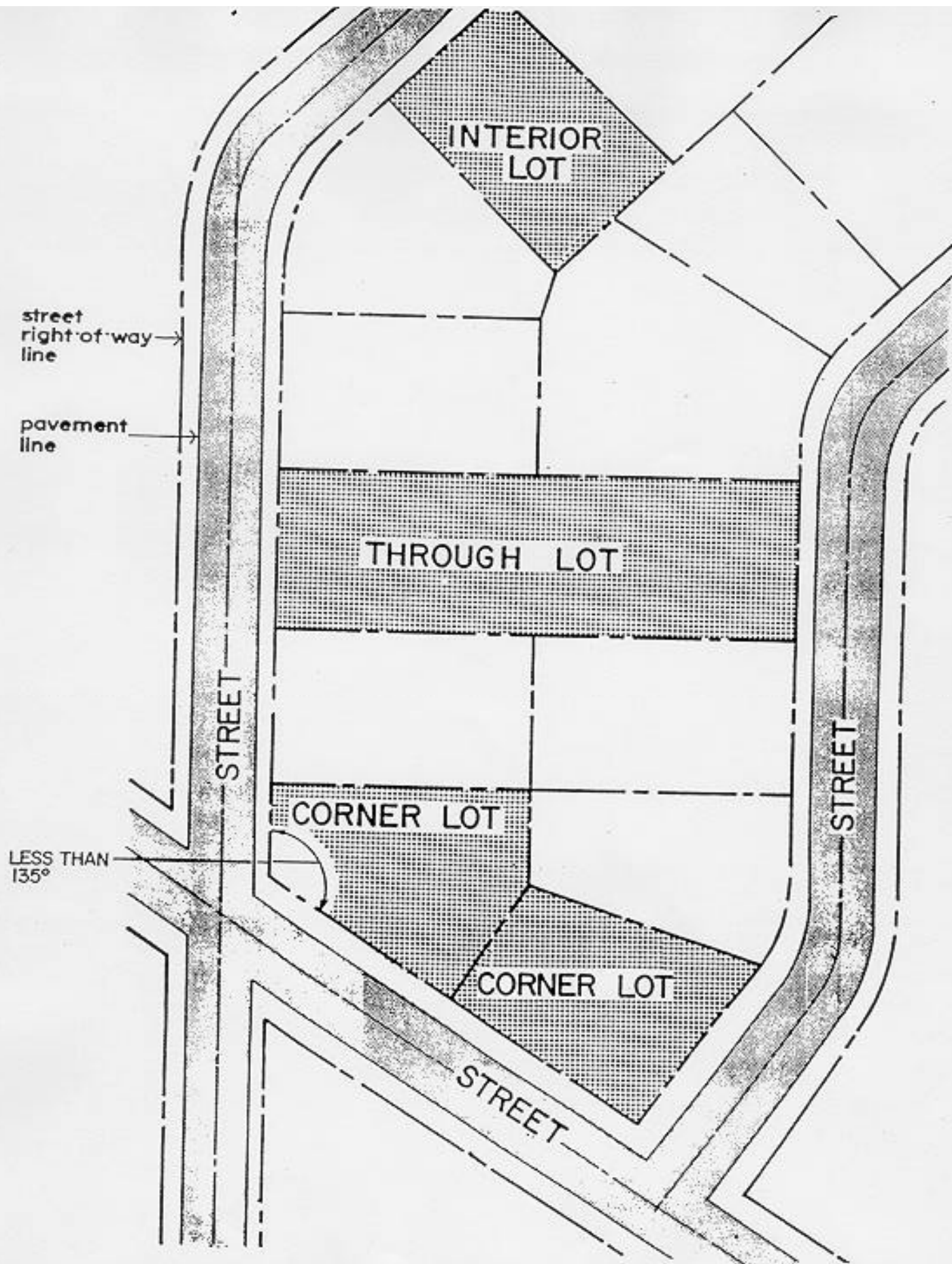
### Apartments and attached single family units:

It has been noted that in a number of such units surveyed there were government subsidies involved. In such cases the “average” table figures did not truly represent the yield generated from such subsidized units. Numbers of children coming from these units were much higher than shown on the yield table. In most of these types of dwelling units there is a limit imposed by the management on the number of children per bedroom.

In some apartment complexes a second or third room might be referred to as a den, but frequently is converted into another bedroom after it has been occupied. This, of course, would affect the student yield and population calculations.

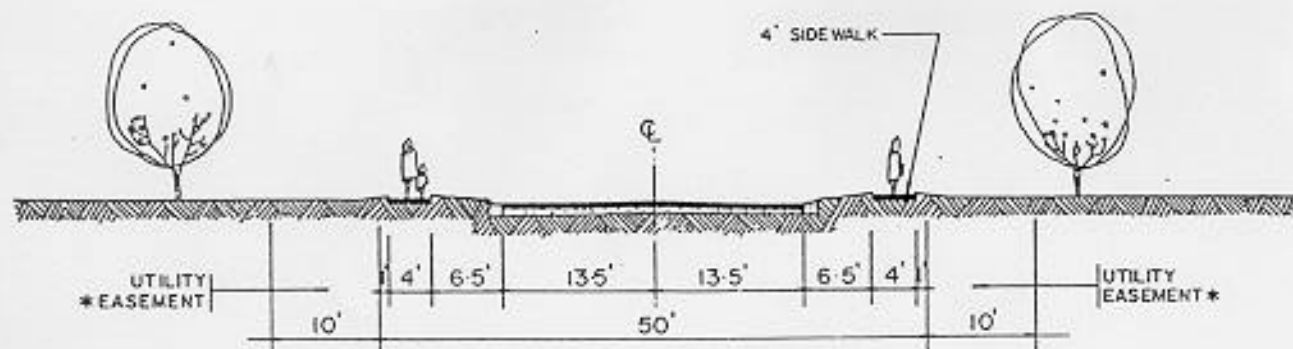
### Five-bedroom, single family unattached:

Five-bedroom, single family unattached units have been closely monitored. Many of the larger homes keep adding additional square footage to their home plans, but most of this “new” area is converted into a larger master bedroom, a study or a library, or a second family room. There are relatively few five-bedroom homes being constructed at a present.

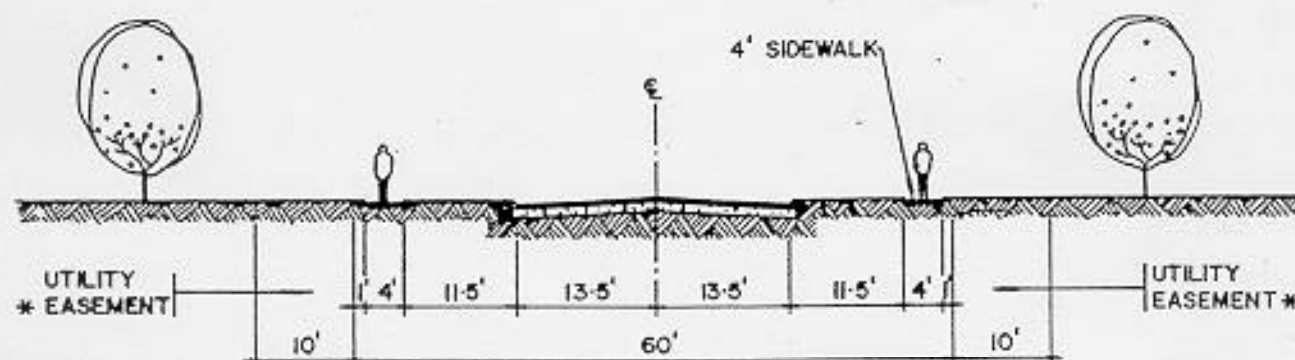


## EXAMPLE OF RESIDENTIAL LOT TYPES

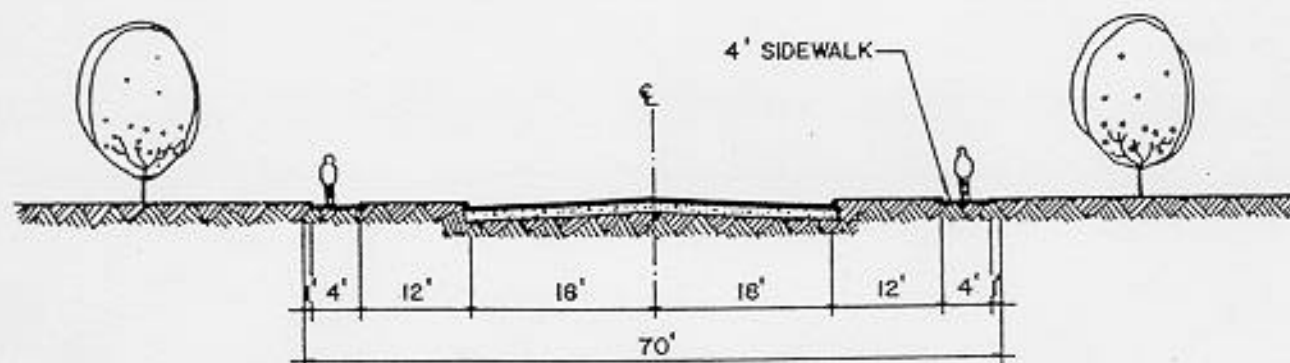
See Zoning Ordinance for Yard Requirements.



PLANNED DEVELOPMENTS (50' R.O.W.)



MINOR STREETS (60' R.O.W.)

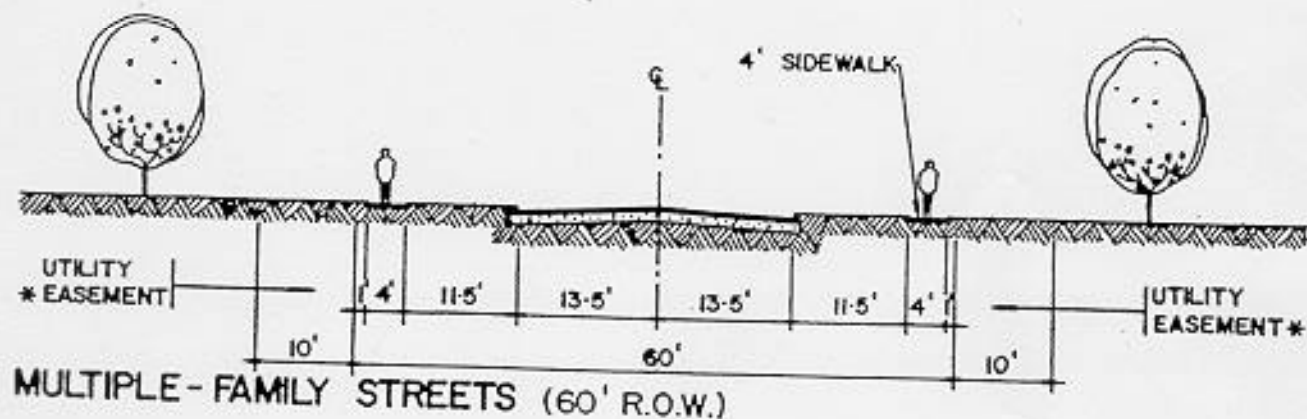
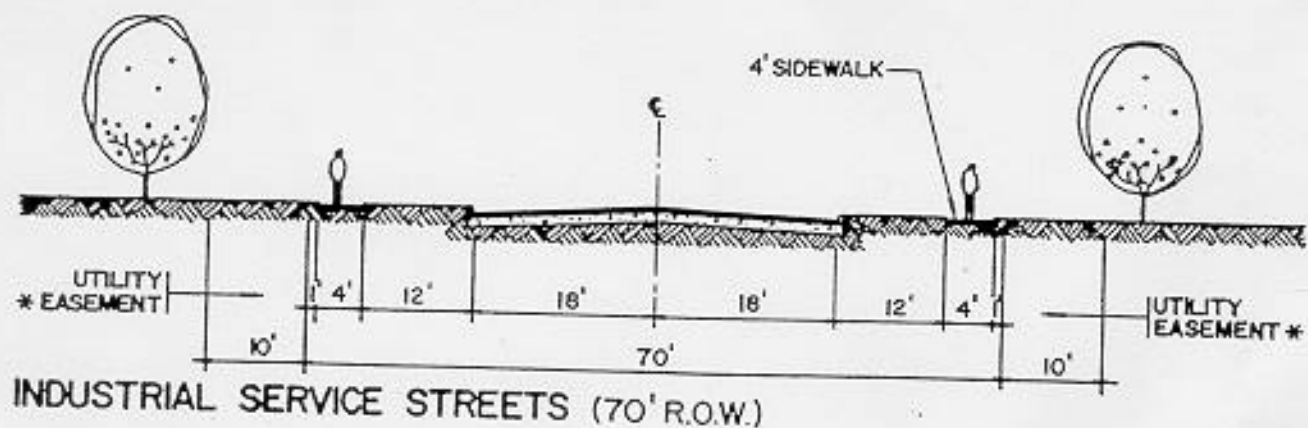


MINOR COLLECTOR STREETS (70' R.O.W.)

\*AREA TO BE USED FOR UTILITIES,  
DRAINAGE AND ROADWAY USE BY  
HIGHWAY AUTHORITY PERMIT ONLY  
AND NOT TO CONTAIN PERMANENT  
PLANTINGS

## CROSS SECTION STANDARDS

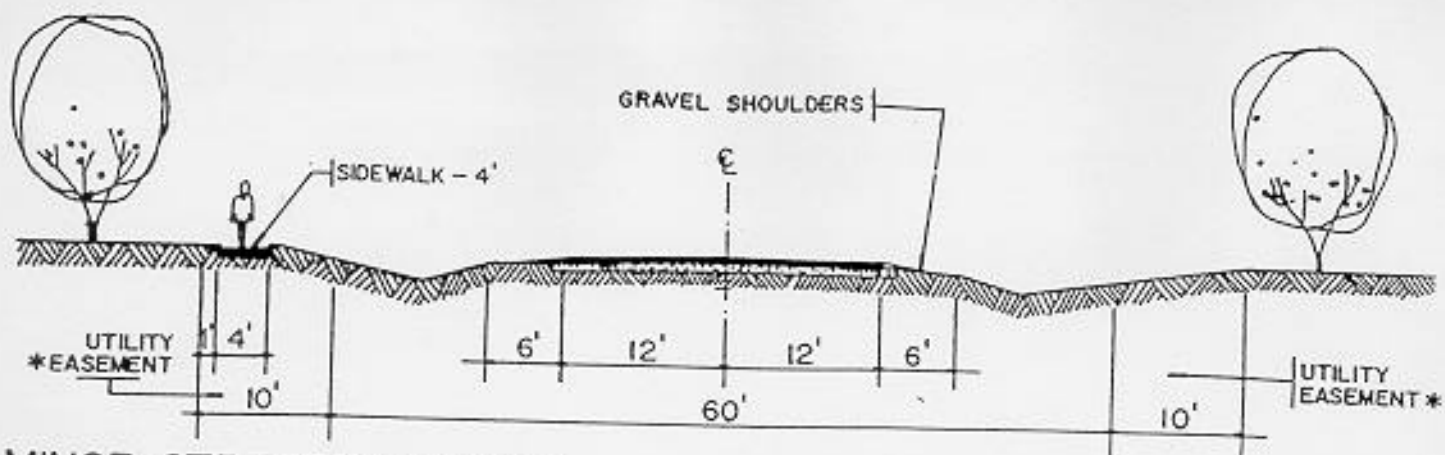
FOR LOT AREAS LESS THAN 20,000 SQ. FT.



## CROSS SECTION STANDARDS

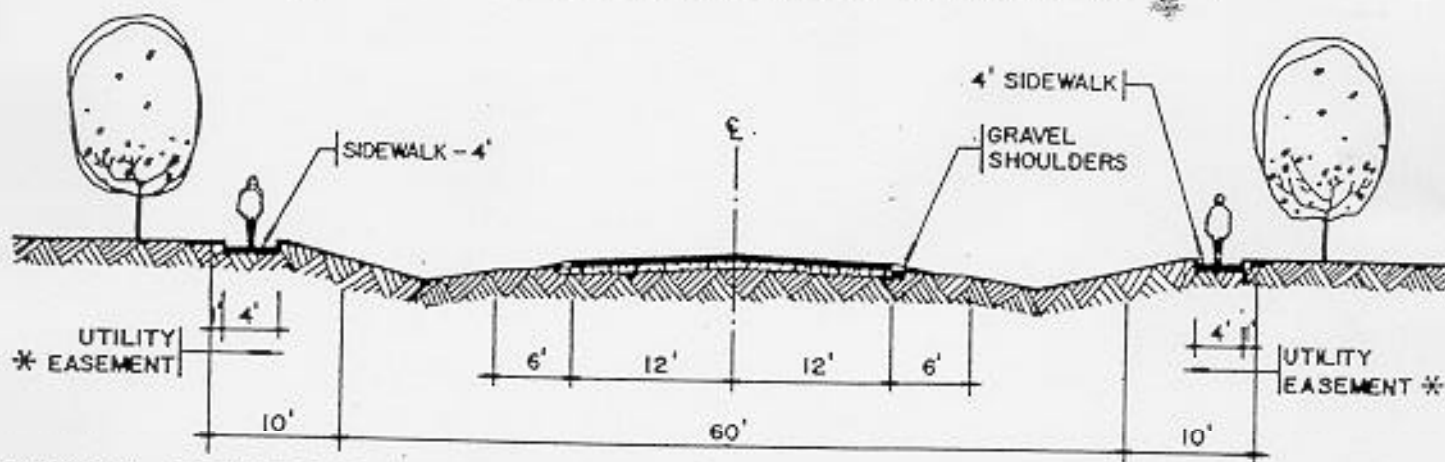
FOR LOT AREAS LESS THAN 20,000 SQ. FT.

\* AREA TO BE USED FOR UTILITIES,  
DRAINAGE AND ROADWAY USE BY  
HIGHWAY AUTHORITY PERMIT ONLY  
AND NOT TO CONTAIN PERMANENT  
PLANTINGS.



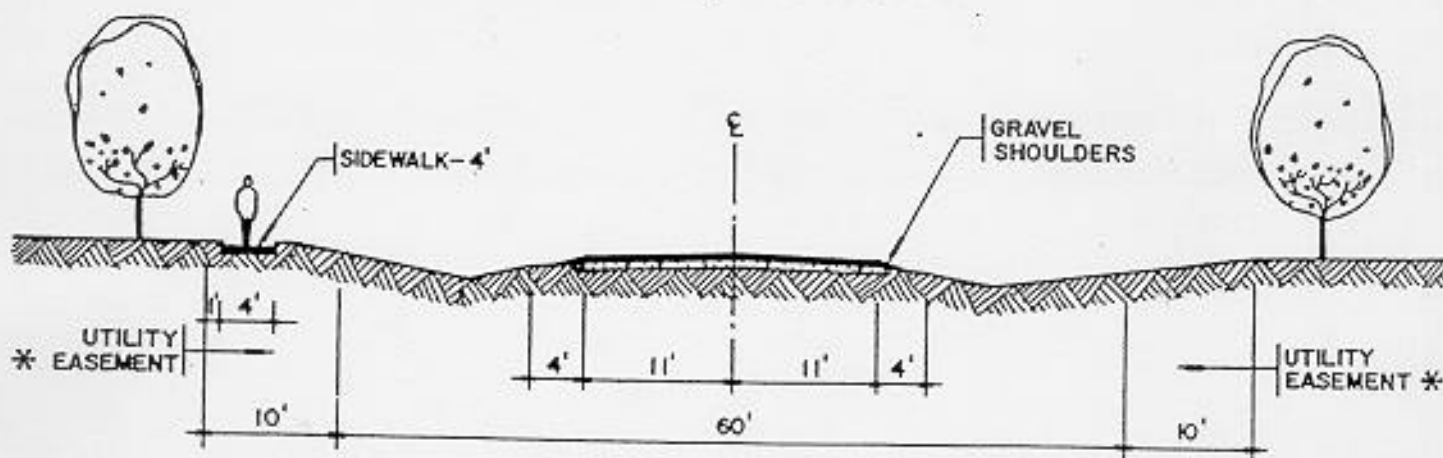
MINOR STREETS (60' R.O.W.)

FOR LOT AREAS BETWEEN 20,000 AND 40,000 SQ. FT.



MINOR COLLECTOR STREETS (60' R.O.W.)

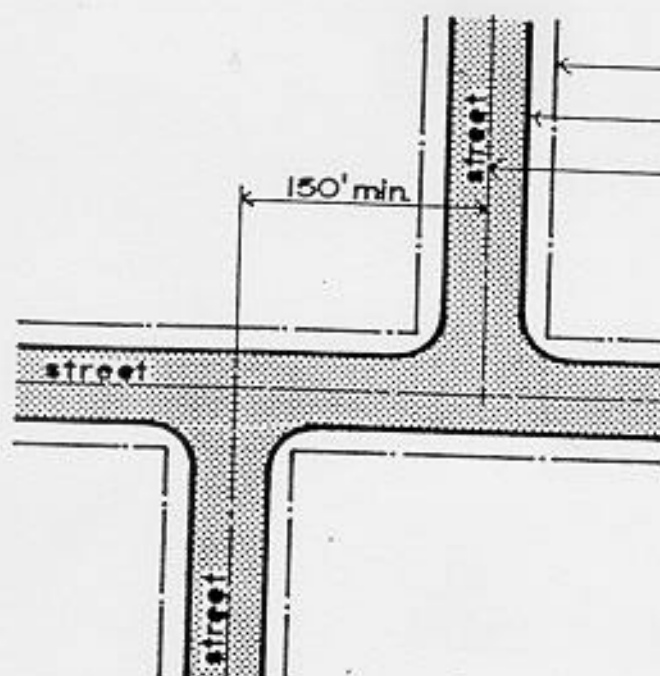
FOR LOT AREAS LESS THAN 40,000 SQ. FT.



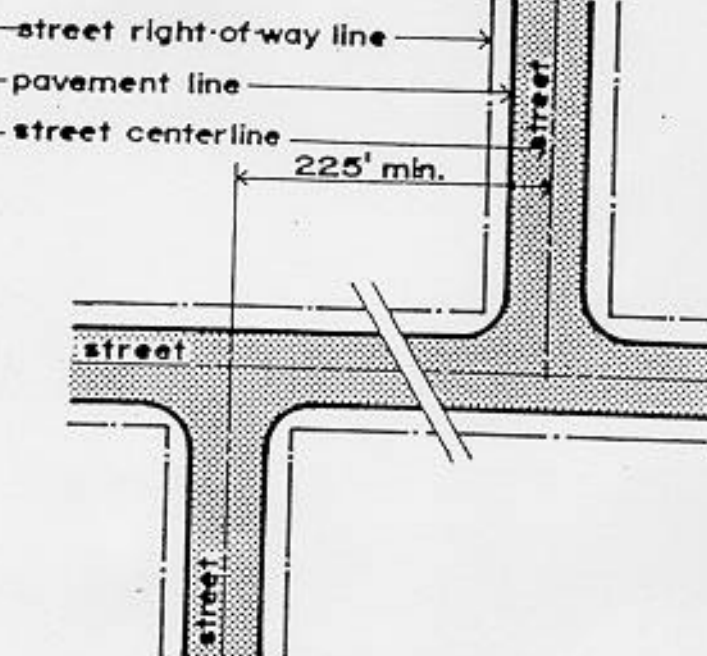
MINOR STREETS & PLANNED DEVELOPMENTS (60' R.O.W.)  
FOR LOT AREAS GREATER THAN 40,000 SQ. FT.

## CROSS SECTION STANDARDS

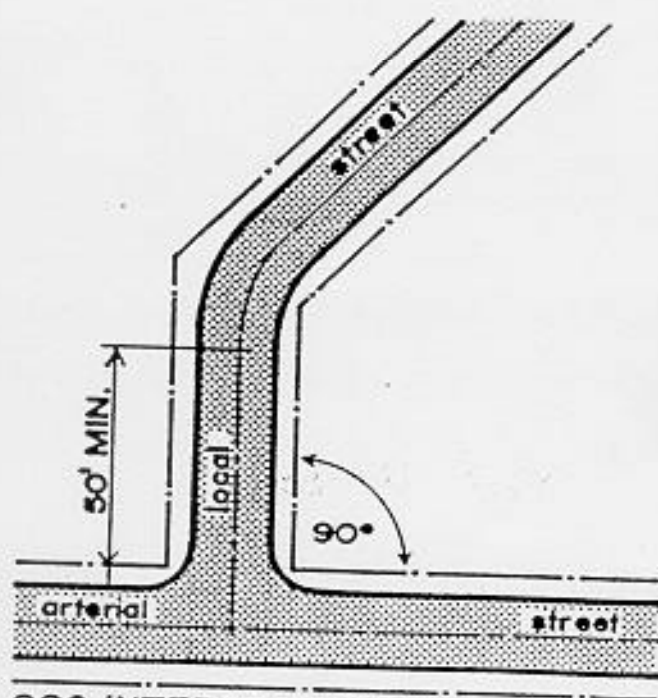
\*AREA TO BE USED FOR UTILITIES,  
DRAINAGE AND ROADWAY USE BY  
HIGHWAY AUTHORITY PERMIT ONLY  
AND NOT TO CONTAIN PERMANENT  
PLANTINGS



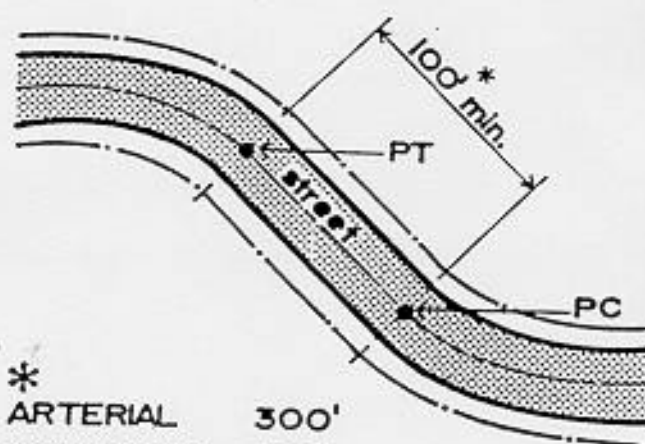
MINIMUM MINOR STREET JOG



MINIMUM STREET JOG  
(Between Residential, Arterials and  
Collector Streets)



90° INTERSECTIONS

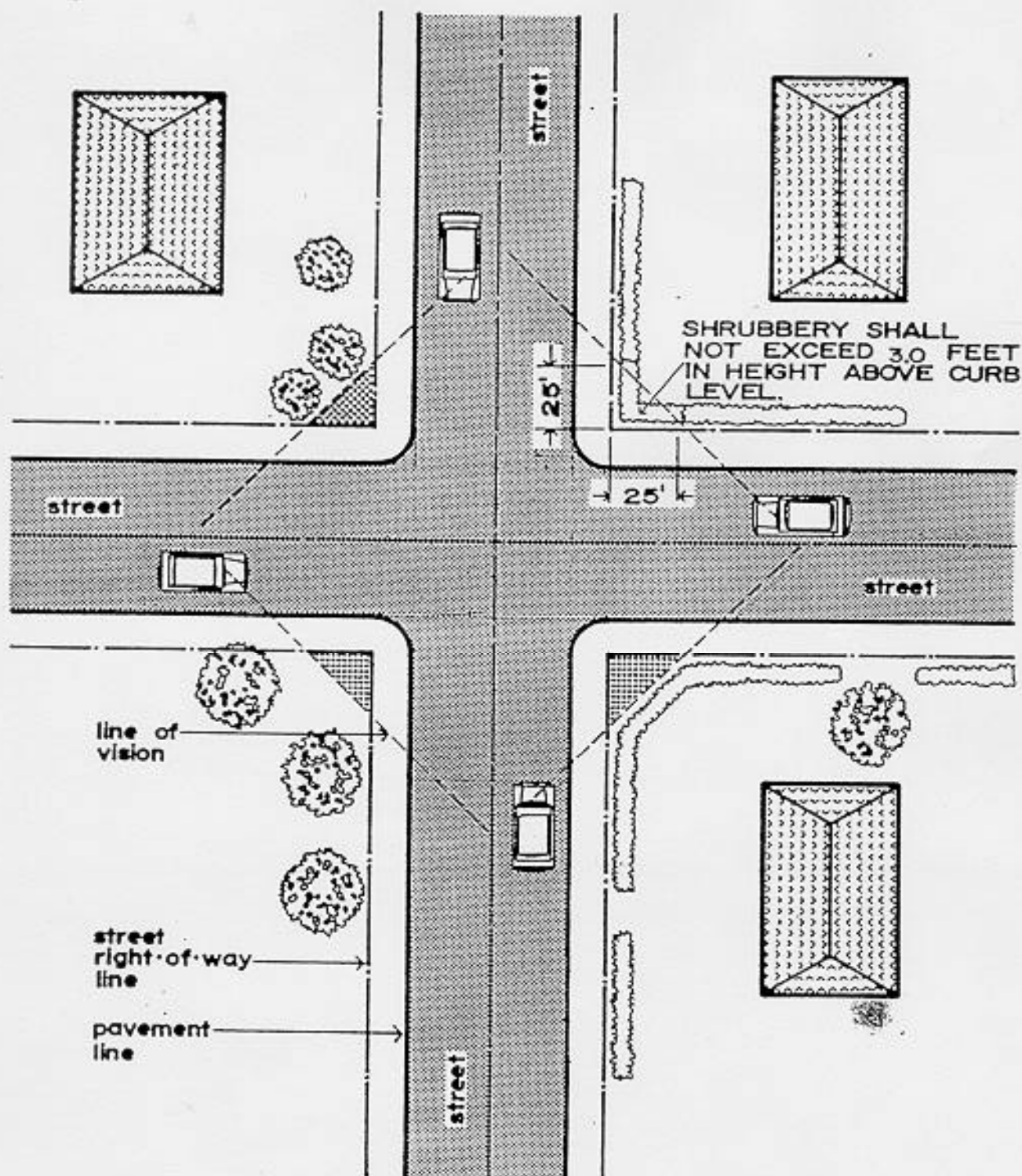


*	
ARTERIAL	300'
COLLECTOR	100'
OTHER	50'

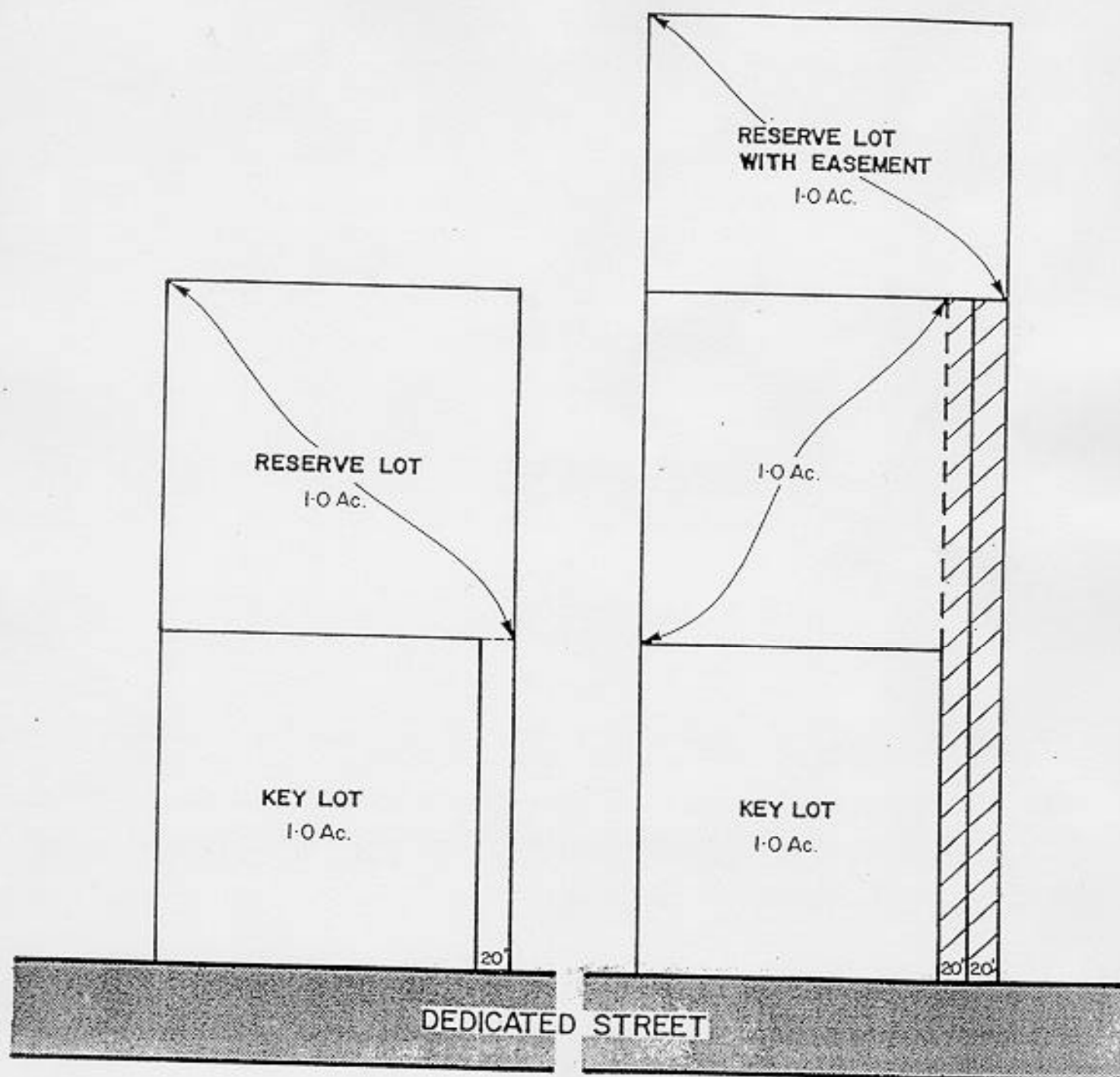
MINIMUM TANGENTS  
BETWEEN CURVES


## LOCAL STREET DESIGN STANDARDS





## LINE OF SIGHT EASEMENT



 PRIVATE EASEMENT  
WITH SINGLE ENTRANCE  
TO THE STREET

**RESERVE LOTS**