

Title 16  
SUBDIVISIONS

Chapters:

<u>16.04</u>	<u>General Provisions</u>
<u>16.08</u>	<u>Plats</u>
<u>16.12</u>	<u>Design Requirements and Standards</u>
<u>16.16</u>	<u>Minimum Improvements</u>
<u>16.20</u>	<u>Enforcement</u>
<u>16.24</u>	<u>Amendments</u>
<u>16.28</u>	<u>Penalty</u>

Chapter 16.04GENERAL PROVISIONSSections:

16.04.010	Title.
16.04.020	Definitions.

16.04.010 Title. This title shall be known and may be cited as "the village of Tolono, Illinois, subdivision ordinance." (Ord. dated 3/4/63 (part)).

16.04.020 Definitions. For the purpose of this title, the following words and phrases shall have the following meanings:

A. "Commission" means the planning commission of the village.

B. "Plat" means a map or drawing showing the lot and street arrangement and other features of an area being subdivided, as required in this title for preliminary and final approval and recording.

C. "Subdivide" means to divide a tract of land into two or more tracts, lots or parcels of five acres or less in area, or to establish or dedicate streets, ways or other areas for the use of the public, including the division of a lot or block in a recorded subdivision, but not including the sale or exchange of small parcels of land to or between adjoining property owners where additional lots are not created. (§1 of Ord. dated 3/4/63).

Chapter 16.08PLATSSections:

- 16.08.010 Required.
- 16.08.020 Preliminary plat--Filing of sketch plat--  
Notice of hearing.
- 16.08.030 Preliminary plat--Contents.
- 16.08.040 Preliminary plat--Approval or disapproval.
- 16.08.050 Final plat--Form.
- 16.08.060 Final plat--Approval and filing.

16.08.010 Required. It is unlawful for the owner, agent or person having control of any land within the planning area, as established on the official planning area map, to subdivide or lay out land in lots, blocks, streets, avenues, alleys, public ways or grounds, unless by plat in accordance with the laws of the state and the provisions of this title. (§2 of Ord. dated 3/4/63).

16.08.020 Preliminary plat--Filing of sketch plat--  
Notice of hearing. A. Any person proposing to subdivide land shall file three copies of a preliminary sketch plan of the proposed plat with the planning commission for consideration by the planning commission at a public hearing thereon.

B. Such sketch plan shall be accompanied by a receipt from the village treasurer indicating payment of a filing fee of ten dollars to cover the costs of advertising and of reviewing the plat.

C. No hearing shall be held by the commission until notice thereof has been given by publication in a newspaper of general circulation in the village, at least fifteen days prior to the date of the hearing. (§3(A)(part) of Ord. dated 3/4/63).

16.08.030 Preliminary plat--Contents. The preliminary plat shall show:

A. The boundaries of the property and all existing section lines, streets, buildings, watercourses and other physical features in and adjoining the area to be subdivided;

B. The locations and sizes of sanitary and storm sewers, water mains, culverts and other underground structures in or near the property;

C. The location and width of proposed streets, alleys, lots, building and setback lines and easements;

D. The proposed title of the subdivision and the name of the engineer, the registered land surveyor and the subdivider;

- E. Spot elevations as required;
- F. The northpoint, scale and date;
- G. Plans or written statements proposed and their measurements setting out the proposed grades or profiles of the streets and other improvements proposed and their means of accomplishment. (§3(A)(part) of Ord. dated 3/4/63).

16.08.040 Preliminary plat--Approval or disapproval.  
If the commission finds that the proposed plan satisfies the requirements of this title, it shall approve the plan and, in writing, notify the subdivider that final approval may be obtained on submission of such plan in compliance with Sections 16.08.050 and 16.08.060 of this section. If the commission finds otherwise, it shall specify in writing the objections found to such plan and may either notify the subdivider of disapproval or of approval conditioned upon specific changes in the plan. One copy of the proposed plan together with the commission's findings thereon shall be filed by the commission with the village clerk. (§3(A)(part) of Ord. dated 3/4/63).

16.08.050 Final plat--Form. The final plats shall consist of an accurate map on tracing cloth or dimensionally stable plastic film, drawn in permanent ink to a scale of not more than one hundred feet to the inch on one or more sheets not exceeding twenty-four inches by thirty-six inches and shall show:

- A. The boundary lines of the area subdivided, with accurate distances and angles;
- B. The lines of all proposed streets and alleys, with their widths and names and the line of departure of one street from another;
- C. The lines of adjoining property and of adjoining streets and alleys, with their widths and names;
- D. Any portions of the property to be dedicated or granted for public use;
- E. The locations of all easements for public use, services or utilities;
- F. All lots designated by numbers or by letters and numbers;
- G. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, the lots, streets, alleys, easements and other features. Dimensions shall be given to the nearest one one-hundredth of a foot;
- H. The radii, arcs or chords, points of tangency and central angles for all curvilinear streets and the radii for rounded corners;
- I. The locations and descriptions of all survey monuments;
- J. The name of the subdivision, the scale of the plat, northpoint and the name of the owner or owners;

K. Certification by a land surveyor registered in the state to the accuracy of the survey and the correct locations of the monuments;

L. Private restrictions and covenants and their effective periods. In lieu of their lettering on the plat, these may be handled by separate instrument with reference thereto on the plat;

M. Acknowledgment of the owner or owners to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of the easements;

N. The certificate of approval of the planning commission. (§3(B)(part) of Ord. dated 3/4/63).

16.08.060 Final plat--Approval and filing. If the final plat is in accord with the preliminary plat or any modification thereof approved by the planning commission and with all the requirements of this chapter and Chapter 16.12, it shall be approved by the commission and endorsed. After approval by the commission, it shall be filed and recorded in the office of the county recorder of Champaign County. One copy of the final plat shall be filed with the planning commission and one copy with the village clerk as permanent public records. (§3(B)(part) of Ord. dated 3/4/63).

## Chapter 16.12

### DESIGN REQUIREMENTS AND STANDARDS

#### Sections:

- 16.12.010 Generally.
- 16.12.020 Streets and alleys.
- 16.12.030 Street and alley width.
- 16.12.040 Easements.
- 16.12.050 Blocks--Cul-de-sacs and dead-end streets.
- 16.12.060 Lots.
- 16.12.070 Building lines.
- 16.12.080 Parks and school sites.
- 16.12.090 Easements along streams.

16.12.010 Generally. The arrangement of streets and lots shall give due regard to the topography and other physical features of the property and shall meet the requirements and standards set forth in this chapter. (§4(A)(part) of Ord. dated 3/4/63).

16.12.020 Streets and alleys. Insofar as is practicable streets shall be coterminous with existing streets in adjoining areas or their projections. In their overall arrangement consideration shall be given to reasonable relation to any adjoining unplatted property to foster good neighborhood development and avoid hardship in platting the adjoining areas. The angle of intersection between minor and major streets shall be within ten degrees of a right angle. Alleys need not be provided except behind business lots. (§4(A)(1) of Ord. dated 3/4/63).

16.12.030 Street and alley width. The width and location of major streets shall conform to the master street plan. Streets other than major streets shall be at least fifty feet in width. Where appropriate at the edge of the subdivision, a half-street of thirty-foot width may be dedicated. Alleys, where permitted, shall be at least twenty feet wide. (§4(A)(2) of Ord. dated 3/4/63).

16.12.040 Easements. Easements of at least five feet shall be provided on each side of all rear lot lines where necessary for wires, sewers, gas, water and other utilities. (§4(A)(3) of Ord. dated 3/4/63).

16.12.050 Blocks--Cul-de-sacs and dead-end streets.

A. No block shall be longer than one thousand two hundred feet or shorter than five hundred feet.

B. Cul-de-sacs and dead-end streets may be permitted up to a length of five hundred feet when terminating in a turnaround having a minimum radius of fifty feet. (§4(A)(4) of Ord. dated 3/4/63).

16.12.060 Lots. A. Lots shall be arranged and designed to create good building sites, properly related to topography and the character of surrounding development. All side lot lines shall be perpendicular or radial to the street lines, except where a variation of this rule will provide a better street and lot layout. Lots with double frontage shall be avoided.

B. No lot shall have a depth of less than one hundred feet or of more than three times its width. Lot area and width shall meet the minimum standards provided for similar development under the zoning regulations.

C. Corner lots shall have sufficient width to permit front yard setbacks on both streets, and at major street and acute angle intersections (under eighty-five degrees) a radius of twenty feet shall be used at the street corner. On business lots, a chord may be substituted for the circular arc. (§4(A)(5) of Ord. dated 3/4/63).

16.12.070 Building lines. Street setback lines conforming with the zoning regulations or official plan standards shall be shown on all lots. (§4(A)(6) of Ord. dated 3/4/63).

16.12.080 Park and school sites, etc. Where the duly adopted official plan proposed land for a park or school within the area being subdivided, the subdivider shall reserve such land on the subdivision plat for a period of not less than three years to permit arrangements to be made for acquisition of the land by the proper public agency. (§4(A)(7) of Ord. dated 3/4/63).

16.12.080 Easements along streams. Whenever any stream or important surface drainage course is located within an area being subdivided, the subdivider shall provide an adequate easement along each side of the stream for widening, deepening, sloping, improving or protecting the stream. (§4(A)(8) of Ord. dated 3/4/63).

## Chapter 16.16

### MINIMUM IMPROVEMENTS

#### Sections:

- 16.16.010 Designated.
- 16.16.020 Approval of plans and methods.
- 16.16.030 Installation prior to submission of final plat or surety bond required.

16.16.010 Designated. No subdivision shall be laid out within the planning area without providing the following minimum improvements:

A. Grading to their full width, including side slopes, and to the appropriate street grade, all streets within the area being subdivided;

B. Asphalt paving or superior surface at least twenty feet in width without curbs or gutters. Usable shoulders with a slope of one-half inch per foot and drainage ditches, where appropriate, with slopes of three feet horizontal for each foot vertical and at least one foot in depth shall be provided along all twenty-foot pavements. All materials and specifications shall be approved by the village board.

C. Sanitary sewers, where an existing public sewer is reasonably accessible. Where an existing sewer is not reasonably accessible, individual sewage disposal devices may be used, provided all lots are nine thousand six hundred square feet or more in area and the disposal devices are constructed in accordance with regulations and requirements of and are specifically approved by the Illinois State Health Department;

- D. Connections to a public water supply;
- E. Adequate drainage of the property to prevent the accumulation of stormwater. (§5(A) of Ord. dated 3/4/63).

16.16.020 Approval of plans and methods. Before final approval of any subdivision plat is given by the planning commission, the proposed plans for and methods of providing the improvements required in this chapter shall be reviewed and approved by the engineer ordinarily retained by the village for the design or construction of public improvements therein or, if no engineer is ordinarily retained for such purpose, by a registered engineer in the state, mutually agreed upon. (§5(B) of Ord. dated 3/4/63).

16.16.030 Installation prior to submission of final plat or surety bond required. All improvements required in this chapter shall either be installed prior to submission of the final plat, or, in lieu thereof, a surety bond shall be submitted along with the plat to guarantee construction of all such improvements within not less than two years. (§5(C) of Ord. dated 3/4/63).

## Chapter 16.20

### ENFORCEMENT

#### Sections:

- 16.20.010 Plat approval required before acceptance of deed or instrument of transfer.
- 16.20.020 Use of plat before approval, filing or recording prohibited.
- 16.20.030 No building permit issued before approval of lot.

16.20.010 Plat approval required before acceptance of deed or instrument of transfer. In accordance with state law, no deed or other instrument of transfer of real property in the planning area shall be accepted by the county recorder for record unless said deed or other instrument of transfer is to a lot or parcel platted and on file or accompanied with a plat approved by the planning commission. (§6(A) of Ord. dated 3/4/63).

16.20.020 Use of plat before approval, filing or recording prohibited. No person owning land composing a subdivision, nor his agent, shall transfer or sell or agree to sell any lot or parcel of land located within such subdivision by reference to, or exhibition of, or by any other use of a plat of such subdivision, before such plat has been approved, filed and recorded as provided in this title. The description of such lot or parcel by metes and bounds in any contract or instrument of transfer or other document used in the process of selling or transferring same shall not exempt such owner or agent from the penalties provided in Chapter 16.28. (§6(B) of Ord. dated 3/4/63).

16.20.030 No building permit issued before approval of lot. No building permit shall be issued for any lot platted unless such lot has been approved, filed and recorded in accordance with the requirements of this title. (§6(C) of Ord. dated 3/4/63).

## Chapter 16.24

### AMENDMENTS

#### Sections:

- 16.24.010 Procedure.
- 16.24.020 Fee.

16.24.010 Procedure. The board of trustees may from time to time amend this title through the following procedure:

A. The planning commission shall hold a public hearing on a proposed amendment. Notice of the public hearing shall be published in a newspaper of general circulation in the city at least one time, fifteen days prior to the hearing.

B. Following the public hearing, the proposed amendment may be recommended as presented or in modified form by a majority vote of the entire planning commission.

C. Following its adoption of a recommendation, the planning commission shall certify such recommended amendment to the board of trustees for its adoption.

D. The board of trustees may return the proposed amendment to the planning commission for further study or recertification, or by a majority vote of the entire membership may by ordinance or resolution adopt the recommended amendment submitted by the planning commission; however, nothing in this title shall be construed to limit the board's authority to recall the amending ordinance by a vote of a majority of the village board of trustees.



E. Following adoption by the board of trustees, the adopted amending ordinance shall be filed in the office of the village clerk. The village clerk shall file with the county recorder of Champaign County a copy of the amending ordinance. (§7(A) of Ord. dated 3/4/63).

16.24.020 Fee. Before any action shall be taken as provided in this chapter, any private party or parties proposing a change in the subdivision regulations shall deposit the village treasurer the sum of fifteen dollars to cover the approximate cost of the procedure set forth in Section 16.24.010, and under no condition shall the sum or any part thereof be refunded for failure of said change to be adopted by the board of trustees. (§7(B) of Ord. dated 3/4/63).

## Chapter 16.28

### PENALTY

#### Sections:

16.28.010 Violation of Section 16.20.010.

16.28.010 Violation of Section 16.20.010. Any owner or agent who violates Section 16.20.010 shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than one hundred dollars nor more than three hundred dollars for each lot or parcel so transferred or sold or agreed to be sold. (§8 of Ord. dated 3/4/63).