

**Will County Subdivision Ordinance  
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# PART 1 | INTRODUCTORY PROVISIONS

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# Article 10 LEGAL FRAMEWORK

## 10-01 TITLE

The official title of this ordinance is the “Subdivision Ordinance of Will County, Illinois.” For convenience, it is referred to throughout as the “subdivision ordinance.”

## 10-02 EFFECTIVE DATE

This ordinance shall become effective upon date of execution by all necessary governmental entities.

## 10-03 AUTHORITY

This subdivision ordinance is adopted pursuant to the powers granted and limitations imposed by Illinois law, expressly including the statutory authority conferred by Chapters 55 and 765 ILCS.

## 10-04 APPLICABILITY

The regulations of this subdivision ordinance apply to any subdivision of land made within the unincorporated area of Will County, as provided by Illinois Compiled Statutes.

## 10-05 PURPOSES

This subdivision ordinance is adopted for the purposes of:

- 10-05-A. Protecting and promoting the public health, safety and general welfare;
- 10-05-B. Implementing adopted plans and policies, specifically the *Will County Land Resource Management Plan (2002)*;
- 10-05-C. Enhancing residents’ quality of life;
- 10-05-D. Promoting environmentally responsible development practices;
- 10-05-E. Conserving, protecting, and enhancing property values;
- 10-05-F. Facilitating the provision of adequate public facilities and improvements;
- 10-05-G. Maintaining a range of housing choices and options;
- 10-05-H. Providing for orderly growth and development;
- 10-05-I. Safeguarding the public against flood damage, soil erosion, and sedimentation;
- 10-05-J. Prescribing reasonable rules and regulations governing subdividing and platting;
- 10-05-K. Establishing clear and efficient procedures for the preparation, submission, approval and recordation of subdivision plats; and
- 10-05-L. Providing remedies for violations and reasonable means of enforcing the subdivision ordinance.

## 10-06 MINIMUM REQUIREMENTS; COMPLIANCE WITH OTHER APPLICABLE REGULATIONS

- 10-06-A. The provisions of this subdivision ordinance are the minimum requirements deemed necessary to carry out the subdivision ordinance’s stated purpose and intent.
- 10-06-B. In addition to the requirements of the subdivision ordinance, all uses and development must comply with all other applicable municipal, County, state, and federal regulations.
- 10-06-C. All references in the subdivision ordinance to other municipal, County, state, or federal regulations are for informational purposes only and do not constitute a complete list of

such regulations. These references do not imply any responsibility for the County to enforce municipal, state, or federal regulations unless they are required to do so by law.

**10-07 MINIMUM STANDARDS**

The regulations and standards of this subdivision ordinance are to be considered the minimum requirements for subdivisions and subdivision improvements.

**10-08 CONFLICTING PROVISIONS**

**10-08-A. CONFLICTS WITH STATE OR FEDERAL REGULATIONS**

If the provisions of this subdivision ordinance are inconsistent with those of the state or federal government, the more restrictive provision will control, to the extent permitted by law. The more restrictive provision is the one that imposes greater restrictions or more stringent controls.

**10-08-B. CONFLICTS WITH OTHER COUNTY REGULATIONS**

If the provisions of this subdivision ordinance are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the County, the more restrictive provision will control, to the extent permitted by law. The more restrictive provision is the one that imposes greater restrictions or more stringent controls.

**10-08-C. CONFLICTS WITH PRIVATE AGREEMENTS AND COVENANTS**

This subdivision ordinance is not intended to interfere with, abrogate or annul any easement, covenant, deed restriction, or other agreement between private parties. The County does not enforce or maintain a record of private agreements.

**10-09 SEVERABILITY**

If any portion of this subdivision ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, that portion is to be deemed severed from the subdivision ordinance, and in no way affects the validity of the remainder of the subdivision ordinance.

# Article 11 GENERAL RULES OF LANGUAGE AND INTERPRETATION

## 11-01 MEANINGS AND INTENT

The language of the subdivision ordinance must be read literally. Regulations are no more or less strict than stated. Words defined in Article 60 (Definitions) have the specific meaning assigned, unless the context expressly indicates another meaning. Words that are not defined in Article 60 have the meaning given in the latest edition of Merriam-Webster's *Unabridged Dictionary*.

## 11-02 TENSES AND USAGE

- 11-02-A. Words used in the singular include the plural. The reverse is also true.
- 11-02-B. Words used in the present tense include the future tense. The reverse is also true.
- 11-02-C. The words "must," "will," "shall," and "may not" are mandatory.
- 11-02-D. The word "may" is permissive, and "should" is advisory, not mandatory or required.
- 11-02-E. When used with numbers, "up to X," "not more than X," and "a maximum of X" all include X.

## 11-03 CONJUNCTIONS

Unless the context otherwise clearly indicates, conjunctions have the following meanings:

- 11-03-A. "And" indicates that all connected items or provisions apply; and
- 11-03-B. "Or" indicates that the connected items or provisions may apply singularly or in combination.

## 11-04 FRACTIONS

The following rules apply to fractional number unless otherwise expressly stated.

- 11-04-A. **MINIMUM REQUIREMENTS**  
When a regulation is expressed in terms of a minimum requirement, any fractional result of 0.5 or more must be rounded up to the next consecutive whole number. For example, if a minimum requirement calling for one (1) tree to be provided for every thirty (30) linear feet of frontage is applied to a 50-foot dimension, the resulting fraction of 1.67 is rounded up to two (2) required trees.
- 11-04-B. **MAXIMUM LIMITS**  
When a regulation is expressed in terms of maximum limits, any fractional result will be rounded down to the next lower whole number. For example, if a maximum limit of one (1) dwelling unit for every 5,000 square feet is applied to a 13,750 square foot lot, the resulting fraction of 2.75 is rounded down to two (2) (allowed dwelling units).

## 11-05 HEADINGS AND ILLUSTRATIONS

Headings and illustrations are provided for convenience and reference only and do not define or limit the scope of any provision of this subdivision ordinance. In case of any difference of meaning or implication between the text of this subdivision ordinance, and any heading, drawing, table, figure, or illustration, the text controls.

**11-06 REFERENCES TO OTHER REGULATIONS**

All references in the subdivision ordinance to other County, state, or federal regulations are for informational purposes only, and do not constitute a complete list of such regulations. These references do not imply any responsibility by the County for enforcement of County, state, or federal regulations.

**11-07 CURRENT VERSIONS AND CITATIONS**

All references to regulations, plans, and studies refer to the most current version and citation for those regulations, unless otherwise expressly stated. When the referenced documents have been repealed and not replaced by other regulations, plans, or studies, subdivision ordinance requirements for compliance will be interpreted as applying to the last adopted version of the referenced regulation, plan, or study.

**11-08 LISTS AND EXAMPLES**

Unless otherwise expressly indicated, lists of items or examples that use “including,” “such as,” or similar terms are intended to provide examples only. They are not to be construed as exhaustive lists of all possibilities.

**11-09 DELEGATION OF AUTHORITY**

Whenever a provision appears requiring the head of a department or another officer or employee of the County to perform an act or duty, that provision will be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority.

**11-10 PUBLIC OFFICIALS AND AGENCIES**

All employees, public officials, bodies, and agencies to which references are made are those of Will County unless otherwise expressly stated.

**11-11 COMMENTARIES**

Commentaries are sometimes included in the subdivision ordinance as a means of clarifying certain provisions or providing supplemental information. Text marked as “Commentary” has no regulatory effect. It is intended solely as a guide for administrative officials and the public. Commentaries may be added to the subdivision ordinance by the Will County Board or the Will County Board’s Plat Committee without the need for a formal ordinance amendment.

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*Commentary: When commentaries are provided, they will appear in this manner.*

## Article 12 TRANSITIONAL PROVISIONS

### 12-01 APPLICATIONS SUBMITTED BEFORE THE EFFECTIVE DATE

Complete applications that are pending approval before the effective date must be reviewed and approved in accordance with the subdivision ordinance in effect immediately before the effective date. Incomplete applications filed before the effective date will not be reviewed until they are complete. Once complete, the application must be reviewed and approved in accordance with the subdivision regulations in effect at the time that the application is deemed complete.

### 12-02 FINAL PLATS APPROVED BEFORE THE EFFECTIVE DATE

Any development for which a final plat was approved before the effective date, may be completed in conformance with the approved final plat and other applicable permits and conditions applicable at the time the original final plat was approved, even if such development does not fully comply with provisions of this subdivision ordinance. If construction is not commenced and diligently pursued within the time allowed under the original final plat approval or any extension granted, then the development must be constructed, completed, and occupied only in accordance with the standards of this subdivision ordinance.

### 12-03 VIOLATIONS CONTINUE

Any violation of the previous subdivision ordinance will continue to be a violation under this subdivision ordinance and be subject to penalties and enforcement under Article 51 (Violations and Penalties). If the use, development, construction, or other activity that was a violation under the previous ordinance complies with the express terms of this subdivision ordinance, enforcement action will cease, except to the extent of collecting penalties for violations that occurred before the effective date specified in Section 10-02. The adoption of this subdivision ordinance does not affect nor prevent any pending or future prosecution of, or action to abate, violations of the previous ordinance that occurred before the effective date specified in Sec. 10-02.

### 12-04 APPLICATIONS SUBMITTED ON OR AFTER THE EFFECTIVE DATE

All development applications completed on or after the effective date, must be reviewed under the terms of this subdivision ordinance.



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# Article 20 IMPROVEMENTS GENERALLY

## 20-01 CONSTRUCTION

All improvements covered by this subdivision ordinance must be constructed in accordance with, and materials used must be in compliance with Illinois Department of Transportation (IDOT's) *Standard Specifications for Road and Bridge Construction*, including "Supplemental Specifications and Recurring Special Provisions," IDOT's *Bureau of Design and Environment Manual*, IDOT's *Highway Standards*, and/or *Standard Specifications for Water and Sewer Construction in Illinois*.

## 20-02 IMPROVEMENTS REQUIRED

20-02-A. Developers (subdividers) are responsible for the construction, installation, and maintenance of the following improvements in accordance with the standards of this subdivision ordinance in addition to any applicable federal, state, County, or municipal standards.

1. All streets within the subdivision and improvements to existing streets required for safe and adequate access to the subdivision as may be required by this subdivision ordinance;
2. Street signs;
3. Sidewalks and pedestrian facilities;
4. Water supply and wastewater systems, other than individual wells and individual sewage disposal systems;
5. Surface drainage, storm sewers, and drainage easements;
6. Stormwater management devices and easements;
7. Erosion and sedimentation control devices;
8. Utilities and utility easements;
9. Survey monuments (at all lot corners and points of curvature in accordance with Illinois Statute 765 ILCS 205 [Plat Act]);
10. Street lights;
11. Landscaping; and
12. Any other on- or off-site improvements required by this article or required at the time of plat approval.

20-02-B. If the subdivider files a final plat for only a portion of the subdivision for which a preliminary plat was approved, the improvements required to be constructed, installed, and maintained in accordance with that final plat must be those improvements that the Chief Subdivision Engineer deems necessary to serve the lots shown on the final plat.

## 20-03 COMPLETION OF IMPROVEMENTS

20-03-A. A final plat may not be approved until:

1. All required improvements have been completed; or
2. A subdivision guarantee has been provided in accordance with Sec. 20-04.

20-03-B. An improvement will be deemed completed only after the appropriate public agency certifies that the improvement has been installed in accordance with the approved final

plat and improvement plan. In lieu of certification from a public agency, the Chief Subdivision Engineer is authorized to accept certification from the applicant's registered professional engineer that the improvements have been installed in accordance with all applicable standards.

## 20-04 SUBDIVISION GUARANTEES

### 20-04-A. PURPOSE

Subdivision guarantees are required for the purpose of ensuring that developers properly install all required subdivision improvements in a timely manner, in accordance with approved plats and improvement plans. Subdivision guarantees must be posted in accordance with 55 ILCS 5/5-1123; a letter of credit is the preferred method of guarantee.

### 20-04-B. TIMING

Subdivision guarantees must be posted before final plat approval.

### 20-04-C. TERM

1. The term of a subdivision guarantee may not exceed two (2) years. A filing fee in the amount of \$50.00 or 0.1% of the total subdivision guarantee, whichever is greater, must be paid by the developer to file the initial subdivision guarantee.
2. The Chief Subdivision Engineer is authorized to allow up to two (2) extensions of the term for no more than one (1) additional year per extension. No extension may be granted until the developer has provided and the Chief Subdivision Engineer has approved a revised total cost of the remaining estimated construction, engineering, surveying and fees for the required public improvements, plus 25% of the original completion guarantee. Extension requests, if granted, must be accompanied by an extension fee equal to:
  - (a) Five (5) percent of the remaining guarantee for the first extension; and
  - (b) Ten (10) percent of the remaining guarantee for the second (final) extension.

### 20-04-D. FORM AND AMOUNT OF SUBDIVISION GUARANTEE

1. Subdivision guarantees must be in the form of cash escrow, a letter of credit from a local bank or local savings and loan association or other financial security approved by the County. The subdivision guarantee must be conditioned upon the subdivision of all work necessary to complete the required subdivision improvements within the time period specified at the time of preliminary plat or improvement plan approval.
2. The amount of the subdivision guarantee must equal at least 125% of the estimated cost of all required improvements, including project management costs.

*Commentary: Subdivision guarantees must include all improvement costs, including right-of-way improvements, storm sewer system, grading of overflow swales through the subdivision, stormwater detention facilities, the cost of protection and repair of existing field tiles, sanitary sewer and/or water main extensions, erosion control, stake out of all lots with iron pipe at all lot corners, and the cost of required offsite improvements.*

3. The estimated cost of required improvements, including project management costs, must be itemized by improvement type and certified by the applicant's registered professional engineer. Cost estimates must be based on industry norms within northeastern Illinois.

**20-04-E. DEFAULT**

1. The subdivision guarantee shall be considered in default and may be foreclosed upon by the Chief Subdivision Engineer if the Developer:
  - (a) fails to complete the improvements in accordance with the approved improvement plans and construction specifications;
  - (b) fails to complete the improvements within the time frame prescribed in this subdivision ordinance;
  - (c) performs the work unsuitably, as determined by the Chief Subdivision Engineer, the Road District Commissioner, or other affected agency;
  - (d) fails to provide a subdivision warranty in an acceptable form to the County and Road District Commissioner;
  - (e) fails to provide an extension for the subdivision guarantee as prescribed in this subdivision ordinance.
2. When a subdivision guarantee is found to be in default, the Chief Subdivision Engineer, following approval by the Plat Committee, shall give notice by registered mail to the developer and to the issuer of the subdivision guarantee of the County's intent to foreclose on the subdivision guarantee.
3. If upon receipt of the notice of default, the developer fails to honor the terms and conditions specified in the notice, the Chief Subdivision Engineer shall deliver a demand for payment on the subdivision guarantee. The foreclosed funds shall be delivered to the County Treasurer for deposit into an account designated for such funds.
4. The Chief Subdivision Engineer shall utilize these foreclosed funds to complete and/or maintain the improvements in accordance with the approved improvement plans. All costs, including the County's administrative expenses associated with causing compliance, shall be deducted from the funds on deposit with the County Treasurer.
5. When compliance with the terms of the subdivision guarantee has been achieved, the Chief Subdivision Engineer, following approval by the Plat Committee, shall authorize the County Treasurer to return to the developer or approved beneficiary of said funds all remaining funds from the subdivision guarantee, if any.

**20-04-F. RELEASE OF SUBDIVISION GUARANTEE**

1. Once the conditions of the subdivision guarantee have been completed to the satisfaction of the appropriate agencies and any required subdivision warranty has been provided, the guarantee may be released.
2. All improvements must be completed in accordance with Sec. 20-03-B. No financial guarantee may be released until all required certifications of completion have been provided.
3. At least 60 days before the expected release of a subdivision guarantee, the developer's engineer must submit:

- (a) A letter to the Chief Subdivision Engineer stating that they have inspected the subdivision and that all improvements are complete in accordance with the improvements plans;

*Commentary: This will allow adequate time for inspection of the improvements.*

- (b) A letter from the Road District Commissioner accepting improvements for inclusion into the township system of the streets and drainage facilities;
  - (c) A letter of acceptance by the appropriate utility agency operating the sanitary sewer and water distribution facilities;
  - (d) Two sets of “as-built” drawings of the subdivision improvements, certified by the developers engineer; and
  - (e) A letter of acceptance of improvements on other lands by the owner of such property.
4. If improvements are not complete at the time of a requested inspection, the subdivider will be responsible for payment of a re-inspection fee, in accordance with the fee schedule in effect at the time of re-inspection.

#### 20-04-G. PARTIAL REDUCTION OF SUBDIVISION GUARANTEE

1. Subdivision guarantee may be amended to reflect a reduced amount, provided that:
  - (a) The partial improvements are acknowledged by the Chief Subdivision Engineer, Road District Commissioner, and appropriate utility agency; and
  - (b) A revised current estimate of the cost to complete the work is submitted by the developer’s engineer to the Chief Subdivision Engineer and Road District Commissioner.
2. The revised estimate must show all the original estimated items with the appropriate items reduced.
3. Twenty-five (25) percent of the original cost estimate must be added to the revised estimate to determine the amount of the amended subdivision guarantee.
4. If, in the opinion of the Chief Subdivision Engineer, the current amount of the subdivision guarantee is not adequate to cover the cost of the uncompleted work, the subdivision guarantee must be amended to reflect an increased amount.
5. The revised estimate must be accompanied by a letter from the developer’s engineer stating that they have inspected the improvements and that they are complete in accordance with the improvements plans.
6. A reduction of subdivision guarantee does not imply acceptance of those improvements included in that reduction; acceptance of improvements does not occur until all improvements are complete and inspected by Chief Subdivision Engineer and Road District Commissioner and the subdivision guarantee is released as outlined in Sec. 20-04-F.

#### 20-05 AS-BUILT PLANS

After completion of all public improvements, and at least 60 days before the final acceptance of the subdivision, the developer must submit plans showing the actual location and elevation of all valves, manholes, stubs, services, sewer and water mains, storm sewer with rim and invert elevations, elevation of overflow routes in critical locations, street lights and wiring, storm sewers, centerline of streets,

ditches, overflow routes, detention/retention basins (including notations of any deviations from design), and such other facilities as the Chief Subdivision Engineer requires. These plans must be printed on 24" x 36" paper and clearly labeled "as-built" and provided in a digital form (on CD or other approved media) utilizing the latest version of AutoCAD, or other software approved by the Chief Subdivision Engineer. The plans must bear the signature and seal of an Illinois registered professional engineer. Submittal of these plans is a prerequisite to final acceptance of the improvements and to final release of the subdivision guarantee.

#### **20-06 ACCEPTANCE OF DEDICATION, IMPROVEMENTS**

- 20-06-A. The developer is solely responsible for maintenance and upkeep of all public areas, common areas, easements and improvements until final acceptance by the Chief Subdivision Engineer and Road District Commissioner.
- 20-06-B. Final acceptance of the dedication of an open space or other public area, including right-of-ways, may not occur until after improvements are acknowledged and accepted by the Chief Subdivision Engineer and the Road District Commissioner, and proof of responsibility for the maintenance of all community improvements is submitted to the Chief Subdivision Engineer.
- 20-06-C. A subdivision warranty must be provided in exchange for final acceptance, at which time the subdivision guarantee may be released upon written notice from the Chief Subdivision Engineer to the Will County Clerk.

#### **20-07 SUBDIVISION WARRANTY**

- 20-07-A. The developer must post a subdivision warranty with the Road District Commissioner after final acceptance of the public improvements. The warranty amount must equal at least 10% of the initial subdivision guarantee for the improvements. Subdivision warranties must be in the format provided in the *Will County Developers' Handbook*.
- 20-07-B. The subdivision warranty must cover a period of at least two (2) years.
- 20-07-C. Subdivision warranties must be in the form of cash escrow, a letter of credit from a local bank or local savings and loan association, or other financial security approved by the County and applicable road authority.
- 20-07-D. Subdivision warranties are not required for improvements not contained in and specified under the original subdivision guarantee.
- 20-07-E. The subdivision warranty may be used to replace any faulty materials or workmanship and warrant the integrity of the improvements during the life of the warranty.
- 20-07-F. At least 18 months after final acceptance of the improvements, the developer must request an inspection of the improvements by the Chief Subdivision Engineer and Road District Commissioner. Before release of the warranty, the developer must perform any warranted work. Such work must be completed and inspected by Chief Subdivision Engineer and Road District Commissioner at least thirty (30) days before the warranty expires.

#### **20-08 CONSTRUCTION AND INSPECTION OF IMPROVEMENTS**

- 20-08-A. Before starting any work covered by approved improvement plans and construction specifications, written authorization to start the work must be obtained from the Chief Subdivision Engineer. The written authorization must be in the form of a site development permit (application form available from Chief Subdivision Engineer) for the subdivision.

- 20-08-B. The site development permit must cover required public improvements, including right-of-way, drainage improvements, floodplain/wetland requirements, etc.
- 20-08-C. The site development fee must be calculated based on the area within the right-of-way, the portion of the subdivision to be utilized for stormwater management purposes, 100-year overflow routes, and any floodplain/wetland area to be enhanced as a part of the subdivision.
- 20-08-D. Authorization to begin work will be given upon receipt of all necessary permits from other regulatory agencies, including all culvert permits required when proposed new or changed subdivision streets intersect any existing street.
- 20-08-E. The Chief Subdivision Engineer and the appropriate Road District Commissioner must be notified three (3) working days before any work commences so that appropriate inspectors may be present.
- 20-08-F. Inspection fees for public improvements must be paid by the developer before construction of such improvements commence.
- 20-08-G. Any work without proper inspection will not be acknowledged.
- 20-08-H. No funds may be released from the subdivision guarantee unless the improvements covered by the subdivision guarantee have been inspected by the Chief Subdivision Engineer and the Road District Commissioner.
- 20-08-I. During the course of construction, inspection of the work must be made by the design engineer employed by the developer to ensure compliance with the approved improvements plans and construction specifications.
- 20-08-J. The design engineer must provide weekly field reports to the Chief Subdivision Engineer in a form as provided in the *Will County Developers' Handbook*. These inspection reports must be signed and sealed by a registered professional engineer. The Chief Subdivision Engineer is authorized to issue a stop work order if weekly field reports are not submitted. Any delegation of construction observation duties must be approved by the Chief Subdivision Engineer.
- 20-08-K. Construction of all improvements (with the exception of the final surface course of asphalt on dedicated streets) required by this subdivision ordinance must be completed within two (2) years of the date of final plat approval unless good cause can be shown for granting an extension of time.

*Commentary: Phasing of large subdivisions is encouraged so that projects can be completed within two (2) years. Completion of a subdivision includes required sidewalks.*

- 20-08-L. Building permits may not be issued until all required improvements are completed and operable, with the exception of the final surface course of bituminous asphalt if a 2-layer construction is used. The final surface course of asphalt must be completed before acceptance of the subdivision.
- 20-08-M. Until final acceptance of improvements by the Road District Commissioner, the developer is solely responsible for:
1. Maintaining all improvements;
  2. Keeping all public ways, sewers, and drains free from soil, debris, and trash;
  3. Installing and maintaining appropriate erosion control measures; and
  4. Providing for snow removal on all streets within the subdivision.

- 20-08-N. The developer is required to provide snow removal on all streets within the subdivision until acceptance of improvements by the Road District Commissioner. However, if the developer does not promptly remove snow, the Road District Commissioner may clear the snow and submit the invoice for this work to the developer for payment. If the developer does not pay this invoice, the subdivision guarantee may be utilized to pay the costs.
- 20-08-O. The final lift of bituminous asphalt (surface) must be installed within three (3) years from the date final plat approval or when individual buildings are completed on 80% of the lots in the subdivision, whichever comes first. When the lift of asphalt is placed before 80% of the lots are built out, the subdivision warrantee will not expire until two (2) years after the completion of 80% of the lots.
- 20-08-P. Material testing for all public improvements must comply with Illinois Department of Transportation *Standard Specifications for Road and Bridge Construction*. Load tickets and core samples may be required by the Chief Subdivision Engineer and/or the Road District Commissioner.

## 20-09 PROPERTY OWNERS ASSOCIATIONS

### 20-09-A. ESTABLISHMENT

If a property owners association is assigned responsibility for the maintenance and control of streets, drainage easements/facilities, open space, recreational facilities, or other common areas and facilities within a subdivision, that association must have legal authority to maintain and exercise control over the common areas and facilities, including the power to compel contributions from residents or property owners to cover their proportionate share of the costs associated with the maintenance of the common areas and facilities.

### 20-09-B. DOCUMENTATION

1. Documents providing for the establishment of a property owners association must be submitted to the Chief Subdivision Engineer before approval and recordation of a final plat. The documents establishing the association must be in a form as provided in the *Will County Developers' Handbook*.
2. The County's review is limited to ensuring that the property owners association has clear legal authority to maintain and exercise control over the common areas and facilities, including the power to compel contributions from residents and property owners to cover their proportionate share of the costs associated with the maintenance of the common areas and facilities.



# Article 21 GENERAL DESIGN STANDARDS AND GUIDELINES

## 21-01 APPLICABLE REGULATIONS AND POLICIES

Subdivisions must be designed and laid out in accordance with:

- 21-01-A. All applicable Will County ordinances, including this subdivision ordinance;
- 21-01-B. The *Will County Land Resource Management Plan* and its functional elements;
- 21-01-C. The *Will County Zoning Ordinance*; and
- 21-01-D. Applicable laws, rules, and regulations of the State of Illinois and its duly constituted agencies; and
- 21-01-E. When a subdivision lies within 1.5 miles of the corporate limits of a municipality having a comprehensive plan, the subdivision must also comply with all applicable ordinances of the subject municipality.

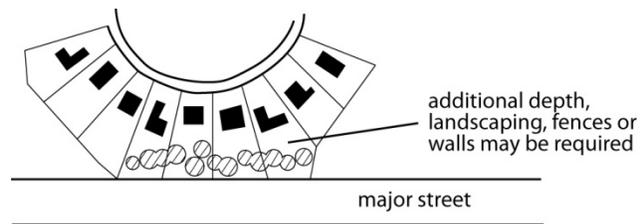
## 21-02 TRAFFIC MOVEMENT AND PEDESTRIAN CIRCULATION

- 21-02-A. Subdivisions should be designed to create an integrated system of lots, streets, trails, and infrastructure that provides for efficient movement of people, bicycles and automobiles within the subdivision and to and from adjacent development.
- 21-02-B. Subdivisions should provide for the efficient movement of through traffic by providing a completely interconnected hierarchy of streets in order to avoid isolation of residential areas and over-reliance on federal, state, and County roadways.
- 21-02-C. All subdivisions should be designed to provide safe and attractive pedestrian routes to nearby commercial centers, as well as nearby public/civic, employment, and recreation uses.
- 21-02-D. Street layouts should be uncomplicated, so that emergency services, public services, and visitors can find their way to their intended destinations.
- 21-02-E. Subdivision designs must avoid the proliferation of private streets and driveways with access onto major streets.

## 21-03 APPEARANCE

- 21-03-A. Subdivision perimeter areas should include adequate landscaping and buffering to protect future residents of the subdivision and adjacent developments from adverse impacts caused by significant differences in use, development intensity, or building height.
- 21-03-B. Lot and street designs should be designed to avoid extended distances of back yard frontage on major streets. When back yard frontages cannot be avoided, the Plat Committee is authorized to require additional lot depth, additional landscaping, fences, walls, or any combination of such techniques to help reduce the negative visual and noise-related impacts associated with such platting patterns. See Figure 21.1.

Figure 21.1



#### 21-04 OPEN SPACE

- 21-04-A. Open spaces should be integrated into and throughout subdivisions, should be connected with one another and with open spaces in adjacent developments, and should include trails that connect to pedestrian routes in the subdivision and to regional trail systems.
- 21-04-B. Open spaces anticipated for use as active or developed parks should be located on relatively flat, well-drained terrain.
- 21-04-C. Open spaces not anticipated for use as active or developed parks should be located on prominent high points with significant views, or along significant and interesting geological features or wooded areas or along significant drainages.
- 21-04-D. Open spaces that are anticipated to serve as trail corridors (pedestrian, bicycle or equestrian) should be continuous with anticipated trail corridors on adjacent properties.

#### 21-05 NATURAL HAZARDS

- 21-05-A. Lands subject to flooding, high water table, excessive erosion, and subsidence because of soil types or groups, water courses and other drainageways, steep slopes, or other natural hazards may not be platted for residential or other uses in such a way as to present a danger to life or property, or to the public health, safety, or general welfare.
- 21-05-B. The recommendations of the *Will County Soil Manual* must be followed with respect to the land plan and construction details of proposed subdivisions.
- 21-05-C. Soil borings must be made to confirm the soils map information included in the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) *Soil Survey of Will County, Illinois*. Representative soil borings must be taken to a depth at least five (5) feet below the lowest proposed foundation, two (2) feet below the lowest proposed sewer, or the point of refusal. At least one (1) boring must be made per ten (10) acres or more if necessary to confirm the Soil Survey.
- 21-05-D. Two copies of a soils report prepared by a qualified soil professional must be submitted with the preliminary plat. The report must include, at a minimum, soil classifications, water level observations, blows per foot, and an assessment of the suitability of existing soils for the proposed development. For developments in which rain gardens, bio-infiltration, bio-swales or other groundwater infiltration best management practices (BMPs) are proposed, permeability data is also required.
- 21-05-E. Developments in which structures will be constructed within, or adjacent to floodplains, or areas prone to flooding, must comply with the requirements of Federal Emergency Management Agency (FEMA) Technical Bulletin 10-01, *Ensuring That Structures Built on Fill In or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding*.

- 21-05-F. The developer shall be required to provide and install emergency warning sirens in subdivisions when deemed necessary following the guidelines as set forth by the Will County Emergency Management Agency.

**21-06 NATURAL AND CULTURAL RESOURCES**

- 21-06-A. Subdivisions should be designed and laid out in a manner that creates the least damage to the natural environment, avoids to the maximum extent feasible, significant natural resources such as prime agricultural lands, wooded areas and wetlands.
- 21-06-B. Subdivisions should be designed to preserve and enhance woodlands, water bodies, streams, rivers, hillsides and other natural resources that exist on a site.
- 21-06-C. Subdivisions should be designed to preserve cultural and historic resources.

**21-07 PUBLIC SITES**

Where a proposed park, playground, school, or other public use shown on an official map of the County, local park district, Forest Preserve District of Will County, or of a municipality within the County is located in whole or in part in a subdivision, appropriate public agencies and governing bodies must be given an opportunity to negotiate the acquisition of property for such use for one (1) year from the date of recording of the final plat.

## Article 22 LOTS AND BLOCKS

### 22-01 LOT ARRANGEMENT

Lots must be laid out and arranged in a way that presents no foreseeable difficulties in securing permits to build on the lots in compliance with all applicable rules and regulations. Subdivisions may not contain leftover pieces, corners, or remnants of land.

### 22-02 LOT AREA AND DIMENSIONS GENERALLY

- 22-02-A. All lots must comply with minimum depth, width, and area requirements of the *Will County Zoning Ordinance*. Lots must also comply with all requirements of the *Will County Sewage Treatment and Disposal Ordinance*, as administered and enforced by the Will County Health Department.
- 22-02-B. The size, shape, and orientation of lots must be appropriate for the location of the subdivision, and for the type of development and use contemplated.
- 22-02-C. Excessive lot depth in relation to lot width is prohibited. A ratio of 2.5 to 1 (depth to width) is the recommended maximum.
- 22-02-D. Lot width must be measured at the minimum building setback line. Minimum lot width may be reduced 10% for lots fronting on the bulb of a cul-de-sac, provided that the lot complies with minimum area requirements of the *Will County Zoning Ordinance* and *Will County Sewage Treatment and Disposal Ordinance*.
- 22-02-E. The minimum depth of any lot may not be less than 90 feet, measured from any point on the front lot line to any point on the rear lot line.
- 22-02-F. Corner lots must be laid out to permit compliance with front building setback requirements on all sides of the lot abutting a street.

### 22-03 OUTLOTS

Any outlots intended for conveyance to a property owners association or others must be included in the subdivision and be numbered consecutively. The subdivision plat and supporting documentation must designate the intended use and ownership, as well as maintenance responsibilities for the outlot.

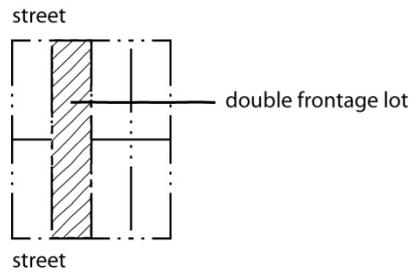
### 22-04 STREET FRONTAGE

- 22-04-A. All lots must front on or abut a public or private street. Alleys are not considered streets for purposes of this provision.

*Commentary: Private streets are allowed only if approved through the planned unit development (PUD) approval process.*

- 22-04-B. Residential lots may not front onto state and County roadways or onto any proposed major thoroughfare designated by the *Will County Transportation Framework Plan*.
- 22-04-C. Double-frontage (also known as “through” lots) lots are prohibited except where necessary to overcome specific disadvantages of topography and orientation, and where a limited access highway, railroad right-of-way, major street, or similar situation exists, in which case double-frontage lots may be allowed if a suitable landscape screen is provided in accordance with the minimum standards of Sec. 29-03 and placed within a non-access reservation adjacent to the right-of-way. Double-frontage lots must have adequate depth to allow the establishment of a front setback along all abutting streets. See Figure 22.1.

Figure 22.1



**22-05 SIDE LOT LINE ORIENTATION**

Side lot-lines must be substantially at right angles to straight street lines and radial to curved street lines unless, in the opinion of the Chief Subdivision Engineer, an alternative orientation will provide for a better street and lot design.

**22-06 GENERAL ARRANGEMENT AND LAYOUT OF BLOCKS**

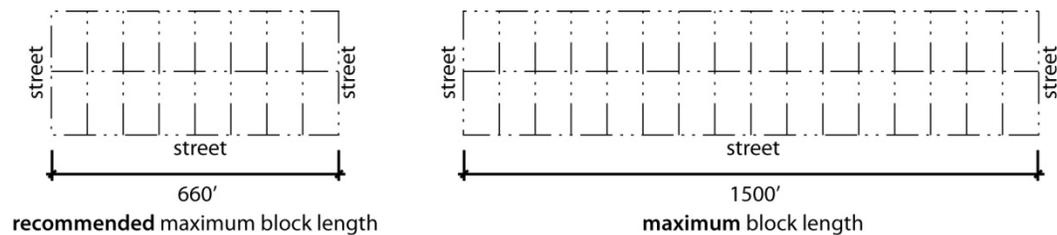
The length, width, and shape of blocks must be designed and laid out with due regard for:

- 22-06-A. Topographic conditions and drainage;
- 22-06-B. Public convenience and safety;
- 22-06-C. Allowing safe and adequate access for abutting parcels of land; and
- 22-06-D. Proposed land use and density and intensity of development to be served.

**22-07 BLOCK DIMENSIONS**

The length, width, and shapes of blocks must be appropriate for site conditions and the type of development contemplated. A maximum block length of 660 feet is recommended, and block lengths of more than 1,500 feet are prohibited. Blocks must have sufficient width to accommodate two (2) tiers of lots of appropriate depth between street lines, except that blocks accommodating one (1) tier of lots may be allowed, subject to the double-frontage lot requirements of Sec. 22-04-C. See Figure 22.2.

Figure 22.2



**22-08 CROSSWALKS**

Pedestrian crosswalks at least ten (10) feet in width may be required by Chief Subdivision Engineer when blocks exceed 660 feet in width or length and whenever deemed necessary to provide safe and adequate pedestrian circulation or access to schools, playgrounds, shopping areas, transportation, and other community facilities.



# Article 23 STREETS

## 23-01 GENERAL ARRANGEMENT AND LAYOUT

Streets and street networks serving subdivisions must be designed and laid out with due regard for:

- 23-01-A. Topographic conditions and drainage;
- 23-01-B. Public convenience and safety;
- 23-01-C. Allowing safe and adequate access for abutting parcels of land; and
- 23-01-D. Proposed land use and density and intensity of development to be served by such streets.

## 23-02 ILLINOIS DEPARTMENT OF TRANSPORTATION STANDARDS

Streets must comply with the standards of this subdivision ordinance and the Illinois Department of Transportation's *Standard Specifications for Road and Bridge Construction*. The higher or more restrictive standard governs in the event of conflict.

## 23-03 STREET CLASSIFICATIONS

- 23-03-A. Major streets are those having inter-city or regional importance, including all state marked routes, and Strategic Regional Arterial (SRA) routes. Major streets must be properly integrated with the existing and proposed system of major streets and highways.
- 23-03-B. Secondary streets include all County highways. Secondary streets must be properly related to special traffic-generating facilities such as schools, churches, shopping, and employment centers; to population densities; and to the major streets into which they feed.
- 23-03-C. Collector streets "collect" traffic from intersecting local and access streets and move this traffic in the most direct route to major or secondary streets. Collector streets, thus, form the intermediate link between local/access streets and major and secondary streets in the roadway network. They serve both a mobility and access function. Township roads are collector streets.
- 23-03-D. Local streets and access streets provide direct street access to lots within subdivisions. Local and access streets must be laid out to:
  - 1. Conform as much as possible to topography;
  - 2. Discourage use by through-traffic;
  - 3. Permit efficient drainage and sewer systems; and
  - 4. Require the minimum amount of street needed to provide convenient and safe access to abutting property.

## 23-04 PRIVATE STREETS

- 23-04-A. Private streets are prohibited unless expressly approved as part of a planned unit development (PUD).
- 23-04-B. A private street is not and may not be dedicated for public use, but may be allowed to provide access to lots within a PUD when ownership and maintenance of the street is guaranteed through a property owners association established before the lots are sold.
- 23-04-C. Private streets must be designed and constructed in accordance with the same standards that apply to public streets unless a waiver or modification of this requirement is

approved by the Will County Board as a part of the *Will County Zoning Ordinance's* PUD approval process.

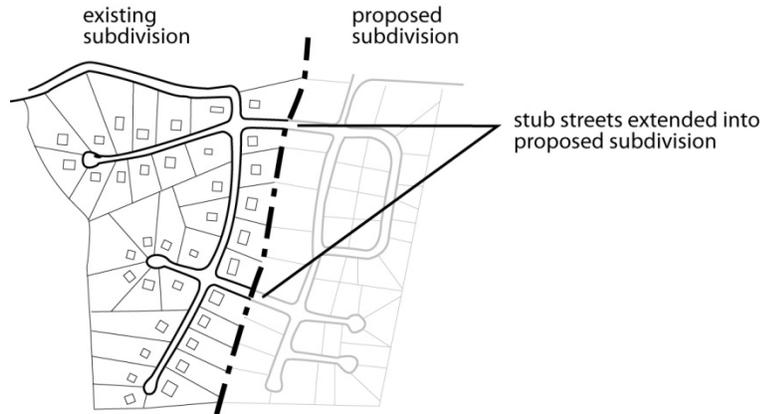
## 23-05 LAYOUT AND ALIGNMENT

- 23-05-A. Streets must be laid out in conformity to street or highway plans officially adopted by the state, County, or township, or any highway authority.
- 23-05-B. If the subdivision lies within 1.5 miles of the corporate limits of a municipality, the streets must be in conformity with the street or highway plan officially adopted by the corporate authority of that a municipality.
- 23-05-C. Wherever a street or highway shown on an officially adopted plan runs through a proposed subdivision, it must be provided for in the place, and with the width indicated on the adopted plan. The Chief Subdivision Engineer is authorized to require that the right-of-way specified on the officially adopted plan be dedicated to the public on or as part of the final plat.
- 23-05-D. Where streets are not a part of the official map or officially adopted street or highway plans, the arrangement of subdivision streets must be designed and located in proper relation to existing and proposed streets, to the topography of the area, and to natural features such as streams, hills, and stands of trees.
- 23-05-E. Proposed streets must be designed to coordinate with other existing or planned streets contiguous to or within the general area of the subdivision or within existing or future adjacent subdivisions as to location, width, grades, and drainage. Connections with existing or platted streets must be continuous without offset.
- 23-05-F. Stub streets must be platted, dedicated and constructed for public use to the boundary line of the subdivision when necessary to afford desirable and safe street access to adjoining properties. The following requirements apply to required stub streets:
1. Stub streets must be clearly marked on plats and labeled "Future Street Extension." In addition, a sign must be posted on the stub street right-of-way indicating that it is intended as a "Future Street Extension."
  2. The following notation must be incorporated into any plat showing a stub street: THIS RIGHT-OF-WAY IS PLATTED WITH THE INTENT OF BEING EXTENDED AND CONTINUED IN ORDER TO PROVIDE INGRESS AND EGRESS TO AND FROM ADJOINING PROPERTIES.
  3. Temporary T-turnarounds (Sec. 23-12) must be provided at all stub streets.
- 23-05-G. Where a stub street in an existing subdivision or development has been platted to the boundary line of a proposed subdivision, it must be extended and continued into such proposed subdivision unless a modification or waiver is approved in accordance with the procedures of Article 47. (See Figure 23.1.) Such waiver or modification must be based on at least one of the following findings:
1. Such an extension would cause or contribute to a safety deficiency that could not be corrected in a practical or economically efficient manner. In such cases, the developer will be responsible for providing sufficient right-of-way and constructing within that right-of-way an approved permanent turn-around at the end of the existing stub street.
  2. The street right-of-way in the existing subdivision, although platted, has not had a street constructed within it, is not contained in the *Will County Transportation Framework Plan*, and it is unlikely that, in the foreseeable future, such a street will

be so constructed. In such cases, the developer will not be responsible for providing a permanent turn-around.

3. The existence of significant environmental conditions that were not known or adequately considered at the time the potential extension was platted. The need for the installation of a permanent turn-around by the developer will be determined on a case-by-case basis based on local site conditions.

Figure 23.1

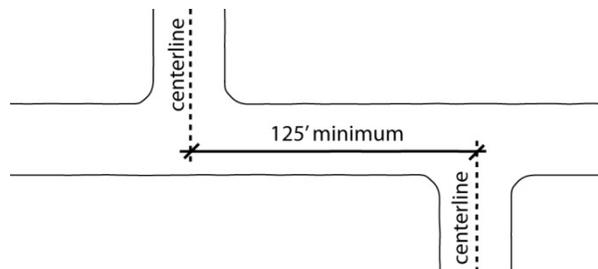


- 23-05-H. In situations where waivers or modification to street connection requirements are granted, an alternative means for bicycle, pedestrian, or equestrian access may be required to be provided in close proximity to the otherwise required street based on local site conditions.
- 23-05-I. All subdivisions of twenty-five (25) or more lots must have at least two (2) means of ingress and egress.

**23-06 INTERSECTIONS**

- 23-06-A. Streets must be laid out to intersect as nearly as possible at right angles.
- 23-06-B. Proposed new intersections along one side of an existing street should line up with existing intersections on the opposite side of the street. Street jogs with centerline offsets of less than 125 feet are prohibited. See Figure 23.2.

Figure 23.2

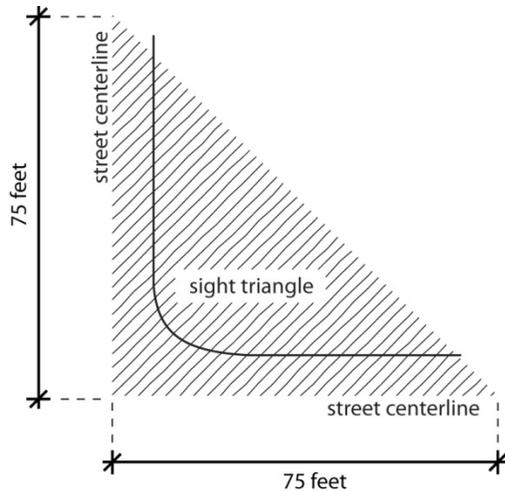


- 23-06-C. Intersections and driveways must be designed to comply with the vision clearance requirements of Sec. 8.5-6 of the *Will County Zoning Ordinance* and all applicable requirements of the Road District Commissioner.

*Commentary: The "vision clearance" requirements of the Will County Zoning Ordinance state that 'at the intersection of roads or at the point of ingress and egress onto roads, no structure, parked vehicle, or plant material shall obstruct a clear path of motor*

vehicle drivers' vision of approaching vehicles within a triangular square determined by a diagonal line connecting two points measured seventy-five (75) feet equidistant from the point of intersection with the center lines of the roads and the points of ingress and egress." See Figure 23.3.

Figure 23.3



- 23-06-D. Where any street intersection will involve embankments or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer must cut or remove such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide adequate sight distance.

#### 23-07 ACCESS CONTROL

- 23-07-A. Subdivision entrances for residential uses, and major entrances for commercial, industrial, and institutional uses must be located a minimum distance of 1,320 feet apart on state and County highways and arterial streets designated by local governments, unless topography or already existing street locations can be shown to dictate otherwise.
- 23-07-B. Subdivision entrances for residential uses, and major entrances for commercial, industrial, and institutional uses may not be located within 500 feet of an at-grade railroad crossing.
- 23-07-C. If a subdivision borders on or contains a limited access street or other major street, the Chief Subdivision Engineer is authorized to require a frontage road or lots that back onto the major street with a right-of-way with a no-access reservation (See also 22-04-C).
- 23-07-D. If a subdivision borders on or contains a railroad right-of-way, the Chief Subdivision Engineer is authorized to require a frontage road located approximately parallel to, and at least one (1) lot depth distance from each side of such right-of-way.

#### 23-08 RESERVE STRIPS

Right-of-way “reserve strips” or “spite strips” controlling access to streets are prohibited.

#### 23-09 ALLEYS

##### 23-09-A. WHEN REQUIRED

Alleys must be provided in all commercial and industrial zoning districts except that the Chief Subdivision Engineer may waive this requirement where another definite and

assured provision is made for service access, such as off-street loading and parking consistent with, and adequate for, the uses proposed. Alleys are allowed in residential zoning districts.

**23-09-B. DEAD-END ALLEYS**

Dead-end alleys are prohibited.

**23-09-C. DESIGN AND CONSTRUCTION**

1. Alleys serving commercial and industrial development must be at least 24 feet in width.
2. Alleys serving residential development must be at least twenty (20) feet in width.
3. Alleys must be constructed in accordance with the pavement material and construction standards that apply to local streets. (See Sec. 23-20)

**23-10 HALF STREETS**

**23-10-A.** Half streets are prohibited, except where essential to the reasonable development of the subdivision in conformity with other requirements of these regulations, and where the Chief Subdivision Engineer finds it will be practicable to require the dedication of the other half when the adjoining property is developed.

**23-10-B.** A minimum right-of-way width of fifty (50) feet and a minimum pavement width of twenty (20) feet is required for any authorized half street.

**23-10-C.** Wherever a half street is adjacent to a tract to be subdivided, the other half of the street must be platted and constructed within such developing tract.

**23-10-D.** In cases where half streets are allowed, the subdivider must grade and improve the half street, the same as all other subdivision streets.

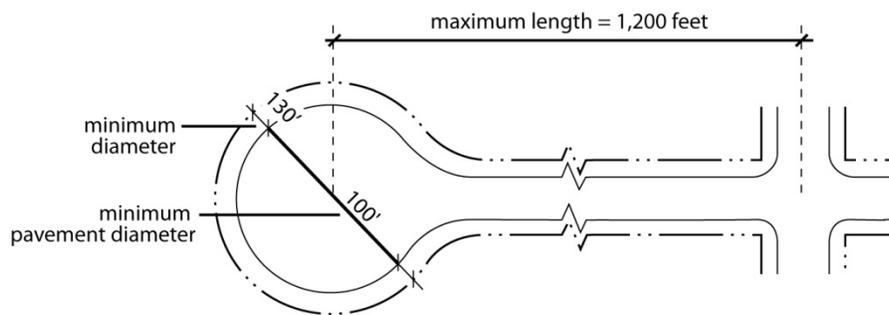
**23-11 CUL-DE-SACS**

**23-11-A.** Cul-de-sacs may not exceed 1,200 feet in length, measured along the center line. The Will County Board may approve a longer cul-de-sac length in low-density subdivisions where no more than 15 lots will take access from the cul-de-sac street. See Figure 23.4.

**23-11-B.** The closed (bulb) end of a cul-de-sac street must have a minimum diameter of 130 feet. See Figure 23.4.

**23-11-C.** Cul-de-sac pavement width must comply with local street standards. The pavement at the closed (bulb) end must be at least 100 feet in diameter measured from back-of-curb to back-of-curb in urban subdivisions and edge of pavement to edge of pavement in rural subdivisions. Landscaping within the middle of the cul-de-sac bulb is encouraged except when prohibited by the Road District Commissioner. See Figure 23.4.

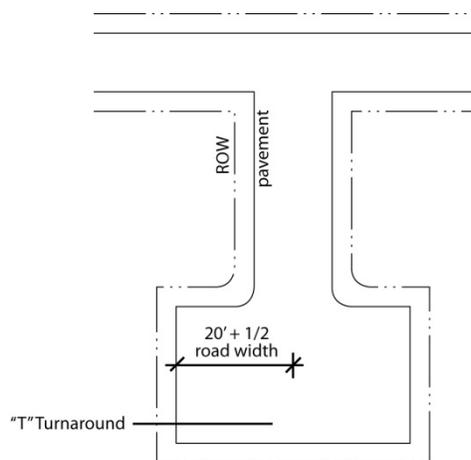
Figure 23.4

**23-12 TEMPORARY T-TURNAROUNDS**

Temporary T-turnarounds may be required at the end of streets that are intended for extension when a subsequent phase of subdivision is developed or when the abutting parcel is developed. The terminus of a T-turnaround must comply with the following minimum standards:

- 23-12-A. The T must be at right angles to the main street.
- 23-12-B. Each wing of the T must be at least twenty (20) feet long, plus one-half the main street pavement width, measured from the center of the right-of-way. See Figure 23.5.
- 23-12-C. The right-of-way width must be at least as wide as the main street's right-of-way.

Figure 23.5



- 23-12-D. At the time that a street is connected or extended, temporary T-turnarounds must be removed by the road authority or by the developer proposing such connection or extension.

**23-13 RIGHTS-OF-WAY AND PAVEMENT WIDTH****23-13-A. MAJOR STREETS****1. RIGHT-OF-WAY**

The minimum right-of-way width of a major street is 150 feet, unless the Chief Subdivision Engineer or road authority requires a greater right-of-way width.

2. PAVEMENT

The Chief Subdivision Engineer or road authority is authorized to establish minimum pavement widths and design standards for major streets.

23-13-B. SECONDARY STREETS

1. RIGHT-OF-WAY

The minimum right-of-way width of a secondary street is 120 feet.

2. PAVEMENT

The Chief Subdivision Engineer or road authority is authorized to establish minimum pavement widths and design standards for secondary streets.

23-13-C. COLLECTOR STREETS

1. RIGHT-OF-WAY

The minimum right-of-way width of a collector street is 80 feet.

2. PAVEMENT

The minimum pavement width of a collector street or any street serving industrial or commercial development is 36 feet (excluding curb and gutter).

23-13-D. LOCAL STREETS

1. RIGHT-OF-WAY

The minimum right-of-way width of a local street is 66 feet.

2. PAVEMENT

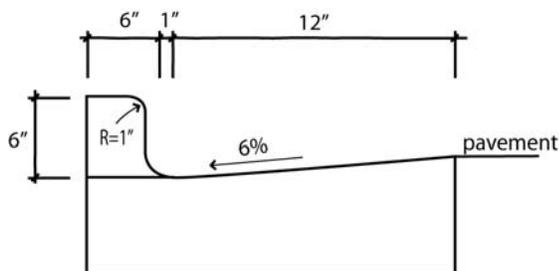
The minimum pavement width of a local street in a subdivision with open drainage is 24 feet. The minimum pavement width for subdivisions with curb and gutter is 28 feet (excluding curb and gutter).

23-14 CURB AND GUTTER

23-14-A. Concrete curb and gutter must be provided along the outside edge of all street pavements in all nonresidential subdivisions and in all residential subdivisions where the average lot width at the front lot line is less than 120 feet; and/or where the degree of slope exceeds 5%.

23-14-B. Curb and gutter must be Type B-6.12, in accordance with Illinois Department of Transportation (IDOT) Highway Standards or standards acceptable to the appropriate Road District Commissioner. See Figure 23.6.

Figure 23.6



- 23-14-C. The back of curbs must be depressed or cut in accordance with IDOT standards, subject to the approval of the Chief Subdivision Engineer when the final location for access to the public roadway for driveways, sidewalks, and other paths is determined.

#### 23-15 IMPROVEMENTS TO AND ADDITIONAL RIGHT-OF-WAY FOR EXISTING STREETS

- 23-15-A. All existing public and/or dedicated streets abutting a subdivision must be improved to a standard established by the highway authority for the subject street.
- 23-15-B. If the property abutting a County highway is to be subdivided or access is being requested to a County highway, the developer/owner must dedicate, at no cost to the County, sufficient land area to satisfy the County road's right-of-way requirement, including corner clips required by the Will County Highway Department and/or applicable highway authorities.

#### 23-16 GRADES

Streets must have a minimum grade of 0.5% and a maximum grade of no more than 6%.

#### 23-17 HORIZONTAL CURVES

Horizontal curves measured along street centerlines must comply with the following minimum radii:

##### 23-17-A. MAJOR AND SECONDARY STREETS

The Will County Highway Engineer is authorized to establish the minimum radius of horizontal curves on major and secondary streets.

##### 23-17-B. COLLECTOR STREETS

Horizontal curves on collector streets must have minimum radius of 300 feet.

##### 23-17-C. LOCAL STREETS

Horizontal curves on local streets must have minimum radius of 200 feet.

##### 23-17-D. OTHER STREETS

Horizontal curves on streets other than major, secondary, collector, or local streets must have minimum radius of 150 feet.

#### 23-18 VERTICAL CURVES

Vertical curve lengths must comply with IDOT's *Bureau of Design & Environment Manual*.

#### 23-19 REVERSE CURVES

A tangent of at least 100 feet in length must be introduced between reverse curves on local streets. A tangent of at least 300 feet in length must be introduced between reverse curves along all other (non-local) streets.

#### 23-20 PAVEMENT MATERIAL AND CONSTRUCTION

- 23-20-A. Asphalt pavement must comply with IDOT *Standard Specifications for Road and Bridge Construction* for Bituminous Concrete Binder and Surface Course Superpave and any special provisions applicable to IDOT District 1 standard requirements.
- 23-20-B. All subdivisions must have pavement designed to the soil conditions actually found on the site in accordance with current IDOT design policy.
- 23-20-C. Collector and local streets must comply with the cross sections of *Appendix A*. On major streets, secondary streets, County highways, and developments intended for industrial or commercial use, projected traffic data and special uses must be submitted to the Chief

Subdivision Engineer for evaluation, who has the authority to require additional width and thickness of pavements.

**23-21 COUNTY HIGHWAY ENTRANCES; CURB AND GUTTER AND ACCELERATION/DECELERATION LANES**

County highway entrances must be constructed with curb and gutter returns, and acceleration and deceleration lanes, as specified by the Chief Subdivision Engineer when proposed in conjunction with a subdivision, and must meet the requirements of the *Will County Freeway and Highway Access Regulation Ordinance*.

**23-22 GUARD RAILS**

Steel plate beam guard rails must be installed in accordance with IDOT standards along the shoulder of any street where roadside hazards exist.

**23-23 STREET NAMES**

Streets that are extensions of, or obviously in alignment with, existing streets must bear the name of the existing streets; however, no other streets may bear names that duplicate, or nearly duplicate so as to be confused with the names of existing streets, within the same township, fire protection district, police protection district. All street names must comply with the *Street Numbering and Street Sign Ordinance* and be approved by the Will County 9-1-1 Emergency Services Office.

**23-24 STREET SIGNS**

Street signs, identifying the street names shown on the approved final plat, must be provided at all intersections and as otherwise required by the applicable highway authority. Street signs must be installed in accordance with the *Manual on Uniform Traffic Control Devices*, published by the U.S. Department of Transportation (Federal Highway Administration). Street signs must be of a type approved by the applicable road authority and must be installed at the northeast corner of each intersection.

**23-25 STREETLIGHTS**

**23-25-A. WHERE REQUIRED**

1. Streetlights must be installed at all intersections and at closer intervals if the gross density of the subdivision is three (3) dwelling units per acre or more.
2. Streetlights must be of a type, style, and spacing as required by the applicable road authority.
3. The subdivider must arrange for and pay all installation costs required for erection of required streetlights.



## Article 24 SIDEWALKS AND TRAILS

### 24-01 WHEN REQUIRED

- 24-01-A. Sidewalks or multi-purpose trails are required in all nonresidential subdivisions and in all residential subdivision that have an average lot width of less than 120 feet.
- 24-01-B. The requirement to provide sidewalks may be satisfied by one (1) installing concrete sidewalks one (1) foot off the front property line on both sides of subdivision streets or (2) if approved by the Plat Committee, by installing a pedestrian/multi-use trail within a greenway that provides direct access to abutting lots.

### 24-02 WIDTH

- 24-02-A. Sidewalks must be at least four (4) feet in width, unless a greater width is required by the Chief Subdivision Engineer or Road District Commissioner based on anticipated usage.
- 24-02-B. Trails must comply with the minimum width and construction requirements of any applicable trail or bike plan on file with the Will County Land Use Department.

### 24-03 BARRIER-FREE RAMPS

Barrier-free ramps constructed in accordance with IDOT standards are required at all intersections and street crossings where sidewalks or pedestrian trails are provided.

### 24-04 MATERIALS AND CONSTRUCTION

- 24-04-A. All sidewalks must be air entrained (5-8% air content) Portland Cement Concrete and minimum 3,500 psi. Sidewalk pavement must be at least five (5) inches thick over five (5) inches of grade CA-16 gravel or compacted CA-6 coarse aggregate, or as required by the applicable road authority. Sidewalks must be constructed in accordance with the IDOT *Standard Specifications for Road and Bridge Construction*.
- 24-04-B. All trails must comply with the construction standards of a comprehensive trail or bike plan on file with the Will County Land Use Department or with IDOT standards. Regional trails must be open to and accessible by the general public.



# Article 25 EASEMENTS

## 25-01 UTILITY EASEMENTS

- 25-01-A. Utility easements must be provided in the rear of all residential lots. The Chief Subdivision Engineer is also authorized to require easements along front and side lot lines.
- 25-01-B. Utility easement must be at least ten (10) feet in width, and normally centered upon lot lines.

## 25-02 DRAINAGE EASEMENTS

- 25-02-A. Where a subdivision contains a watercourse, drainageway, channel, stream, creek, pond, embankment, floodplain, or wetland, these features and any required buffer area (as described in the *Will County Water Resource Ordinances for Unincorporated Will County*) must be placed in an appropriate easement or deed restriction to preserve the stormwater management function of the drainage feature and protect the natural resource value of the drainage feature.
- 25-02-B. The width of the drainage easement will be established by the Chief Subdivision Engineer based on the area of land drained by the watercourse and to allow access for construction and maintenance equipment.
- 25-02-C. The 100-year flow path must be placed in an easement through the subdivision large enough to accommodate the 100-year flow and any required buffer area.
- 25-02-D. Drainage easements with a minimum width of ten (10) feet must be placed at the rear of all lots.
- 25-02-E. All constructed stormwater management facilities must be placed in drainage easements. A minimum 15-foot wide access easement must be provided for maintenance. The width must be measured from the closest public right-of-way.

## 25-03 OBSTRUCTIONS

No obstructions, including but not limited to sheds, pools, berms, and planters, may be placed in any public utility or drainage easement in a manner that will block or divert the flow of surface drainage. Any fences built in or across a public utility or drainage easement must be either open to allow the flow of surface water, or have the bottom of the fence or obstruction above the ground level to allow the unobstructed flow of surface water.

## 25-04 SCREEN PLANTING EASEMENTS

An effective screen-planting easement not less than fifteen (15) feet wide is required between residential and commercial or industrial lots, or along lot lines to discourage the undesirable development of residential lots fronting on major streets. Required screening easements are in addition to any other easements that may be required on the lot, such as drainage and utility easements.



# Article 26 WATER SUPPLY, WASTEWATER, AND STORMWATER

## 26-01 WATER SUPPLY

### 26-01-A. PUBLIC SYSTEMS

1. A complete public water supply and distribution system, including all appurtenances and stubs to each lot must be provided for all subdivisions within 1,320 feet of an existing water main.
2. Public water supply and distribution systems must comply with all provisions of the Standardization of Fire Equipment and Apparatus (see the *Will County Developers' Handbook*) and the requirements of the Illinois Environmental Protection Agency and the Illinois Department of Public Health.

### 26-01-B. WELLS

Individual water supplies may be permitted subject to all applicable state and County regulations.

## 26-02 WASTEWATER

### 26-02-A. PUBLIC SYSTEMS

1. A complete public sanitary sewer system including service connections must be provided for all lots within 1,320 feet of an existing sanitary sewer main, except those lots to which sanitary sewers are unable to be extended due to Illinois Environment Protection Agency restrictions or similar hardships.
2. A complete sanitary sewer system including service connections must be provided for all lots that are unable to comply with the requirements of the *Will County Sewage Treatment and Disposal Ordinance*.

### 26-02-B. INDIVIDUAL WASTEWATER DISPOSAL SYSTEMS

1. In any subdivision that is not located within 1,320 feet of an existing sanitary sewer, individual sewage disposal systems may be installed in accordance with the *Will County Sewage Treatment and Disposal Ordinance*.
2. Individual mechanical sewage treatment systems must discharge in accordance with the *Will County Sewage Treatment and Disposal Ordinance*.

### 26-02-C. RESERVED

## 26-03 STORMWATER MANAGEMENT

The stormwater management system must comply with the requirements of the *Water Resource Ordinances for Unincorporated Will County* (formerly known as the *Flood Damage Prevention, Soil Erosion and Sedimentation Control, Stormwater Drainage and Detention, and Stream and Wetland Protection Ordinance*) and the *Will County Stormwater Management Ordinance*.



## Article 27 EROSION AND SEDIMENTATION CONTROL

### 27-01 REQUIRED

- 27-01-A. Erosion control must be provided in accordance with the *Water Resource Ordinances for Unincorporated Will County*.



## Article 28 PARKS

### 28-01 PARKLAND DEDICATION

Compliance with the Will County Park Donation Ordinance is required.

### 28-02 INTERIOR PARKS

Parks situated in the interior of blocks must have direct and public access to surrounding streets by an easement at least 10 feet wide and be covered by a maintenance agreement for the easement. Lots adjacent to such easements must be at least 10 feet wider than the otherwise required minimum lot width.



# Article 29 LANDSCAPING

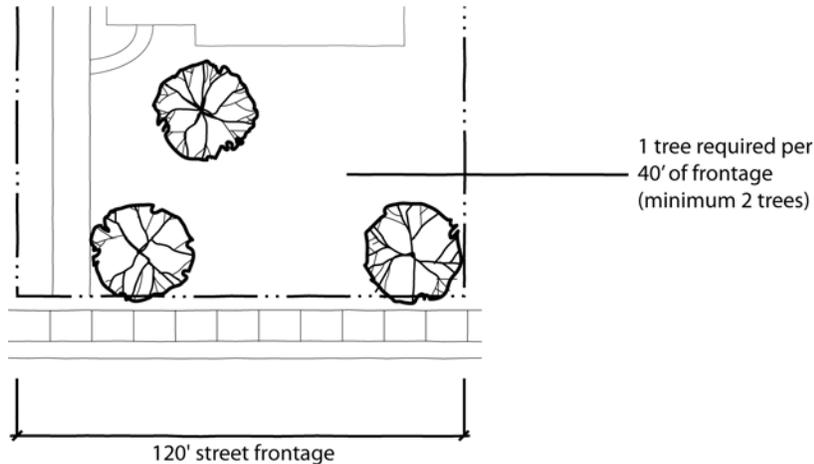
## 29-01 STREET RIGHTS-OF-WAY

All unpaved street right-of-way must be graded and seeded or sodded in accordance with the Will County Soil Erosion and Sedimentation Control Ordinance. Grassed areas having slopes greater than 20% or 5:1 slopes or steeper must be stabilized with sod, mat, or blanket in combination with seeding or approved equivalent. Seeding, sodding, matting, and blankets must be in accordance with IDOT's *Standard Specifications for Road & Bridge Construction*. Provisions must be made to assure the growth of all required landscaping.

## 29-02 PARKWAY OR FRONT YARD TREES

- 29-02-A. Parkway or front yard trees are required along all streets at a rate of one (1) tree per forty (40) feet of street frontage, provided that no lot is required to have more than four (4) parkway or street trees and all lots must have at least two (2) parkway or front yard trees. See Figure 29.1.

Figure 29.1



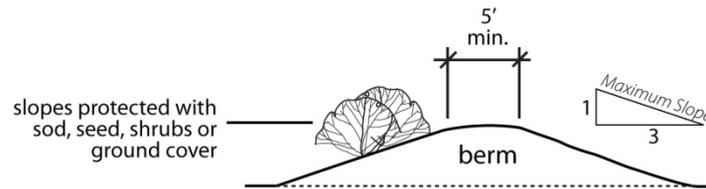
- 29-02-B. Existing trees or newly planted trees may be used to satisfy parkway and front yard tree requirements.
- 29-02-C. No trees may be planted in the parkway unless written approval has been received from the Road District Commissioner. Trees that are planted in the parkway must be planted in accordance with the specifications of the Road District Commissioner.
- 29-02-D. When trees are not allowed to be placed in the parkway, required trees must be placed in the front yard of the subject lot.

## 29-03 SCREENING

- 29-03-A. Landscape screening must be provided in accordance with all applicable County ordinances.
- 29-03-B. In cases where lots have frontage along both an interior street and another street (double-frontage) or abut a non-residential use or zoning classification, a landscaped earthen berm or fence must be constructed to the following standards:

1. Landscaping berms must be constructed with slopes not to exceed a 3:1 gradient, with side slopes designed and planted to prevent erosion, and with a rounded surface a minimum of three (3) feet in height and five (5) feet in width at the highest point of the berm, extending the length of the berm. Berm slopes must be protected with sod, seed, shrubs, or other form of natural ground cover. See Figure 29.2.

Figure 29.2



2. A detailed "Landscape/Berm Plan" must be submitted to show that adequate vegetative plantings have been provided to create a screen.
3. No screening may interfere with drainage patterns or intersection visibility requirements. See Sec. 23-06-C.

#### 29-04 LANDSCAPE MATERIAL

- 29-04-A. A list of desirable tree and shrub species is contained in the *Will County Developers' Handbook*.
- 29-04-B. No more than 25% of the total number of trees or shrubs in any development may be of a single species provided in a development.
- 29-04-C. Parkway and front yard trees must have a minimum trunk diameter of at least 2.5 inches measured six (6) inches above ground level.
- 29-04-D. Understory and/or ornamental trees must have a minimum trunk diameter of at least two (2) inches measured six (6) inches above ground level. Multi-stem or clump form understory trees with a minimum height of six (6) feet may also be used.
- 29-04-E. Evergreen and/or coniferous trees must be a minimum five (5) feet in height.
- 29-04-F. Broadleaf/deciduous shrubs must be at least three (3) feet in height.
- 29-04-G. Needle leaf/evergreen shrubs must have a minimum width of two (2) feet.
- 29-04-H. All fences must comply with Sec. 25-03 of this subdivision ordinance and Sec. 8.5-7 (f) of the *Will County Zoning Ordinance*.

#### 29-05 LANDSCAPE PLACEMENT

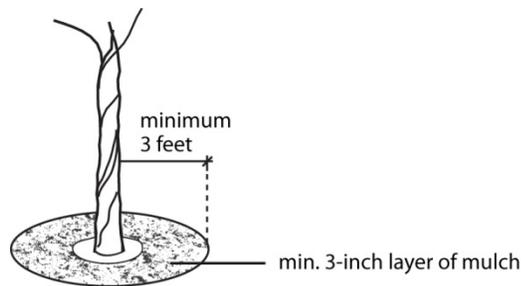
- 29-05-A. All plant material must be planted in a manner that does not interfere with drainage patterns, overhead wires, utilities, street, or sidewalk pavement.
- 29-05-B. No trees or other landscaping may be located closer than ten (10) feet to a fire hydrant or other above-ground utilities.
- 29-05-C. No landscaping may interfere with intersection visibility requirements. See Sec. 23-06-C.

#### 29-06 INSTALLATION STANDARDS

- 29-06-A. Plant material must comply with the "American Standards for Nursery Stock," published by the American Association of Nurserymen.

- 29-06-B. All trees must be grown in a nursery located in the northern half of the State of Illinois and licensed by the State of Illinois.
- 29-06-C. All plant material must be installed free of disease and in a manner that ensures the availability of sufficient soil and water to sustain healthy growth.
- 29-06-D. All tags, wires, plastic ties, and rope must be cut from each tree to prevent girdling the tree. The burlap must be pulled back from the upper third of the root ball. If a plastic “burlap” is used, it must be removed from the root ball in its entirety.
- 29-06-E. When planting, the hole must be dug approximately three (3) times wider than the roots or root ball.
- 29-06-F. All plant material must be planted with a minimum depth of three (3) inches of mulched material and a diameter of three (3) feet around the base of the tree. See Figure 29.3.

*Figure 29.3*



- 29-06-G. Trees must be staked with posts and not stakes in areas of high wind for one (1) to three (3) years to allow the growth of new roots to stabilize. All ropes must be covered to prevent cutting into bark.
- 29-06-H. The planting season is approximately September 15 to December 15, and March 15 to June 15.
- 29-06-I. Any excess soil, clay, or construction debris must be removed from the planting site, before planting of individual trees at final grade.
- 29-06-J. The County is authorized, at its sole discretion, to retain a professional landscape architect or arborist to review landscape plans. All expenses incurred by the County for the use of landscape architects or arborists must be reimbursed by the developer.



## PART 3 | CONSERVATION DESIGN SUBDIVISIONS



# Article 30 GENERAL PROVISIONS FOR CONSERVATION DESIGN OPTION

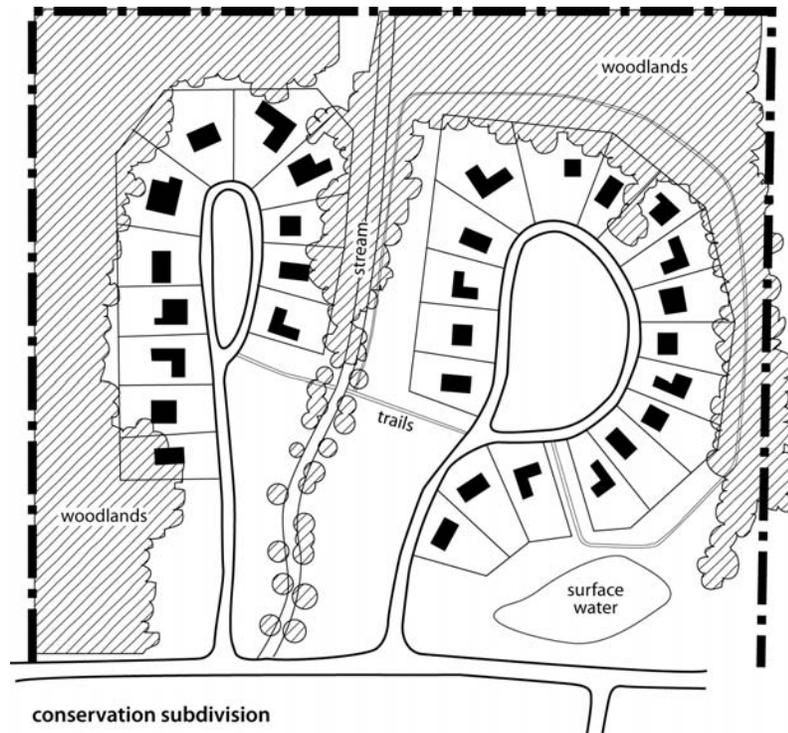
## 30-01 PURPOSE/DESCRIPTION

- 30-01-A. A conservation design subdivision designed in accordance with Article 30 is a by-right permitted use option in the E-1, E-2, R-1, R-2, R-2A, R-3, and R-4 zoning districts. Other development options include a conventional residential subdivision or a planned unit development residential subdivision. When this option is utilized, the regulations of this section are intended to encourage subdivision designs that are more efficient and provide more open space and greater natural resource protection than conventional subdivision designs. One goal of conservation design subdivisions is to allow more compact and less costly networks of streets and utilities. They may also help preserve aquifer recharge, reduce stormwater runoff, reduce non-point source pollutant loading rates and preserve an area's semi-rural character. Conservation design subdivisions are intended to encourage the provision of open space and recreational amenities for residents and preserve natural, environmentally sensitive and other resources.
- 30-01-B. The conservation design subdivision standards of this section require that a specified portion of each development be set aside and permanently preserved as open space, which can be used to provide recreational opportunities for the subdivision's residents and/or to conserve and protect significant natural resources, in accordance with the regulations of this subdivision ordinance.
- 30-01-C. Review period. No later than five years from the date of passage of the initial Conservation Design Ordinance, the County Board, or a committee, subcommittee or commission thereof, shall consider whether amendments are necessary to make Part 3 consistent with recommendations of the Land Resource Management Plan, to encourage new or im-proved conservation design building practices which may have been developed and which may have application in Will County, to correct deficiencies or difficulties which may have developed in administration of Part 3, or for such other reasons as the County Board may determine.

## 30-02 GENERAL DESIGN PRINCIPLES

- 30-02-A. Conservation design subdivisions are subject to all other subdivision design and improvement standards of this subdivision ordinance unless otherwise expressly stated.
- 30-02-B. Lots and development sites within conservation design subdivisions must, to the maximum extent practical, be located outside of areas containing woodlands, grasslands, surface waters, steep slopes, drainageways, rock outcroppings and other natural resource features. See Figure 30.1. A Natural Resources Inventory Report, that includes site specific data, prepared by the Will /South Cook Soil and Water Conservation District shall be submitted to aid in identifying areas that merit conservation.

Figure 30.1



- 30-02-C. Impervious areas must be limited and, to the maximum extent practical, be sited and designed to minimize stormwater runoff impact to the watershed's receiving waters by:
1. Minimizing concentrated stormwater flow;
  2. Minimizing, and breaking up or disconnecting large areas of impervious surface into smaller areas;
  3. Maximizing the use of sheet flow through vegetated areas;
  4. Maximizing the flow length through vegetated areas;
  5. Encouraging groundwater recharge; and
  6. Providing natural preserve areas where natural soils will remain undisturbed and soil compaction activities are prohibited.
- 30-02-D. Stormwater Best Management Practices (BMPs) shall be used to protect water quality, preserve natural hydrology, and minimize overall impacts of development on aquatic resources. BMPs may include, but not be limited to, the following practices:
1. Use of naturalized detention basins designed to maximize removal and transformation of run-on pollutants;
  2. Use of wet-bottom detention basins and native, emergent vegetation along their periphery and in bottoms of wetland basins;
  3. Use of stilling basins at major detention basin inlets, and use of maximum distances between major inlets and outlets;
  4. Where detention basins discharge into adjacent or downstream wetlands, use of detention basins outlet structures designed to spread and infiltrate run-off through use of level spreader devices;

5. Use of bioswales in lieu of stormwater piping;
6. Use of permeable pavers where practical; and
7. Curb and gutter, pavement widths, right-of-way widths, and sidewalk requirements will be waived or modified in a conservation design subdivision contingent upon the approval of the appropriate highway authority.



# Article 31 DETERMINING MAXIMUM DEVELOPMENT POTENTIAL

## 31-01 MAXIMUM NUMBER OF DWELLING UNITS ALLOWED

- 31-01-A. The maximum number of dwelling units allowed within a conservation design subdivision may, at the developer's option, be determined in accordance with the yield plan provisions of Sec. 31-02 or the yield formula provisions of Sec. 31-03.
- 31-01-B. Regardless of the method chosen (yield formula or yield plan), the following zoning district base densities apply:

Zoning District	Maximum Base Density (units per acre [UPA])
E-1	0.200
E-2	0.400
R-1	0.726
R-2	1.000
R-2A	1.452
R-3	2.178
R-4	3.485

- 31-01-C. If the conservation design subdivision is located in more than one zoning district, the maximum number of dwelling units allowed must be determined separately for each portion of the site lying within a different zoning district. Density may be transferred from one portion of the site to another, provided that such transfers do not result in an increase in the number of dwelling units allowed on the overall site.

## 31-02 YIELD PLAN

- 31-02-A. Developers may elect to submit a yield plan to be used as the basis for determining the maximum number of dwelling units allowed prior to bonus calculations.
- 31-02-B. Yield plans (Subdivision plans) must be prepared by an engineer, surveyor, professional planner or other qualified professional.
- 31-02-C. The yield plan must be prepared in sufficient detail and include sufficient backup documentation to illustrate the maximum number of dwelling units that would realistically be allowed on the property under conventional subdivision design, in compliance with this subdivision ordinance, the Zoning Ordinance, Water Resource Ordinances, Stormwater Management Ordinance and all other applicable ordinances.
- 31-02-D. Yield plans must be reviewed and approved by the Chief Subdivision Engineer as part of the plat approval process for the conservation design subdivision.

## 31-03 YIELD FORMULA

- 31-03-A. In lieu of the yield plan method of Sec. 31.02, developers may elect to use a yield formula to be used as the basis for determining the maximum number of dwelling units allowed prior to bonus calculations.
- 31-03-B. **STEP 1—DETERMINE BASE SITE AREA**  
The first step of the yield formula involves calculating the site's base site area, as follows:

1.	Determine gross site area	__ acres
2.	Subtract ROW of existing streets (and ultimate ROW)	- __ acres
3.	Equals <b>BASE SITE AREA</b>	= __ acres

**31-03-C. STEP 2—DETERMINE NET SITE AREA**

The second step of the yield formula involves calculating the net site area, as follows:

1.	Take base site area (from Sec. 31-03-B)	__ acres
2.	Subtract regulated wetlands (> than 0.1 acres in area) and wetland buffers as required by the Will County Water Resource Ordinances or U.S. Army Corps of Engineers, whichever is more stringent:	- __ acres
3.	Equals buildable area	= __ acres
4.	Subtract 10% of buildable area for stormwater management	- __ acres
5.	Subtract 15% of buildable area for streets	- __ acres
6.	Equals <b>NET SITE AREA</b>	= __ acres

**31-03-D. STEP 3—DETERMINE NUMBER OF DWELLING UNITS ALLOWED**

The third step of the yield formula involves a final calculation of the maximum number of dwelling units allowed on the site:

1.	Take net site area (from Sec. <b>Error! Reference source not found.</b> )	__ acres
	Multiply by zoning district maximum density (Sec. <b>Error! Reference source not found.</b> )	x __ UPA
2.	<b>source not found.</b>	
3.	Equals PRE-BONUS <b>MAXIMUM NUMBER OF DWELLING UNITS ALLOWED</b>	= __ units

**31-04 DENSITY BONUSES**

**31-04-A. CALCULATIONS:**

1.	Calculate any allowed Density Bonus	
	The maximum increase in density shall be limited to twenty-five (25) percent of the permitted density. The following list of incentives may be utilized to reach a density bonus not to exceed twenty-five (25) percent.	
	a. Internal trails that are connected with existing or potential open spaces and multi-use trails outside of the development and provide access to the public. Open space must be connected to larger greenway systems when technically possible = 4% Bonus.	__ %
	b. The amount of open space provided exceeds the required open space area from Table 1 in Section 32-01-B for the development by ten (10) percent or more (including the bonus acreages offered for any special incentives allowed per section 32.03, and any infiltration credit allowed per the water resources ordinance) = 8% Bonus	+ __ %
	c. Open space within the development is placed into a conservation easement with a legally incorporated land conservation agency or donated to a public open space agency (as approved by the Plat Committee) = 4% Bonus	+ __ %
	d. Pursue landmark status for identified historically significant buildings, structures and sites on the subject property as determined by the Will County Historic Preservation Ordinance and recommendation of the Will County Historic Preservation Commission to have merit and suitability for preservation and/or adaptive reuse and preserve them by incorporating them into the development proposal= 4% Bonus	+ __ %

e. Provide design excellence and quality in building style and material. This may include, but not be limited to, compact clustering of home sites with the efficient and appropriate layout of roads and utilities, and energy conserving landscaping. This should include the utilization of native plant species and the preservation of natural resources. The aforementioned design should reflect nationally recognized standards, such as the Sustainable Sites Initiative, LEED, or National Association of Homebuilders Green Building Standards, or as described in the Developer's Handbook. (not to exceed a 8% bonus)	+    ___ %
f. Area Based Density Bonuses:	
i. Woodlands are preserved and set aside in common areas: _____ Acres	
ii. Natural Preserves in excess of 50% are created or set aside into common areas: _____ Acres	
iii. Total acreage bonus for Stormwater Infiltration practices per the Water Resource Ordinance: _____ Acres	
TOTAL ACRES FOR AREA BASED DENSITY BONUSES (i + ii + iii): = _____ Acres	
Divide by the Net Site Area (from 31-03-C): / _____ Acres	
Multiply by 100: x 100% = _____ %	
Equals AREA BASED DENSITY BONUS PERCENTAGE (Not to exceed 10%)	+    ___ %
2. Equal Total Bonuses (Add 1a -1f)(25% Max.)	=    ___ %
3. Divide Total Bonus % by 100	<u>      </u> % / 100
4. Multiply Total Bonus by Pre Bonus Maximum Number of Dwelling Units (from 31-02 or 31-03)	<u>      </u> x <u>      </u> units
5. Equals Number of Bonus Dwelling Units	=    ___ units
6. Add results of yield plan or yield formula to Bonus Dwelling Units for MAXIMUM NUMBER OF DWELLING UNITS	<u>      </u> =    ___ units

**31-05 LOT AREA AND DIMENSIONAL STANDARDS**

Conservation design subdivisions are expressly exempt from the lot area, lot width, lot coverage and setback requirements of the Zoning Ordinance. No structures shall be exempt from the requirements of the Will County Building Ordinance; lots must be of size and shape to allow for compliance with applicable building codes.



# Article 32 OPEN SPACE

## 32-01 DETERMINING MINIMUM OPEN SPACE REQUIREMENTS

32-01-A. The minimum amount of common open space required in a conservation design subdivision is calculated as follows:

1.	Take base site area (from Sec. 31-03-B	___ acres
2.	Multiply base site area times the zoning district-based minimum open space requirement (See Sec. <b>Error! Reference source not found.</b> , below)	_____ x _____ %
3.	Equals open space requirement	_____ acres

32-01-B. For purposes of determining minimum open space requirements within a conservation design subdivision, the following minimum district-based open space requirements apply. Any land voluntarily preserved as open space in excess of the following open space requirement shall be awarded a bonus in accordance with Section 31-04.

Zoning District	Percent of base site area
E-1	60%
E-2	60%
R-1	40%
R-2	40%
R-2A	40%
R-3	30%
R-4	30%

## 32-02 USE, LOCATION AND DESIGN OF OPEN SPACE GENERALLY

32-02-A. Open space provided to meet minimum open space requirements must be in one or more parcels dedicated or otherwise protected as permanent, active or passive open space.

32-02-B. Open space must be dedicated or reserved for one or more of the following uses:

1. Conservation and protection of, any readily identifiable natural hazard areas, i.e., areas that potentially pose a significant hazard to people or property (e.g., floodplains, wetlands, and lands whose slope and/or soils make them particularly susceptible to subsidence or erosion when disturbed by development activities);
2. Conservation and protection of any identified significant natural areas (e.g., stream corridors, woodlands, rare plant communities, important wildlife habitat, etc.) or other environmentally sensitive areas where development might threaten water quality or ecosystems;
3. Conservation and protection of any identified, significant historic or cultural resources;
4. Compatible agricultural and horticultural uses (e.g., pastureland for horses, greenhouses, pick-your-own operations, community supported agriculture, etc.); or
5. Provision of outdoor recreation opportunities including, but not limited to, bike-ways, walking trails, equestrian trails, and picnic areas, either for the general public or for the subdivision’s residents and their guests. Not more than 5% of total open space may be utilized for ball fields, playgrounds, tennis courts, swimming pools,

basketball courts, and similar uses. Golf courses shall receive and maintain designation as a Certified Audubon Cooperative Sanctuary and shall, to the extent practicable, maximize water quality benefits through the following practices:

- (a) Use of reclaimed water;
- (b) Use of native wetland vegetation along ponds;
- (c) Use of landscaping design and plant material that emphasize native species, promote biodiversity, and require limited use of pesticides. No more than 50% of the open space in the golf course may be fairways, putting greens, practice areas, and other areas maintained solely by mowing.

*Commentary: this provision is not intended to preclude a membership requirement or monetary charge for use of recreation facilities such as a golf, swim or tennis club, as long as subdivision residents have an opportunity to join the club or pay to use club facilities.*

- 32-02-C. Highest priority for the location, design, and use of open space must be given to conserving, and avoiding development in, any natural hazard areas on the subdivision site including but not limited to hydric soils, steep slopes, high water tables, etc. Approval of development on steep slopes shall not be unreasonably withheld.
- 32-02-D. Roadways and building lots should be located to respect natural features and to maximize exposure of building lots to preserved open space.
- 32-02-E. Open space may contain only such buildings, structures and improvements that are integral and accessory to its function (as open space). Examples of features that may qualify under this standard include pedestrian/bicycle paths, pedestrian amenities, driveways that provided necessary access to the open space, shelters and utility-related structures that provide service to the open space area).
- 32-02-F. The location, size, character and shape of required open space should be appropriate for its intended use (e.g., open space proposed to be used for recreation, particularly active recreation, should be located and designed so that it can be accessed conveniently and safely by intended users, and open space to be used for playing fields or other active recreational facilities should be located on land that is relatively flat and dry).
- 32-02-G. Open space should be designed to form an interconnected network of reasonable width, with provisions for linkages to existing or potential open space on adjoining properties. Fragmentation of open space into isolated, unconnected pieces should be avoided, except to provide neighborhood parks and commons.
- 32-02-H. Pathways within open space and sidewalks along roadways should be provided to connect to surrounding pedestrian/bicycle networks. This section is not intended to limit or define the type of materials used for such pathways.
- 32-02-I. Open space should be used as part of an integrated storm water management approach to maintain natural drainage patterns, attenuate water quality impacts, replenish groundwater (e.g., through bio-retention facilities such as infiltration trenches and “rain gardens) and incorporate detention facilities as visual and environmental amenities such as ponds.
- 32-02-J. Parkland and school sites dedicated in excess of the minimum requirements of the Will County Park Donation Ordinance and the Will County School Site Contribution Ordinance will be counted towards meeting minimum open space requirements in conservation design subdivisions.

### **32-03 SPECIAL INCENTIVES FOR CERTAIN OPEN SPACE FEATURES**

- 32-03-A. In order to promote the protection of woodlands, 120% of the land area of woodlands may be counted toward meeting minimum open space requirements if such woodlands are set aside and permanently protected as undeveloped open space.
- 32-03-B. In order to promote low-impact design and stormwater-related best management practices, 120% of the land area used for rain gardens, bioretention facilities, groundwater in-filtration systems and other county-approved stormwater BMPs may be counted toward meeting minimum open space requirements when such areas are set aside as undeveloped open space.
- 32-03-C. In order to promote the provision and protection of natural preserves, 120% of the land area of natural preserves and created wetlands may be counted toward meeting minimum open space requirements if such natural preserves are set aside and permanently protected as undeveloped open space.
- 32-03-D. The open space features in this section and those given limited credit under Sec. 32-04 may not be double-counted.

### **32-04 LIMITED CREDIT FOR CERTAIN OPEN SPACE FEATURES**

- 32-04-A. No more than 50% of the land area devoted to stormwater detention areas may be counted toward satisfying minimum open space requirements.
- 32-04-B. No more than 75% of the land area devoted to treated effluent application areas may be counted toward satisfying minimum open space requirements.
- 32-04-C. No more than 75% of the land area devoted to commonly owned septic drain fields may be counted toward satisfying minimum open space requirements.
- 32-04-D. No more than 75% of the land area identified as 100-year floodplain may be counted toward satisfying minimum open space requirements.
- 32-04-E. No more than 75% of the land area identified as floodway may be counted toward satisfying minimum open space requirements.
- 32-04-F. Excluding the limited credit for open space features set forth in 32-04-A through 32-04-E, at least 50% of the land counted toward satisfying the minimum open space requirement shall be conserved as natural habitat and planted with native species.

### **32-05 OWNERSHIP AND MANAGEMENT OF OPEN SPACE**

- 32-05-A. The applicant must identify the owner of the open space and is responsible for obtaining and filing with the Chief Subdivision Engineer an official letter of acceptance of the ownership and maintenance responsibilities. A property owners association may transfer or convey any and all open space to a land conservation agency, or similarly qualified entity, selected with the advice and consent of the Plat Committee; consent shall not be unreasonably withheld. A land conservation agency, or similarly qualified entity, may be selected by the owner(s) to perform maintenance and upkeep of any and all open space with the advice and consent of the Plat Committee; consent shall not be unreasonably withheld.

No open space in Articles 30-32 shall be required to be open to the general public unless ownership of said open space is conveyed to a unit of local government or some other governmental agency.

32-05-B. The owner, or if turned over to a land conservation agency or similar entity approved by the Plat Committee, is responsible for maintaining the open space and any associated facilities owned by the owner, property owners association or land conservation agency. If a property owners association is the owner, membership in the association shall be mandatory and automatic for all property owners of the subdivision and their successors; such requirement shall be included in the covenants and restrictions for the subdivision and recorded with the conveyance of each lot. Unless agreed in writing by the developer and land conservation agency, and approved by the Chief Subdivision Engineer, open space ownership and/or maintenance shall be turned over when 80% of the lots are sold.

32-05-C. Maintenance Special Service Area Requirement

1. Applicant acknowledges that the County Board shall propose and establish one or more Maintenance Special Service Areas pursuant to the Special Service Area Tax Law upon all taxable property within the subdivision. The Maintenance Special Service Area (MSSA) will be used as a backup funding mechanism in the event that the property owners association, or any other person or entity charged with maintenance and upkeep of the maintenance special service area, fails to adequately carry out and/or provide maintenance and upkeep of the special service area and/or perform its duties as provided in the initial or long term management plan as determined by the Plat Committee. In such an event, the County Board may enact an ordinance to levy an ad valorem special tax against all taxable property within the proposed Maintenance Special Service Area in order to fund the necessary maintenance and other costs set forth herein. See also Sec. 20-09-B and 20-09-C. In furtherance of this requirement, Applicant shall submit to the Plat Committee a fully-executed MSSA Application.
2. Upon receipt of the MSSA Application the Plat Committee shall submit a Proposing Ordinance to the County Board for its consideration.
3. In the event the County Board adopts the Proposing Ordinance, an MSSA Hearing shall be held pursuant to the terms of the Proposing Ordinance and Special Service Area Tax Law.
4. The County Board shall consider and vote upon the establishment of the Maintenance Special Service Area after the later to occur of (i) expiration of the MSSA Objection Period or, in the event the states attorney determines that sufficient consents to the formation of the proposed Maintenance Special Service Area have been obtained which adequately waive the right to object to the formation of the pro-posed Maintenance Special Service Area under the Special Service Area Tax Law, then upon such determination; or (ii) the date all authorized signatures are on the Final Plat.
5. Prior to the County Board considering and voting upon enacting the levy ordinance for the established MSSA, all landowners within the MSSA shall be noticed in writing, via first-class mail, and a non-binding public hearing with the Plat Committee shall be held to hear comment. Notice of the time and place of such hearing shall also be published in a newspaper of general circulation in the County not less than fifteen (15) days before the hearing.

32-05-D. The applicant must submit a management plan, including initial and long-term phases, for implementation and maintenance of open space and all common areas. Prior to approval by the County, the management plan must be submitted to the Will/South Cook Soil and Water Conservation District (SWCD) for review and comment. The management plan must:

1. Allocate and outline developer responsibility and guidelines for the initial phase of the management plan. The developer must consent to inspections by the County to check for compliance with the management plan through the initial phase not to exceed a five (5) year period. The initial phase inspection process must be through application by the developer to the County through the Plat Committee, and all inspection fees shall be borne by the developer;
2. Allocate landowner(s) or property owners association responsibilities and guidelines for the long-term phase of the management plan. This must include an annual inspection and report to the Plat Committee by a qualified consultant or entity selected by the landowner(s) or property owners association and approved by the Plat Committee. The cost of the annual inspection shall be borne by the landowner(s) or property owners association;
3. Estimate the costs and staffing requirements needed for maintenance, operation and insurance and outline the means by which necessary funding will be obtained or provided;
4. Provide that any changes to the management plan be approved by the Chief Subdivision Engineer;
5. Provide for enforcement of the management plan;
6. Provide for a budget which lists operation and capital expenses; and
7. Provide for updating of the long-term management plan a minimum of every five (5) years.

### **32-06 LEGAL INSTRUMENT FOR PERMANENT PROTECTION**

- 32-06-A.** The open space must be protected in perpetuity by a binding legal instrument that is recorded with the deed. The legal instrument must be one of the following:
1. A permanent conservation easement in favor of either:
    - (a) A land conservation agency with legal authority to accept such easements. The organization must be bona fide and in perpetual existence and the conveyance instruments must contain an appropriate provision for transfer in the event the organization becomes unable to carry out its functions; or
    - (b) A governmental entity (if the entity accepting the easement is not the county, then a third right of enforcement favoring the county must be included in the easement);
  2. An open space tract protected by a permanent restrictive covenant for conservation purposes in favor of a governmental entity; or
  3. An equivalent legal tool that provides permanent protection, as approved by the state's attorney.
- 32-06-B.** The instrument for permanent protection must include clear restrictions on the use of the open space. These restrictions must include all restrictions contained in this section, all restrictions approved by the County Board and any further restrictions the applicant chooses to place on the open space.

**32-07 DECLARATION OF CONSENT FOR MAINTENANCE SPECIAL SERVICE AREA**

- 32-07-A. Concurrently with the recordation of the Final Plat, Applicant shall also be required to record a Declaration of Consent, in form acceptable to the Plat Committee, consenting to the establishment of the Maintenance Special Service Area with the County Recorder of Deeds. The terms of the Declaration of Consent shall run with the land and be binding on all future owners of property within the Subdivision.

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# Article 40 OVERVIEW OF SUBDIVISION APPROVAL PROCESS

## 40-01 EXEMPT LAND DIVISIONS

Land divisions that are exempt from subdivision plat approval requirements are specified in the Plat Act and in the definition of the term “subdivision” in Article 60.

*Commentary: Land divisions that are exempt from subdivision plat approval requirements must still be recorded.*

## 40-02 MINOR SUBDIVISIONS

### 40-02-A. APPLICABILITY

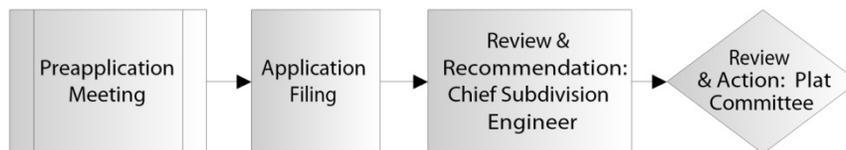
All of the following may be reviewed and approved as minor subdivisions:

1. Subdivisions that involve the creation of five (5) or fewer lots provided that:
  - (a) They do not involve the creation of any new streets;
  - (b) They do not require the extension of municipal facilities;
  - (c) They do not adversely affect development of the remainder of the parcel or abutting property;
  - (d) They do not conflict with the *Will County Land Resource Management Plan* or any of its functional elements; and
  - (e) They do not conflict with the *Will County Zoning Ordinance*, subdivision ordinance, or official map.
2. The consolidation of lots or parcels into a fewer number of lots or parcels.

*Commentary: Land divisions that are eligible for processing as minor subdivisions must still comply with all subdivision ordinance standards and requirements.*

### 40-02-B. PROCEDURAL OVERVIEW

Minor subdivision applications require a pre-application meeting in accordance with Article 42 and review and approval in accordance with the final plat procedures of Article 45.



## 40-03 MAJOR SUBDIVISIONS

### 40-03-A. APPLICABILITY

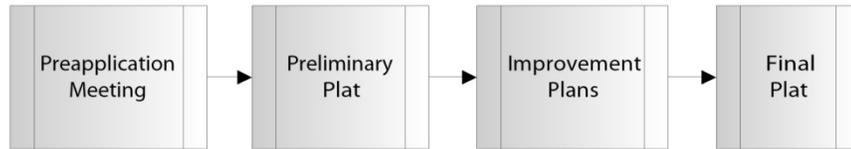
Any subdivision that does not meet the criteria for processing as a minor subdivision (See Sec. 40-02-A) is a major subdivision and must be processed in accordance with the major subdivision procedures of this subdivision ordinance.

### 40-03-B. PROCEDURAL OVERVIEW

A major subdivision is reviewed and approved as follows:

1. First, a pre-application meeting must be held in accordance with Article 42.

2. Next, a preliminary plat must be reviewed and approved in accordance with Article 43.
3. Next, if the preliminary plat is approved, improvement plans must be reviewed and approved in accordance with Article 44.
4. If the preliminary plat is approved, the applicant may then apply for approval of a final plat (consisting of engineering improvement plans, subdivision financial guarantees and a plat of subdivision) in accordance with Article 45.



# Article 41 COMMON PROVISIONS

## 41-01 FORM OF APPLICATION

- 41-01-A. Applications required under this subdivision ordinance must be submitted in a form and in such numbers as required by the official responsible for accepting the application.
- 41-01-B. Officials responsible for accepting applications must develop checklists of application submittal requirements and make those checklists available to the public.

*Commentary: Application forms and checklists of preliminary plat, improvement plan, and final plat submittal requirements are included in the Will County Developers' Handbook. The County will endeavor to provide a written determination within twenty-one (21) days.*

## 41-02 APPLICATION FILING FEES

Applications must be accompanied by the fee amount that has been established by the County Board. Application fees are nonrefundable.

## 41-03 APPLICATION COMPLETENESS, ACCURACY, AND SUFFICIENCY

- 41-03-A. An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information and is accompanied by the required filing fee.
- 41-03-B. The official responsible for accepting the application will make a determination of application completeness within fourteen (14) working days of application filing.
- 41-03-C. If an application is determined to be incomplete, the official responsible for accepting the application shall provide written notice to the applicant along with an explanation of the application's deficiencies. No further processing of the application will occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within sixty (60) days, the application will be considered withdrawn.
- 41-03-D. No further processing of incomplete applications will occur and incomplete applications will be pulled from the processing cycle. When the deficiencies are corrected, the application will be placed in the next processing cycle.
- 41-03-E. Applications deemed complete will be considered to be in the processing cycle and will be reviewed by staff and other review and decision-making bodies in accordance with applicable review and approval procedures of this subdivision ordinance.
- 41-03-F. The Chief Subdivision Engineer may require that applications or plans be revised before being placed on an agenda if the Chief Subdivision Engineer determines that:
  1. The application or plan contains one (1) or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with subdivision ordinance standards;
  2. The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with subdivision ordinance standards; or
  3. The decision-making body does not have legal authority to approve the application or plan.

**41-04 APPLICATION PROCESSING CYCLES**

Officials responsible for accepting applications may, after consulting with review and decision-making bodies, promulgate processing cycles for applications. Processing cycles may establish:

- 41-04-A. Deadlines for receipt of complete applications;
- 41-04-B. Dates of regular meetings;
- 41-04-C. The scheduling of staff reviews and staff reports on complete applications; and
- 41-04-D. Time-frames for review and decision-making.

**41-05 BURDEN OF PROOF OR PERSUASION**

In all cases, the burden is on the applicant to show that an application complies with applicable review or approval criteria.

**41-06 CONDITIONS OF APPROVAL**

When review bodies recommend or decision-making bodies approve applications with conditions or modifications, the conditions or modifications must relate to a situation created or aggravated by the proposed use or development. When conditions are imposed, an application will not be deemed finally approved until the applicant has complied with all of the conditions.

# Article 42 PRE-APPLICATION MEETINGS

## 42-01 INTENT

Pre-application meetings are required for all minor subdivisions and major subdivisions. A pre-application meeting is intended to familiarize the applicant with applicable procedures, submittal requirements, development standards, and other pertinent matters before finalizing the development proposal or otherwise spending large sums of money in laying out the proposed subdivision.

## 42-02 APPLICATION FILING

Pre-application meeting applications must be submitted to the Chief Subdivision Engineer on forms available from the Will County Land Use Department.

## 42-03 APPLICATION REQUIREMENTS

The following information and documentation shall be required for the pre-application meeting: a complete application; a plat of survey or tax map; and a sketch plan.

### 42-03-A. APPLICATION

The developer must complete a pre-application meeting application form, which may be obtained in the Will County Land Use Department office.

### 42-03-B. PLAT OF SURVEY

The developer must provide a plat of survey of the subject property, if available, or a tax map identifying the subject property.

### 42-03-C. SKETCH PLAN

The developer must provide a sketch plan that includes the following information:

1. The proposed means of access;
2. Surrounding land uses;
3. All adjacent streets;
4. A preliminary map and analysis of natural resources present on the subject property and contiguous resource area on adjacent property, including hydric soils (information may be obtained from the Will County Land Use Department);
5. A conceptual layout of the proposed subdivision overlaid on the preliminary natural resources map. The layout must show streets, lots, parks, and other facilities located to protect natural resources; and the overall stormwater management concept for the project.

## 42-04 DISTRIBUTION OF APPLICATION; SCHEDULING OF MEETING

Upon receipt of a complete pre-application meeting application, the Chief Subdivision Engineer must distribute copies of the application to appropriate reviewers (e.g., Road District Commissioner, utility providers, municipalities within 1.5 miles of the proposed subdivision, County staff and other affected entities). The Chief Subdivision Engineer must notify all reviewers and the applicant of the date, time, and place of the scheduled pre-application meeting.

## 42-05 PRE-APPLICATION MEETING

Reviewer comments on the pre-application meeting application will be presented to the applicant at the scheduled pre-application meeting. Each reviewer will be given an opportunity to present their findings and recommendations on the proposed development concept. Following the meeting, the Chief

Subdivision Engineer must provide a written report to the applicant containing the written comments of reviewers along with instructions for proceeding with the subdivision process.

## Article 43 PRELIMINARY PLATS



### 43-01 INTENT

The preliminary plat approval procedure is intended to ensure that a major subdivision is designed and laid out in accordance with all applicable provisions of this subdivision ordinance.

### 43-02 APPLICABILITY

Preliminary plat applications are required for all major subdivisions.

### 43-03 PRE-APPLICATION MEETINGS

Pre-application meetings must be held before the filing of a preliminary plat application.

### 43-04 APPLICATION FILING

Complete preliminary plat applications must be submitted to Chief Subdivision Engineer within one (1) year of the pre-application meeting. The application will be considered official when the Chief Subdivision Engineer deems the application complete in accordance with Sec. 41-03.

### 43-05 RESPONSIBILITY FOR PREPARATION

Preliminary plats must be prepared by an Illinois registered professional engineer.

### 43-06 REVIEW AND REPORT—CHIEF SUBDIVISION ENGINEER

Within 90 days of receipt of an official preliminary plat application, the Chief Subdivision Engineer and staff must complete their review and prepare a report and recommendation for the Planning and Zoning Commission and the Plat Committee. The Chief Subdivision Engineer must recommend that the preliminary plat be approved, approved with conditions or disapproved, based on the approval criteria of Sec. 43-09.

*Commentary: County staff will review the preliminary plat and present the applicant with a written report of needed changes. The applicant is responsible for making the required changes and submitting a revised preliminary plat. The process of staff review followed by applicant changes may occur multiple times.*

### 43-07 REVIEW AND RECOMMENDATION—PLANNING AND ZONING COMMISSION

- 43-07-A.** After receiving the recommendation of the Chief Subdivision Engineer, the Planning and Zoning Commission must review and consider the preliminary plat. A preliminary plat may not be forwarded to the Planning and Zoning Commission until the Chief Subdivision Engineer has determined that the preliminary plat complies with all County regulations. If, because of noncompliance or the applicant's inaction, a preliminary plat cannot be forwarded to the Planning and Zoning Commission within six (6) months of the date that a complete application is filed, the application will be considered withdrawn. The Chief Subdivision Engineer is authorized to grant a one-time extension of the 6-month timeframe based on a determination that the applicant is diligently pursuing preliminary plat approval.

*Commentary: Applicants may appeal the Chief Subdivision Engineer's determination that a plat does not comply with County regulations in accordance with the appeal procedure of Article 48.*

- 43-07-B. As soon as possible after a preliminary plat is forwarded to the Planning and Zoning Commission, the Planning and Zoning Commission must act by simple majority vote to recommend that the preliminary plat be approved, approved with conditions or disapproved, based on the approval criteria of Sec. 43-09.

#### 43-08 FINAL ACTION—PLAT COMMITTEE

- 43-08-A. As soon as possible after receiving the recommendation of the Planning and Zoning Commission, the Plat Committee must act by simple majority vote to approve the preliminary plat, approve the preliminary plat with conditions or disapprove the preliminary plat, based on the approval criteria of Sec. 43-09.
- 43-08-B. Any waivers or modifications from subdivision ordinance standards or the *Water Resource Ordinances for Unincorporated Will County* must be forwarded to the full County Board for a final decision, in which case the Plat Committee's approval of a preliminary plat is conditional on the County Board's approval of the associated requests.

#### 43-09 APPROVAL CRITERIA

No preliminary plat may be approved unless the Plat Committee finds that the proposed plat conforms to all adopted plans and policies of the County and complies with all applicable standards of this subdivision ordinance, except as expressly approved as a waiver or modification pursuant to Article 47.

#### 43-10 EFFECT OF APPROVAL

- 43-10-A. Approval of a preliminary plat constitutes acceptance of the overall general planning concepts for the subdivision and is a prerequisite for the filing of a subdivision improvement plan or final plat.
- 43-10-B. Upon approval of the preliminary plat, the developer may proceed to the final plat stage with the subdivision design and layout shown on the preliminary plat if the final plat:
1. Conforms substantially to the preliminary plat;
  2. Meets all conditions of preliminary plat approval by the County;
  3. Complies with all applicable County ordinances; and
  4. Meets all conditions of approval by the Illinois Department of Natural Resources (IDNR), U.S. Army Corps of Engineers, and Federal Emergency Management Agency (FEMA), and any other entity with jurisdiction over the proposed subdivision.
- 43-10-C. After approval of the preliminary plat, the applicant may proceed to the subdivision improvement plan stage of the major subdivision approval process.

#### 43-11 PHASING

For subdivisions to be developed in phases, phase limits must be shown on the preliminary plat. The Plat Committee may impose conditions upon the phasing plan for the subdivision it deems necessary to ensure the orderly development of the subdivision.

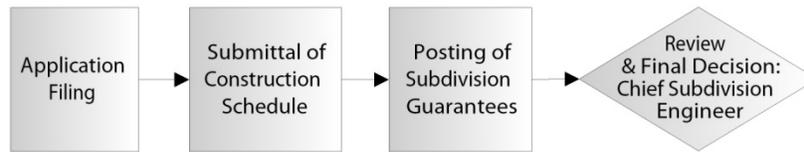
#### 43-12 LAPSE OF APPROVAL

Once a preliminary plat is approved, applicants have one (1) year from the date of approval to submit an improvement plan and final subdivision plat for the subdivision or for an approved phase of the subdivision. If an improvement plan and final plat is not submitted within the required one (1) year period, the preliminary plat approval will lapse and be of no further effect. The Plat Committee is authorized to grant a one-time extension of the one (1) year period, for not to exceed one (1) year. This

extension may be granted only if the applicant submits a written request for the extension before the approval lapses.



## Article 44 IMPROVEMENT PLANS



### 44-01 INTENT

The improvement plan stage of the major subdivision approval process is for the purpose of accurately showing how subdivision improvements (streets and drainage facilities, for example) will be constructed in order to conform to the layout and design objectives of the preliminary plat and the standards of this subdivision ordinance.

### 44-02 TIMING

- 44-02-A. Improvement plans may be submitted with the preliminary plat or the developer may choose to obtain preliminary plat approval before submitting detailed improvement construction plans, in which case improvement plans may be submitted before or concurrently with submittal of the final plat.
- 44-02-B. When conditions warrant, the Chief Subdivision Engineer may require that preliminary engineering or improvement plans be submitted during the preliminary plat review process in order to determine the land's suitability for the preliminary plat design. Any required off-site improvements and engineering studies must be provided upon request of the Chief Subdivision Engineer.
- 44-02-C. If only a single portion or phase of the subdivision will be submitted for final plat approval and such phasing plan has been approved at the time of preliminary plat approval, improvement plans need be prepared for only that phase. However, the entire area of the proposed subdivision, as well as any additional area necessary to properly design facilities, must be the basis for design and must be so indicated.

### 44-03 RESPONSIBILITY FOR PREPARATION

Improvement plans for streets, utilities, and other public improvements required within the proposed subdivision must be prepared by an Illinois registered professional engineer.

### 44-04 APPLICATION FILING

A site development permit application and improvement plans must be submitted to the Chief Subdivision Engineer.

### 44-05 REVIEW AND FINAL DECISION—CHIEF SUBDIVISION ENGINEER

- 44-05-A. The Chief Subdivision Engineer must review improvement plans to determine if the plans comply with all applicable regulations of this subdivision ordinance and County standards and specifications.
- 44-05-B. If the Chief Subdivision Engineer determines that the improvement plans do not comply with applicable regulations and standards, the Chief Subdivision Engineer is authorized to require that modifications be made to bring the improvement plans into compliance with such regulations and standards.
- 44-05-C. After conducting a complete review of the improvement plans, the Chief Subdivision Engineer must approve or deny the application for improvement plan approval.

**44-06 CONSTRUCTION SCHEDULE**

Before approval of the improvement plans, the applicant must submit to the Chief Subdivision Engineer and to all approving agencies and to public utility companies that will service the subdivision a general schedule of the timing and sequence for construction of all required improvements.

**44-07 TIMING OF IMPROVEMENTS**

Except upon the written approval of the Chief Subdivision Engineer, no grading, removal of trees or other vegetation, land filling, construction of improvements, or other material change, except for the purpose of aiding in preparation of final engineering drawings or plans, may begin on the subject property until the applicant has:

- 44-07-A. Received a site development permit from the Chief Subdivision Engineer; and
- 44-07-B. Obtained necessary approvals and permits from other affected municipal, County, state or federal agencies.

**44-08 SUBDIVISION GUARANTEES**

Before the issuance of a site development permit, the developer must post a subdivision guarantee in a form established by the County.

**44-09 DEVELOPMENT IN PHASES**

When a subdivision is to be developed in one or more phases, developers must install public improvements or post financial guarantees for each phase. The County may require public improvements to be installed or financial guarantees to be posted for areas beyond an individual phase if the County determines that such improvements or guarantees are necessary to ensure the relative self-sufficiency of the development phase, pending completion of the entire subdivision.

**44-10 DIGITAL FILES**

Upon approval of improvement plans, the developer must submit a digital copy of the subdivision improvement plans in a form approved by the Chief Subdivision Engineer.

# Article 45 FINAL PLATS



## 45-01 INTENT

A final plat is a record of the subdivision, as surveyed in the field. It shows property lines and other dimensions important to the developer in selling lots and to the public in maintaining accurate records of street lines, easements, utility locations, and other property information.

## 45-02 PREREQUISITES TO FINAL PLAT APPROVAL

Before approval of a final plat, the developer must post a subdivision guarantee in a form established by the County.

## 45-03 APPLICATION FILING

Complete applications for final plat approval must be filed with Chief Subdivision Engineer before the preliminary plat approval expires (see Sec. 43-12).

## 45-04 REVIEW AND RECOMMENDATION—CHIEF SUBDIVISION ENGINEER

The Chief Subdivision Engineer must review the final plat and, based on the plat's compliance with the final plat approval criteria of Sec. 45-06, recommend that the final plat be approved, approved with conditions or disapproved.

## 45-05 REVIEW AND ACTION— PLAT COMMITTEE

- 45-05-A. Following the Chief Subdivision Engineer's review of the final plat, required improvement plans, the engineer's estimate of probable improvement costs, required financial guarantees and construction schedule, the Chief Subdivision Engineer must place the final plat on the agenda of the Plat Committee for review.
- 45-05-B. The Plat Committee must review the final plat and, based on the plat's compliance with the final plat approval criteria of Sec. 45-06, act by simple majority vote to approve or disapprove the final plat.

## 45-06 APPROVAL CRITERIA

- 45-06-A. The Chief Subdivision Engineer must review the final plat to determine if:
  1. It is in substantial conformance with the approved preliminary plat;
  2. It complies with all County-imposed conditions of approval;
  3. It complies with all applicable County ordinances;
  4. It complies with all conditions of approval imposed by the Illinois Department of Natural Resources, U.S. Army Corps of Engineers, and Federal Emergency Management Agency, and any other applicable agency;
  5. It contains all required signatures and none of the signatures are more than 90 days old;
  6. Water and sewer improvements have been approved by appropriate municipal, state, or special district offices, if applicable;

7. An address map for the subdivision has been approved by the Will County Land Use Department in accordance with the *Street Numbering and Street Sign Ordinance*;
  8. The design engineer has identified the location of floodplains, wetlands, and other sensitive areas as identified by the Federal Emergency Management Agency, U.S. Army Corps of Engineers, Illinois Department of Natural Resources, the Illinois Environmental Protection Agency, and the Will County Land Use Department and Will County Highway Department and has secured the necessary permits and/or map revisions and has met the requirements of any other federal, state, or local agency;
  9. All stormwater management facilities, including stormwater detention basins, storm sewers, and floodplains are located in proper drainage easements;
  10. All open space and environmentally sensitive areas to be set aside and preserved as common areas are properly deed restricted or placed in a conservation easement; and
  11. Proof of responsibility for maintenance of all community improvements has been submitted and approved by the County.
- 45-06-B. A final plat may not be approved if it does not comply with the criteria of Sec. 45-06-A or if:
1. There are more than minor deviations from the approved preliminary plat;
  2. The preliminary plat approval has lapsed in accordance with Sec. 43-12; or
  3. A new highway, pipeline, or other major feature has directly affected the site.

#### 45-07 NOTICE OF DISAPPROVAL

When a final plat cannot be approved because it does not comply with the final plat approval criteria of Sec. 45-06, written notice of the reasons for disapproval must be provided to the applicant.

#### 45-08 EFFECT OF APPROVAL

- 45-08-A. Approval of a final plat confers upon the developer the right to record the approved plat with the Will County Recorder of Deeds.
- 45-08-B. No lot within the subdivision may be sold until the final plat has been approved by the Plat Committee and the plat has been officially recorded.

#### 45-09 LAPSE OF APPROVAL

- 45-09-A. The applicant must file the final plat with the Will County Recorder of Deeds within thirty (30) days of approval of the final plat by the Plat Committee.
- 45-09-B. If the applicant fails to record the final plat within the required timeframe, the Plat Committee's final plat approval will lapse and be of no further effect, in which case the final plat approval process must be repeated before recording the plat.

#### 45-10 DIGITAL FILES

Upon final plat approval by the Plat Committee, the developer must submit a digital copy of the subdivision plat in a form approved by the Chief Subdivision Engineer.

## Article 46 VACATIONS



### 46-01 INTENT

This article sets forth the required review and approval procedures for vacating subdivision plats and rights-of-way.

### 46-02 AUTHORITY TO FILE VACATION APPLICATION

The following groups and individuals shall have standing to file a vacation application.

- 46-02-A. The owner of the property that is the subject of a vacation request may file a vacation application.
- 46-02-B. Property owners adjoining unimproved public street rights-of-way within their subdivision may file for vacation of the right-of-way. For rights-of-way internal to a subdivision, the adjoining property owners on both sides of the right-of-way to be vacated are required to jointly file for the right-of-way vacation. For rights-of-way that form the edge of a subdivision, the adjoining property owners within the subdivision may file for the right-of-way vacation.
- 46-02-C. A property owners association may file to vacate any unimproved street right-of-way within their subdivision.

### 46-03 REVIEW AND APPROVAL PROCESS

Except as otherwise expressly stated in this article, applications to vacate a subdivision plat or public right-of-way must be processed in the same manner as final plats.

### 46-04 REVIEW AND APPROVAL CRITERIA

Vacation requests must comply with the following review and approval criteria, as applicable:

- 46-04-A. The vacation is generally consistent with the *Will County Land Resource Management Plan*;
- 46-04-B. The right-of-way is not expected to be used in the future or the County receives conveyance or dedication of substituted easements or rights-of-way appropriate to satisfy the continuing need;
- 46-04-C. The vacation does not create an irregular right-of-way configuration that could create difficulty in the provision of services or installation of public improvements;
- 46-04-D. The vacation serves the best interests of the County by removing maintenance or liability risks;
- 46-04-E. The public benefits of the vacation request outweigh any adverse impacts of the vacation; and
- 46-04-F. The applicant will relocate, if necessary, any public facilities or utilities located within the right-of-way or easement, and grant and/or obtain an easement for relocation of public facilities or utilities.

**46-05 LIABILITY**

As part of a vacation application, the applicant must indemnify and hold Will County harmless for damages resulting to any person as a result of the vacation.

**46-06 RECORDATION**

If the County Board approves of a vacation, the Chief Subdivision Engineer must sign the deed of vacation (quit claim deed). The applicant must present the Plat Committee's approval of the vacation and the deed of vacation for recording with the Will County Recorder of Deeds.

**46-07 EFFECT OF VACATION**

The vacation of any subdivision plat or right-of-way does not constitute a vacation of the rights of any other individual or agency in, or related to, the subdivision plat or right-of-way. The approval of a vacation does not, for example, vacate the rights of a public utility with facilities in the subject right-of-way.

# Article 47 WAIVERS AND MODIFICATIONS

## 47-01 APPLICABILITY

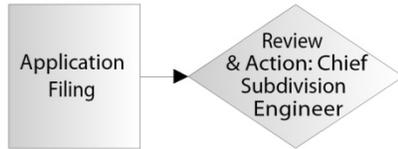
### 47-01-A. MINOR WAIVER OR MODIFICATION

A request to deviate from any of the subdivision application submittal requirements may be classified and processed as a minor waiver or modification. The Chief Subdivision Engineer is authorized to review and approve minor waivers or modifications.

### 47-01-B. MAJOR WAIVER OR MODIFICATION

1. A request to deviate from any of the subdivision design and improvement standards of this subdivision ordinance or from any requirement that does not qualify for processing as a minor waiver or modification (See Sec. 47-01-A, above) is classified as a major waiver or modification. Only the County Board is authorized to review and approve major waivers or modifications.
2. The requirements of the Will County Stormwater Management Ordinance may be varied only in accordance with the procedures specified in the Stormwater Management Ordinance.

## 47-02 MINOR WAIVERS OR MODIFICATIONS



### 47-02-A. APPLICATION FILING

Complete applications for minor waivers or modifications must be submitted to the Chief Subdivision Engineer. At a minimum, the application must include:

1. A description of the specific requirement or standard to be waived or modified; and
2. All reasons and justifications for the requested waiver or modification.

### 47-02-B. REVIEW AND ACTION

1. Upon receipt of a complete application of a minor waiver or modification, the Chief Subdivision Engineer may distribute copies to other officials and agencies for review and comment.
2. The Chief Subdivision Engineer may approve the minor waiver or modification only if the Chief Subdivision Engineer determines that the requested minor waiver or modification will in no way compromise the intent of this subdivision ordinance.
3. Reasonable conditions may be imposed to ensure that the minor waiver or modification will not compromise the intent of this subdivision ordinance.

## 47-03 MAJOR WAIVERS OR MODIFICATIONS

### 47-03-A. APPLICATION FILING

Complete applications for major waivers or modifications must be submitted to the Chief Subdivision Engineer. At a minimum, the application must include: (1) a description of

specific requirement or standard to be waived or modified and (2) the reasons and justifications for the request.

**47-03-B. REVIEW AND ACTION**

Requests for major waivers or modifications must be processed concurrently with applications for plat approval. The process is the same as required for major subdivision approval except that final authority to approve or deny the requested major waiver or modification rests with the full County Board.

**47-03-C. APPROVAL CRITERIA**

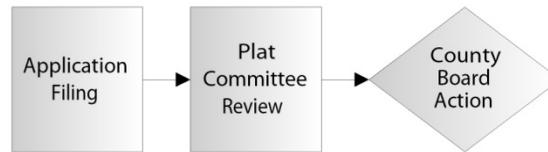
Major waivers or modifications may be approved or recommended for approval only if review and decision-making bodies find that:

1. Because of the particular physical surroundings, shape, topography, or other specific conditions of the subject property, strict compliance with this subdivision ordinance would cause a particular hardship upon the property owner, as opposed to a mere inconvenience;
2. The conditions upon which the waiver or modification request are based are unique to the subject property and not applicable, generally, to other property;
3. The hardship has not been self-created;
4. The requested waiver or modification will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the area in which the subject property is located;
5. The requested waiver or modification does not conflict with the Will County Stormwater Management Ordinance; and

*Commentary: Requests for waivers of modifications to the Will County Stormwater Management Ordinance may be processed only in accordance with the requirements of the Stormwater Management Ordinance.*

6. The waiver or modification is the least deviation from this subdivision ordinance that will mitigate the hardship found to exist on the subject property.

# Article 48 APPEALS OF ADMINISTRATIVE DECISIONS



## 48-01 APPLICABILITY; AUTHORIZED APPEALS

The full County Board is authorized to hear and decide appeals where it is alleged there has been an error in any order, requirement, decision, or determination made by an administrative official of the County in the administration, interpretation, or enforcement of this subdivision ordinance.

## 48-02 RIGHT TO APPEAL

Appeals of administrative decisions may be filed by the applicant or any other aggrieved party. The County Board is authorized to determine whether the person appealing the decision is an “aggrieved party.”

## 48-03 APPLICATION FILING

- 48-03-A. Complete applications for appeals of administrative decisions must be filed with the Chief Subdivision Engineer.
- 48-03-B. Appeals of administrative decisions must be filed within fifteen (15) days of the date of the decision being appealed.

## 48-04 PLAT COMMITTEE REVIEW

The Plat Committee must review the appeal and recommend that the Chief Subdivision Engineer’s decision be upheld or overturned, based on whether the decision is supported by the facts in evidence and the provisions of this subdivision ordinance.

## 48-05 COUNTY BOARD ACTION

- 48-05-A. After the Plat Committee has considered the matter and made a recommendation, the Chief Subdivision Engineer must place the matter on the agenda of the next regularly scheduled County Board meeting.
- 48-05-B. The Chief Subdivision Engineer must notify the applicant and the appellant of the date, time and place of the County Board meeting.
- 48-05-C. The County Board must review the appeal and the recommendation of the Plat Committee and act to uphold or overturn the action or decision of the administrative official by simple majority vote, based on whether the decision is supported by the facts in evidence and the provisions of this subdivision ordinance.
- 48-05-D. The action of the County Board is final and binding on all parties.



## PART 5 | ADMINISTRATION AND ENFORCEMENT

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# Article 50 REVIEW AND DECISION-MAKING BODIES

## 50-01 SUMMARY OF REVIEW AND DECISION-MAKING ROLES

The following table provides a summary of review and decision-making roles in the subdivision review process. In the event of conflict between this summary table and the procedures of Part 6, the procedures of Part 6 will govern.

	Planning and Zoning	Chief Subdivision Engineer	Road District	P&Z Commission	Plat Committee	County Board
Subdivision						
-Pre-application Meeting	R	R	R			
-Preliminary Plat	R	R	R	R	DM	
-Improvement Plan		DM				
-Final Plat		R			DM	
Minor Waivers/Modifications		DM				
Major Waivers/Modifications	R	R	R	R	R	DM
Vacations	R	R	R	R	DM	
Appeals of Admin. Decisions					R	DM

R = Review and/or Recommendation; DM = Final decision-making authority

## 50-02 COUNTY BOARD

The full County Board has final decision-making authority on requests for major waivers or modifications (See Article 47) and on appeals of administrative decisions (See Article 48).

## 50-03 PLAT COMMITTEE

The Plat Committee of the County Board reviews and recommends major waivers or modifications and appeals of administrative decisions (See Article 47 and Article 48). The Plat Committee has final decision-making authority on preliminary plats, final plats, and vacations (See Article 43, Article 45 and Article 46, respectively).

## 50-04 PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission reviews and makes recommendations for approval or denial of preliminary plats (See Article 43).

## 50-05 PLANNING AND ZONING DIVISION OF THE WILL COUNTY LAND USE DEPARTMENT

The Planning and Zoning Division of the Will County Land Use Department is responsible for participating in pre-application conferences and for reviewing and evaluating preliminary plats for compliance with adopted County plans and policies. After each review, the planning division must forward to the developer and Chief Subdivision Engineer, a written review noting deficiencies and comments.

## 50-06 CHIEF SUBDIVISION ENGINEER

**50-06-A.** The County Executive has sole authority to designate a Chief Subdivision Engineer and an acting Chief Subdivision Engineer to act in the absence of the Chief Subdivision Engineer. The Chief Subdivision Engineer and any acting Chief Subdivision Engineer must be Illinois registered professional engineers.

**50-06-B.** In addition to any other duties expressly assigned by this subdivision ordinance, the Chief Subdivision Engineer is responsible for:

1. Maintaining permanent and current records with respect to the regulations of this subdivision ordinance;

2. Receiving and filing all plans, preliminary plats, site development plans for permit, construction or improvement plans, subdivision guarantees, and final plats, together with applications therefore;
  3. Reviewing all preliminary plats to determine whether such plans comply with these regulations;
  4. Forwarding copies of preliminary plats to other appropriate agencies for input, comments, and/or procedural recommendations;
  5. Forwarding copies of construction improvement plans to the Road District Commissioner;
  6. Receiving and filing transmittal letters from the Road District Commissioner per their review of the improvement plan;
  7. Reviewing all final plats to determine whether they comply with the preliminary plan and these regulations; and
  8. Forwarding preliminary and final plats to the Plat Committee, when required by these regulations, together with the Chief Subdivision Engineer's recommendations.
- 50-06-C. If the workload of the Chief Subdivision Engineer creates undue delay in the review of subdivision plats or special expertise is required, an outside consultant may be hired by the County to assist in the subdivision review and approval process.
- 50-06-D. Developers must bear the cost of any outside consulting support. An outside consultant may only be hired for outside consulting assistance only after the developer agrees in writing to bear all costs of the outside review. The outside engineer review costs will be in addition to the regular plat and permit fees to be paid to the County.

**50-07 WILL COUNTY HIGHWAY ENGINEER OR ROAD DISTRICT COMMISSIONER**

The Will County Highway Engineer or Road District Commissioner is authorized to review with the Chief Subdivision Engineer all plans and plats and to make determinations concerning compliance with applicable County or township road and drainage design standards and engineering specifications.

**50-08 WILL COUNTY HEALTH DEPARTMENT**

The Will County Health Department is responsible for reviewing all plats and making determinations and recommendations regarding the type of water supply and sewage disposal facilities needed to provide safe and adequate service to each subdivision. In addition, the Will County Health Department must make determinations in all matters concerning public health. Such determination and recommendations must be reviewed with the Chief Subdivision Engineer.

## Article 51 VIOLATIONS AND PENALTIES

### 51-01 GENERAL

- 51-01-A. Unless otherwise indicated in this subdivision ordinance, a violation of any provision of this subdivision ordinance constitutes an ordinance violation, punishable by a fine not to exceed \$500.00, with each day the violation exists constituting a separate offense.
- 51-01-B. Imposition of a fine does not exempt an offender from compliance with the requirements of this subdivision ordinance.
- 51-01-C. At the option of the Chief Subdivision Engineer, violations may be referred to the Will County State's Attorney for appropriate action.
- 51-01-D. Any person who begins development of any property, sells or offers to sell a lot or other property, before complying with all applicable provisions of this subdivision ordinance will be guilty of a misdemeanor and fined a minimum of \$500.00 per day for each offense, with each day being a separate offense.
- 51-01-E. The remedies provided herein are not exclusive, and the exercise of any remedy does not bar, suspend, or otherwise prohibit the exercise of any right to any other remedy, including, but not limited to, a civil cause of action either at law or in equity.



## PART 6 | TERMINOLOGY

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# Article 60 DEFINITIONS

## 60-01 TERMS BEGINNING WITH A OR B

### **BERM**

An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

### **BLOCK**

A tract of land bounded by streets, or by a combination of streets, railway right-of-ways, waterways, or limits of subdivision.

### **BOARD**

The County Board of Will County.

### **BUFFER**

A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and screen incompatible land uses from each other.

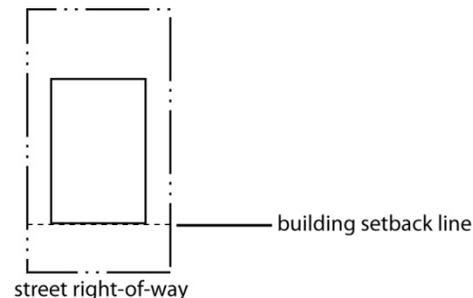
### **BUILDING**

A structure having a roof, supported by columns or walls for the shelter, support, or enclosure of persons, animals, or chattel; and when separated by division walls from the ground up and without openings, each portion of such building shall be deemed as a separate building.

### **BUILDING SETBACK LINE**

The minimum distance required to be provided by the *Will County Zoning Ordinance* between a street right-of-way or the center of the street in noted situations and the nearest supporting member of any structure on the lot.

*Figure 60.1*



## 60-02 TERMS BEGINNING WITH C OR D

### **CLUBHOUSE**

A building used year-round that meets all applicable building codes for a commercial structure that is owned and operated by the Property Owner's Association to hold events and other activities by residents of the subdivision.

### **COMMON OPEN SPACE**

Land unoccupied by structures, buildings, streets, rights-of-way, and automobile parking lots and designed and intended for the use or enjoyment of residents of a planned unit development. Common open space may contain structures for recreational use.

**CONSERVATION EASEMENT**

A legal agreement between a landowner and a public agency or not-for-profit conservation organization that permanently restricts current and future uses of a property. It is a recorded easement that restricts use of the land for all future owners of the property. The conservation easement area is monitored by the holder of the easement who enforces the restrictions of the easement. Funding for monitoring and enforcement of the conservation easement is required and is typically provided through an endowment to the not-for-profit organization. Funding for any work to be performed in the conservation easement is typically provided by the owner of the property (the developer, individual property owner, or property owners association).

**CONSTRUCTION SCHEDULE**

A plan prepared by an Illinois Professional Engineer that outlines the time line for construction, the construction traffic routing to the site, and any signs that are deemed appropriate.

**CONVENTIONAL SUBDIVISION**

Any subdivision other than one approved as a planned unit development.

**CUL-DE-SAC**

A street having one open end and being permanently terminated at the other end by a vehicle turnaround.

**DEAD-END**

Having only one (1) outlet.

**DECIDUOUS**

A plant with foliage that is shed annually.

**DEED RESTRICTION**

A restriction placed on a parcel or lot that protects open space or natural areas and restricts future development on that land. It is recorded and applies to all future owners of the property. Typically, no special monitoring of the property is required and enforcement of the deed restriction would be provided by private citizens, the property owners association, or Will County. Funding for any work to be performed in a deed restricted area is typically provided by the owner of the property (the developer, individual property owner, or property owners association).

**DENSITY, GROSS**

A calculation that is used to describe the number of dwellings that can be constructed on a parcel of land. The numerical value is obtained by dividing the area of a parcel by the lot size.

**DESIGN STANDARDS OR DESIGN REQUIREMENTS**

The requirements and regulations relating to design and layout of a subdivision.

**DETENTION BASIN**

A constructed structure for the temporary storage of stormwater runoff with a controlled release rate.

**DEVELOPER**

Same as "Subdivider."

**DEVELOPMENT**

Any human change to real estate, including:

- Construction, reconstruction, repair, or placement of a building or any addition to a building.

- Installing a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer or recreational vehicle on a site for more than one hundred and eighty (180) days. If the travel trailer or recreational vehicle is on site for less than one hundred and eighty (180) days, it must be fully licensed and ready for highway use.
- Drilling, mining, installing utilities, construction of streets, bridges, or similar projects.
- Demolition of a structure or redevelopment of a site.
- Clearing of land as an adjunct of construction.
- Construction or erection of levees, walls, fences, dams, or culverts; channel modification; filling, dredging, grading, excavating, paving, or other alterations of the ground surface; storage of materials; or deposit of solid or liquid waste.
- Any other human activity that might change the direction, height, or velocity of flood or surface water, including extensive vegetation removal.

“Development” does not include maintenance of existing buildings and facilities such as re-roofing or re-surfacing of streets when there is no increase in elevation, or gardening, plowing, and similar agricultural practices that do not involve filling, grading, or construction of levees.

#### **DRIVEWAY**

The portion of a lot used to provide access from the street to a place of residence or business.

### **60-03 TERMS BEGINNING WITH E OR F**

#### **EASEMENT**

A grant by a property owner for the use of a parcel of land by the general public, a corporation, or a certain person or persons for a specific purpose or purposes.

#### **EMERGENCY WARNING SIRENS**

Sirens located within a subdivision or development designed to alert residents of impending danger. Emergency Warning Sirens in Will County are regulated in terms of location and decibel level by the Will County Office of Emergency Management.

#### **EVERGREEN**

A plant with foliage that persists and remains green year-round.

#### **FINAL ACCEPTANCE OF THE SUBDIVISION**

The formal act of transference of public improvement to a specific subdivision or development from private ownership and control to that of the appropriate public agency pursuant to conditions, procedures, and terms set forth in this subdivision ordinance. This act shall take place after all improvements are acknowledged, completed, and accepted by the Chief Subdivision Engineer and the Road District Commissioner.

#### **FLOOD**

A general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waves, or the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOODPLAIN**

Typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. Floodplains may also include detached Special Flood Hazard Areas, ponding areas, etc. The floodplain is also known as the Special Flood Hazard Area (SFHA).

**FLOODWAY**

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one-tenth (1/10) of a foot due to the loss of flood conveyance or storage.

**FRONTAGE**

The property on one (1) side of a street between two (2) intersecting streets (crossing or termination) measured along the line of the street; or with a dead end street, all property abutting one (1) side of such street measured from the nearest intersecting street and the end of the dead end street.

**FRONTAGE, LOT**

The portion of the frontage that lies between the side lot lines of a single lot.

**FRONTAGE ROAD**

A public or private marginal access roadway generally paralleling and contiguous to a street or highway and designed to promote safety by eliminating unlimited ingress and egress to such street or highway providing points of ingress and egress at more-or-less uniformly spaced intervals.

**60-04 TERMS BEGINNING WITH G OR H****GREENWAY SYSTEMS**

A corridor of undeveloped land, as along a river or between urban centers that is reserved for recreational use or environmental preservation.

**HALF STREET**

A street bordering one (1) or more property lines of a subdivision tract to which the subdivider has allocated only a portion of the ultimate and intended street width.

**HEDGE**

A landscaped barrier consisting of a continuous, dense planting of shrubs.

**60-05 TERMS BEGINNING WITH I OR J****IMPROVEMENTS**

All facilities constructed or erected by a subdivider to permit and facilitate the use of lots or blocks for a principal residential, commercial, or industrial use.

**60-06 TERMS BEGINNING WITH K OR L****LANDSCAPING**

Any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees) and nonliving landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials).

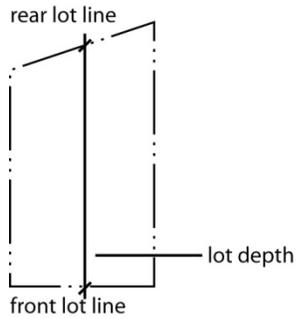
**LOT**

A building site shown on a plat of subdivision recorded with the appropriate County office and identifiable by reference to a plat of subdivision rather than by metes and bounds.

**LOT DEPTH**

The distance between the midpoint of the front lot line and the midpoint of the rear lot line.

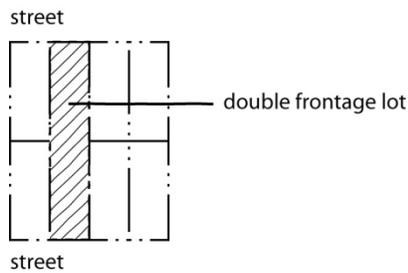
*Figure 60.2*



**LOT, DOUBLE-FRONTAGE**

A lot other than a corner lot having frontage on two (2) or more streets (also known as a “through lot”) For purposes of this definition, an alley shall not be considered a street.

*Figure 60.3*



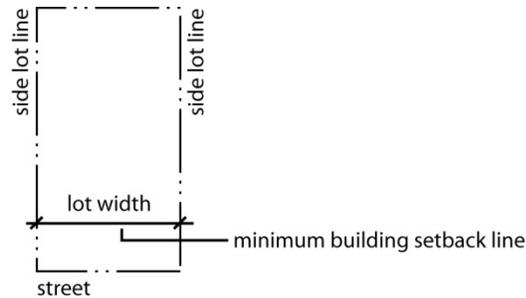
**LOT LINE**

A boundary line of a lot.

**LOT WIDTH**

The distance on a horizontal plane between the side lot lines of a lot, measured at right angles to the line establishing the lot depth at the minimum building setback line as established for each tract.

*Figure 60.4*



**60-07 TERMS BEGINNING WITH M OR N**

**MINOR WAIVER OR MODIFICATION**

A request to deviate from any of the subdivision application submittal requirements of this ordinance.

**MINOR SUBDIVISION**

Any subdivision containing not more than five (5) lots not involving any new streets, or extension of municipal facilities; and not adversely affecting the development of the remainder of the parcel or adjoining property; and not in conflict with any provision or portion of the *Will County Land Resource Management Plan* or any functional element thereof, Will County, subdivision ordinance, or official map relating thereto.

**MULCH**

Nonliving organic and synthetic materials customarily used in landscape design to retard erosion and retain moisture.

**NATURAL PRESERVE**

A contiguous area within or adjacent to a subdivision in which native plants are maintained or planted, non-native plants are removed, and a maintenance plan and approved funding mechanism is in place for perpetual maintenance of the area.

**NEIGHBORHOOD POOL**

A man made body of water with a capacity of one-hundred (100) people with a variety of depths, a slide and a diving board for recreational swimming purposes. A concrete walkway of a minimum of ten (10) feet in width must surround the entire pool.

**NEIGHBORHOOD SPLASH PAD**

A concrete surface with water jets shooting from one or more sides in summer in order to provide recreational relief for a minimum of twenty (20) children.

**60-08 TERMS BEGINNING WITH O OR P****OPEN SPACE**

An area that is intended to provide light and air and may include, but is not limited to, meadows, wooded areas, floodplains, wetlands, and grassed or planted waterways, and that is restricted from further development by appropriate easements or deed restrictions.

**OPEN SPACE (PRIVATE)**

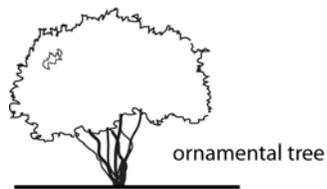
An area labeled as private on a plat of subdivision that is intended to provide light and air and may include, but is not limited to, meadows, wooded areas, floodplains, wetlands, and grassed or planted waterways, and that is restricted from further development by appropriate easements or deed restrictions.

**OPEN SPACE (PUBLIC)**

An area labeled as public on a plat of subdivision that is intended to provide light and air and may include, but is not limited to, meadows, wooded areas, floodplains, wetlands, and grassed or planted waterways, and that is restricted from further development by appropriate easements or deed restrictions.

**ORNAMENTAL TREE**

A deciduous tree planted primarily for its ornamental value or for screening purposes; tends to be smaller at maturity than a shade tree.

*Figure 60.5***OUTLOT**

A platted lot which is intended as open space or other use that is held in common ownership by a property owners association or which is transferred to a public agency or utility.

**PATHWAYS**

May be paved or unpaved, and is physically separated from motorized vehicular traffic by an open space or barrier and is either within the highway right-of-way or within an independent tract, or easement. Multi-use path activities may include walking, hiking, jogging, horseback riding, bicycling, and roller skating.

**PARCEL**

A lot, tract, or any other piece of land.

**PAVILION**

A structure found in a common open space area that utilizes a solid floor of concrete material and has a sheltered roof. The structure must provide electrical connections for neighborhood gatherings and be able to accommodate two hundred 200 people seated.

**PLANNED UNIT DEVELOPMENT**

A tract of land developed under the planned development procedure of the *Will County Zoning Ordinance* (Section 15).

**PLAT**

A subdivision as it is represented as a formal document by drawing and writing.

**PLAT COMMITTEE**

The committee of the Will County Board that has primary authority for reviewing and taking action on subdivision plat applications.

**60-09 TERMS BEGINNING WITH S OR T****SCREENING**

Decorative fencing or evergreen vegetation maintained for the purpose of concealing from view the area behind such fencing or evergreen vegetation.

**SHADE TREE**

Usually a deciduous tree - rarely an evergreen - planted primarily for its high crown of foliage or overhead canopy.

Figure 60.6

**SHRUB**

A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.

Figure 60.7

**SITE DEVELOPMENT PLAN FOR PERMIT**

A plan prepared by an Illinois Registered Professional Engineer that shows the method, control, and implementation of erosion measures, storm runoff, and/or grading of lands for the construction of improvements and shall be in compliance with the *Will County Zoning Ordinance* (see Section 9 of the *Will County Zoning Ordinance*).

**SPECIAL FLOOD HAZARD AREA (SFHA)**

Any base flood area subject to flooding from a river, creek, intermittent stream, ditch, or any other identified channel or ponding, and shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map as Zone A, A0, A1-30, AE, A99, or AH with existing elevations less than the BFE (base flood elevation).

**SPECIAL USE**

A specific use of land or building, or both, subject to special provisions and that because of its unique characteristics cannot be properly classified as a permitted use under the *Will County Zoning Ordinance*.

**STREET**

An area that primarily serves or is intended to serve as a vehicular and pedestrian access for the public to abutting land or to other streets. The word "street" refers to the width of the street right-of-way or easement, and will not be considered as the width of the roadway or paving or other improvement on the street right-of-way. The term "street" includes the following commonly used terms "avenue," "road," "drive," "circle," "lane," "boulevard," or "way."

**STREET, PRIVATE**

An area that primarily serves or is intended to serve as a vehicular and pedestrian access to abutting land or to other streets that is not and will not be dedicated to public use and that is owned and maintained by the property owners who use it.

**SUBDIVIDER (SAME AS "DEVELOPER")**

The owner, or any other person, firm or corporation, authorized by the owner, undertaking proceedings under the provisions of these regulations for the purpose of subdividing land.

**SUBDIVISION**

The division of a parcel of land into two (2) or more parts, any one of which is less than five (5) acres in area, for the purpose of transfer of ownership or possession, or building development, or any division of land where new easement of access or a new street is created. The term includes any division of land that attempts to avoid the requirements of this subdivision ordinance. Where appropriate to the context, the term shall relate to the process of both subdivision and the development of land, to the land subdivided and/or developed, and shall include a resubdivision.

The following shall not be considered a subdivision and shall be exempt from the requirements of this Ordinance:

- The division or subdivision of land into parcels or tracts of five (5) acres or more in area that does not involve any new streets or easements of access;
- The division of lots or blocks of less than one (1) acre in any recorded subdivision that does not involve any new streets or easements of access;
- The sale or exchange of parcels of land between owners of adjoining and contiguous land;
- 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 that does not involve any new streets or access easements;
- The conveyance of land owned by a railroad or other public utility that does not involve any new streets or easements of access;
- 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;
- Conveyances made to correct descriptions in prior conveyances;
- 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; and
- The sale of a single lot of less than five (5) acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption does 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.

**TRAIL**

A way designed for and used by equestrians, pedestrians, and cyclists using non-motorized bicycles.

**TRAIL (PRIVATE)**

A way designed for and used by equestrians, pedestrians, and cyclists using non-motorized bicycles designated as private on the plat of subdivision.

**TRAIL (PUBLIC)**

A way designed for and used by equestrians, pedestrians, and cyclists using non-motorized bicycles designated as public on the plat of subdivision.

**TREE**

A large, woody plant having one of several self-supporting stems or trunks and numerous branches. May be classified as deciduous or evergreen.

**TURNAROUND**

An area at the closed end of a dead-end street or cul-de-sac within which vehicles may reverse their direction without any backing up.

**60-10 TERMS BEGINNING WITH U OR V**

**UNDERSTORY**

Assemblages of natural low-level woody, herbaceous, and ground cover species that exist in the area below the canopy of the trees.

**60-11 TERMS BEGINNING WITH W OR X**

**WETLAND**

Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

**WETLAND, REGULATED**

A wetland that is subject to development restrictions imposed by any government agency, including Will County.

**WETLAND BUFFER**

An area of undisturbed natural vegetation located adjacent to the perimeter of wetlands.

**WOODLAND, MATURE**

An area of trees and vegetation having a contiguous tree canopy area of at least one (1) acre and in which at least 33% of the tree canopy area is comprised of healthy deciduous trees that have a diameter at breast height (DBH) of ten (10) inches or more.

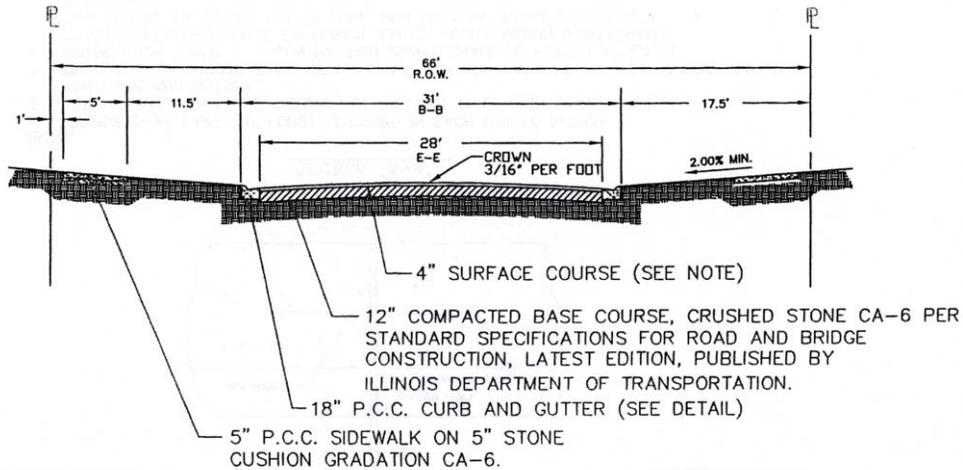
**60-12 TERMS BEGINNING WITH Y OR Z**



# APPENDICES



# APPENDIX A TYPICAL ROAD CROSS SECTIONS



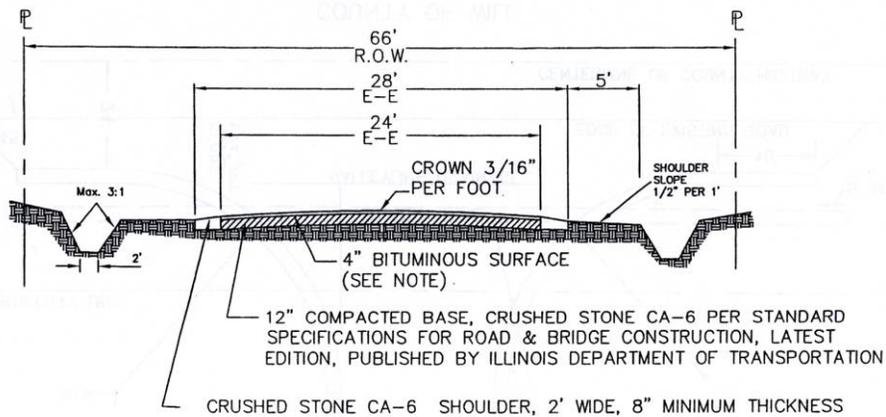
## SURFACE COURSE

SURFACE COURSE SHALL CONSIST OF CONCRETE BINDER COURSE CLASS I - 2 1/2" COMPACTED THICKNESS AND BITUMINOUS CONCRETE SURFACE COURSE CLASS I - 1 1/2" MINIMUM COMPACTED THICKNESS.

## BASE COURSE

BASE COURSE SHALL BE 12" AGGREGATE BASE COURSE TYPE "B" IN ACCORDANCE WITH STATE SPECIFICATIONS. BASE SHALL BE CONSTRUCTED ON A COMPACTED, PREPARED AND ROLLED SUBGRADE. BASE SHALL BE PRIMED WITH MC-30 PRIOR TO PAVING.

## TYPICAL URBAN STREET CROSS SECTION



## BITUMINOUS SURFACE

BITUMINOUS SURFACE SHALL CONSIST OF 1-1/2" MINIMUM COMPACTED THICKNESS BITUMINOUS CONCRETE SURFACE COURSE; CLASS I, OVER 2-1/2" MINIMUM COMPACTED THICKNESS BITUMINOUS BINDER COURSE, CLASS I.

## BASE COURSE

BASE COURSE SHALL BE 12" AGGREGATE BASE COURSE TYPE "B" IN ACCORDANCE WITH STATE SPECIFICATIONS. BASE SHALL BE CONSTRUCTED ON A COMPACTED, PREPARED AND ROLLED SUBGRADE. BASE SHALL BE PRIMED WITH MC-30 PRIOR TO PAVING.

## TYPICAL RURAL STREET CROSS SECTION



# APPENDIX B ENTRANCES

NOTE: INLETS MAY BE REQUIRED TO BE INSTALLED INTO THE C.M.C.P IF NECESSARY FOR DRAINAGE.

NOT TO SCALE

ALL CONSTRUCTION TO BE DONE ACCORDING TO STATE OF ILLINOIS "STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION"

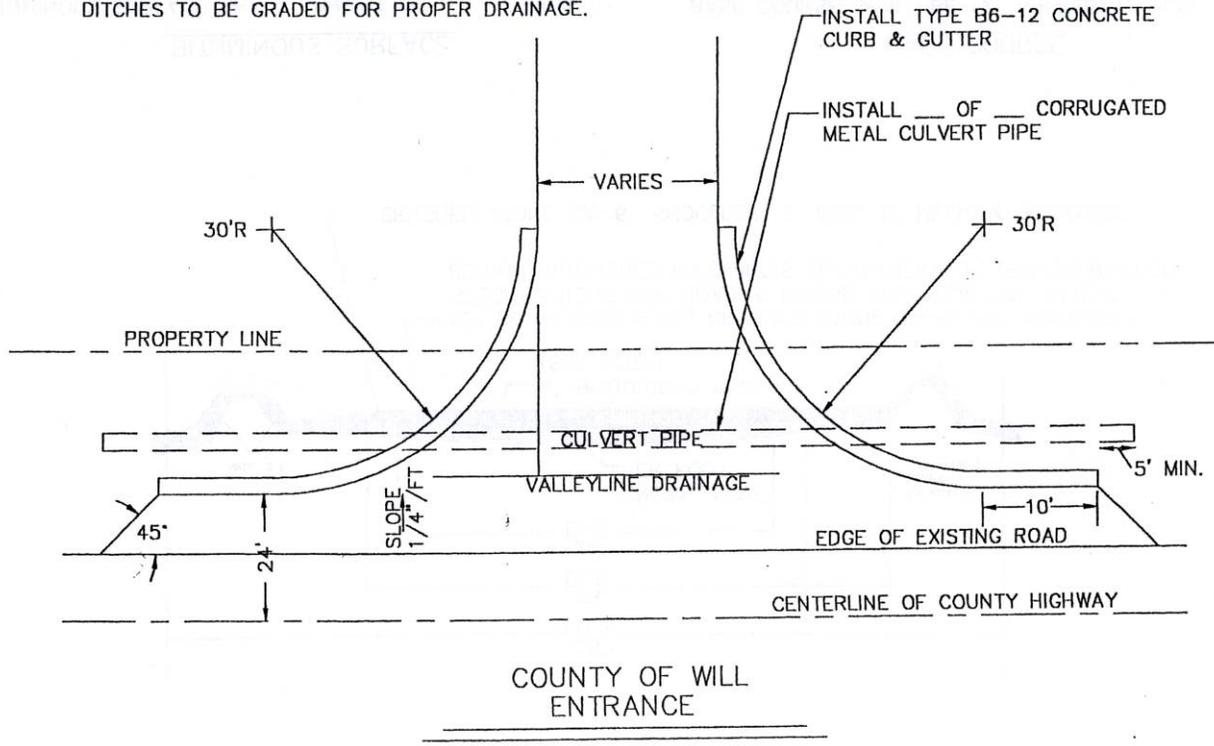
ALL GROUND AREAS DISTURBED SHALL BE RESEEDED AND MULCHED OR JUTE MATTED AS SOON AFTER CONSTRUCTION AS POSSIBLE.

DITCHES TO BE GRADED FOR PROPER DRAINAGE.

CUT OUT DIRT ON SHOULDER & INSTAL  
 --- AGGREGATE BASE COURSE &  
 --- BITUMINOUS ASPHALT SURFACE

INSTALL TYPE B6-12 CONCRETE CURB & GUTTER

INSTALL \_\_\_ OF \_\_\_ CORRUGATED METAL CULVERT PIPE





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