

**TITLE 9B
LAND SUBDIVISION REGULATIONS**

**CHAPTER 1
TITLE, PURPOSE AND JURISDICTION**

9B-1-1: SHORT TITLE:

This Title shall hereafter be known, cited and referred to as the "Land Subdivision Regulations" of the Village of Willow Springs, and is adopted pursuant to the authorization of chapter 24 of the Illinois Revised Statutes.

9B-1-2: PURPOSE:

The subdivision of land is the first step in the process of urban development. The arrangement of land parcels in the community for residential, commercial and industrial uses and for streets, alleys, schools, parks and other public purposes will determine to a large degree the conditions of health, safety, economy and amenity that prevail in the urban area. Piecemeal planning of land subdivisions, without correlation to the Village's Zoning Ordinance, could bring about a disastrous disconnected patchwork of plats resulting in poor circulation of traffic and unattractive neighborhoods and communities. Therefore, these regulations and standards for the subdivision and improvement of land for urban use are to make provision for adequate light, air, open space, drainage, transportation, public utilities and other needs, to insure the development and maintenance of a healthy, attractive and efficient community that provides for the conservation and protection of its human and natural resources.

These regulations are designed, intended and should be administered in a manner:

To implement the Zoning Ordinance.

To promote the public health, safety and general welfare.

To harmoniously relate the development of various tracts of land to the existing community and facilitate the future development of adjoining tracts.

To avoid undue concentration of population and overcrowding of land.

To lessen congestion in the streets and highways.

To provide for adequate light and air.

To facilitate adequate provision for transportation, water, sewage, schools, parks, playgrounds and other public requirements and to reconcile any differences of interest.

To provide for proper ingress and egress.

To insure proper legal description, and proper monumenting of subdivided land to establish and maintain adequate and accurate records of all land subdivisions.

These regulations are established with reasonable consideration for the character of the Village with a view toward conserving the value of buildings upon the land and providing the best possible environment for human habitation. It is intended that these regulations shall supplement and facilitate the enforcement of the provisions and development standards contained in the Building Codes ⁴⁰, Official Map Regulations and the Zoning Ordinance ⁴¹ of the Village.

9B-1-3: JURISDICTION:

The Willow Springs Land Subdivision Regulations shall apply to all subdivisions of land, as defined herein, located within the Village and within one and one-half (1 1/2) miles of the corporate limits of the Village, in accordance with chapter 24 of the Illinois Revised Statutes.

9B-1-4: INTERPRETATION:

- A. In their interpretation and application, the provisions of this Title shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.
- B. Where the conditions imposed by any provisions of this Title upon the subdivision of land are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this Title or of any other applicable law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.
- C. This Title is not intended to abrogate any easement, covenant or other private agreement, provided that where the regulations of this Title are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement, the requirements of this Title shall govern.
- D. No subdivision of land which was not lawfully existing at the time of the adoption of this Title shall be made lawful solely by reason of the adoption of this Title, and to the extent that said subdivision of land is in conflict in any manner with the requirements of this Title, said subdivision of land remains unlawful hereunder.

9B-1-5: APPLICATION OF REGULATIONS:

- A. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer or sell such parcel before a plat of said subdivision has been approved by the Board of Trustees in accordance with the provisions of this Title, and filed with the Recorder of Deeds of Cook County, Illinois.

- B. The subdivision of any lot or any parcel of land by the use of metes and bounds for the purpose of sale, transfer or lease with the intent of evading this Title will not be permitted. All such described subdivisions shall be subject to all of the requirements and regulations contained in this Title.
- C. No building or repair permit shall be issued for the construction or repair of any building or structure located on a lot or plot subdivided or sold in violation of the regulations of this Title.
- D. No plat of subdivision shall be approved which does not comply with all the provisions of this Title. (Ord. 76-1, 1-8-76)

CHAPTER 2 RULES AND DEFINITIONS

9B-2-1: RULES OF CONSTRUCTION:

In the construction of this Title, the rules and definitions contained in this Chapter shall be observed and applied, except when the context clearly indicates otherwise.

- A. Words used in the present tense shall include the future, the words used in the singular number shall include the plural number, and the plural the singular.
- B. The word "shall" is mandatory and not discretionary.
- C. The word "may" is permissive.
- D. The masculine gender includes the feminine and neuter.

9B-2-2: DEFINITIONS:

ALLEY: A public or private right of way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other thoroughfare.

BLOCK: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights of way, shorelines of waterways or boundary lines of the Village of Willow Springs.

BOARD OF TRUSTEES The President and Board of Trustees of the Village of Willow Springs.

BUILDING: Any structure built for the support, shelter or enclosure of persons, animals, chattels or moveable property of any kind.

BUILDING COMMISSIONER: The officer and assistants thereof designated by the President and Village Board of Trustees of Willow Springs as the officer responsible for administering and enforcing all of the requirements and provisions of the Willow Springs Land Sub-division Regulations.

CENTRAL SEWAGE DISPOSAL SYSTEM: A community sewer system including collection and treatment facilities established by the developer to serve a new subdivision outside the Village but within one and one-half (1 1/2) miles of the corporate limits.

CENTRAL WATER SYSTEM: A private water company founded by the developer to serve a new subdivision. Such a system shall include water treatment and distribution facilities.

COMPREHENSIVE PLAN: The plan made and adopted by the Plan Commission and approved by the Village Board of Trustees and all subsequent amendments and supplements thereto, indicating the general locations recommended for the principal streets, parks, public buildings, zoning districts, character and extent of community development and other physical aspects of urban planning on file in the office of the Village Clerk of the Village of Willow Springs, Illinois, and in the office of the Recorder of Deeds of Cook County, Illinois.

CONTOUR MAP: A map on which irregularities of the land surface are shown by lines connecting points of equal elevations. Contour intervals is the vertical height between contour lines.

CUL-DE-SAC A local street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

EASEMENT: A grant by a property owner of the use of land for a specific purpose.

FINAL PLAT: The map or plan of record of a subdivision, and any accompanying material, as described in Chapter 6 hereof.

FRONTAGE: The length of the front property line of the lot, tracts or tract of land abutting a public street, road, highway or rural right of way.

GRADE: The slope of a road, street or other public way, specified in percent (%).

GRADE, LANDING: The grade required on streets entering major thoroughfares, at points of intersection, as specified herein.

IMPROVEMENT, PUBLIC: Any sanitary sewer, storm sewer, drainage ditch, water main, roadway, parkway, sidewalk, pedestrianway, planting strip, off-street parking area, or other facility for which the Village of Willow Springs may ultimately assume the responsibility for maintenance and operation.

LARGE-SCALE DEVELOPMENT: A proposed planned development or neighborhood unit which, due to its magnitude, comprehensiveness and design warrants special consideration by the Plan Commission.

LIMITED ACCESS EXPRESSWAY or HIGHWAY: A trafficway, including toll roads, for through traffic; in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points and in such manner as may be determined by the public authority having jurisdiction over such trafficway.

LOT: A portion of a subdivision or other parcel of land intended for transfer of ownership or for building development.

LOT, BUTT: A lot at the end of a block and located between two (2) corner lots.

LOT, CORNER: A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred thirty five degrees (135).

LOT LINE: A property boundary line of any subdivided lot of any parcel of land held in separate ownership; except that where any portion of the lot extends into the abutting street or alley, such portion of the lot line thereof shall be deemed to be the street or alley line.

LOT, THROUGH (DOUBLE FRONTAGE): A lot which has a pair of opposite lot lines along two (2) substantially parallel streets, and which is not a corner lot. On a "through lot" both street lines shall be deemed front lot lines.

LOT WIDTH: The horizontal distance between the side lot lines of a lot, measured at the front building setback line.

METES AND BOUNDS: A method of property description whereby properties are described by means of their direction and distances from an easily identifiable location or point.

OUTLOT: A parcel of land within a subdivision and which has been included on a preliminary or final plat but not designated as a buildable lot due to insufficient size and/or frontage or peculiar siting or topographical problems.

OWNER: Any person, group of persons, firm or firms, corporate or corporations, or any other legal entity having legal title to the land sought to be subdivided under this Title.

PEDESTRIANWAY or CROSSWALK: A right of way across or within a block, for use by pedestrian traffic whether designated as a pedestrianway, crosswalk or however otherwise designated, and may include utilities where necessary.

PERSON: Any individual, firm, association, partnership, corporation, trust or any other legal entity.

PLANNED DEVELOPMENT: A parcel of land or contiguous parcels of land; of a size sufficient to create its own environment; controlled by a single landowner or by a group of landowners in common agreement as to control; to be developed as a single entity, the environment of which is compatible with adjacent parcels and the intent of the zoning district or districts in which such land area is located. The developer or developers may be granted relief from specific land use regulations and design standards, and may be awarded certain premiums, in return for assurance of an overall quality of development, including any specific features which will be of exceptional benefit to the community as a whole and which would not otherwise be required by the Zoning Ordinance⁴².

PLAN COMMISSION: The Plan Commission or other body authorized to consider matters relative to planning, zoning and subdivision platting, and make recommendations to the Village Board of Trustees.

PRE-APPLICATION: A preliminary consultation between the developer and administrative officials of the Village, in order to discuss the developers intent to subdivide land. The pre-application procedure is designed to provide direction for the developer and to eliminate needless costs.

PRELIMINARY PLAT: A map showing the salient features of a proposed subdivision, submitted to the Plan Commission for purposes of preliminary consideration.

PRIVATE SERVICE SUBDIVISION: A subdivision which is located outside the area capable of being served by the existing or proposed utilities; (public water and public sanitary sewage disposal services) and being an area where there is no interest to serve within a reasonable period of time, as determined by the Village Board.

RIGHT OF WAY: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad line, electric trans-mission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right of way" for land platting purposes in Willow Springs shall mean that every right of way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right of way, and not included within the dimensions of areas of such lots or parcels. Rights of way intended for streets, crosswalks, water mains, sanitary sewers, storm drains or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right of way is established.

ROADWAY: A paved portion of a street available for vehicular traffic.

SERVICE DRIVE: A public street, generally paralleling and contiguous to a main-traveled way primarily designed to promote safety by eliminating promiscuous ingress and egress to the right of way, and providing safe and properly spaced points of access.

SEWAGE DISPOSAL SYSTEM, INDIVIDUAL: A septic tank seepage tile sewage disposal system or any other sewage treatment device approved by the Village Engineer as being in accordance with the rules of the State Department of Public Health and/or Cook County Health provisions, and servicing only one lot.

SIDEWALK: That portion of a street or crosswalk, paved or otherwise surfaced, intended for pedestrian use only.

STREET: A public or private right of way which affords a primary means of vehicular access to abutting properties, whether designed as a street, avenue, highway, road, boulevard, lane, throughway, or however otherwise designed, but excepting driveways to buildings.

STREET, COLLECTOR: A street which carries traffic from minor streets to the system of major streets and highways, including the principal entrance streets of a residential development and the principal circulating streets within a development.

STREET, HALF: A street bordering one or more property lines of a tract of land in which the subdivider has allocated but part of the ultimate right of way width.

STREET, MAJOR: A street designated as such in the Zoning Ordinance or Official Map for Willow Springs or by action of the Village Board of Trustees which is intended to serve a relatively large volume of traffic not originating or terminating in the particular neighborhood.

STREET, MARGINAL ACCESS: A minor street which is parallel and adjacent to a major street or highway, and which provides access to abutting properties and protection from through traffic.

STREET, MINOR: A street of limited continuity used primarily for access to abutting properties and serving local needs of a neighborhood.

SUBDIVIDER: Any person or corporation or duly authorized agent who undertakes the subdivision of land as defined herein.

SUBDIVISION: A described tract of land which is to be, or has been divided into two (2) or more lots or parcels, any of which is less than five (5) acres in area. The term subdivision includes resubdivision and, where it is appropriate to the context, relates to the process of subdividing or to the land subdivided. For the purpose of this Title, however, the following situations shall not constitute "sub-division".

The division of lots or blocks of less than one acre in any recorded subdivision which meets the minimum size required by the Zoning Ordinance, and which 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 rights of way for railroads or other public utility facilities and other pipe lines, which does not involve any new streets or easements of access.

The conveyance of land owned by a railroad or other public utility which 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 October 16, 1965, and not involving any new streets or easements of access.

SUBDIVISION, MINOR (LOT SPLIT): Any subdivision of a parcel of land; along an existing public street; not involving the opening, widening or extension of any street or road; and involving no more than ten (10) lots.

SUBDIVISION DESIGN STANDARDS: The basic land planning standards established as guides for the preparation of preliminary plats.

THOROUGHFARE: A street with a high degree of continuity, including collectors, major arterials and limited access highways.

WATER SUPPLY, INDIVIDUAL: A well and appurtenances supplying only one lot, and subject to the approval of the Village Engineer as being in accordance with the rules of the State Department of Public Health.

ZONING ORDINANCE: The Village of Willow Springs Zoning Ordinance, as amended, being Title 9A of this Code. (Ord. 76-1, 1-8-76)

CHAPTER 3 ADMINISTRATION AND ENFORCEMENT

9B-3-1: ADMINISTRATIVE OFFICES AND OFFICIALS:

The following offices of the government of the Village are concerned with the administration of this Title.

- A. The Village Board of Trustees. The Village Board of Trustees is vested with the following responsibilities in regard to subdivision control:
1. Approval or disapproval of all preliminary and final plats referred to it by the Plan Commission.
 2. Approval or disapproval of all variations and exceptions recommended by the Plan Commission.
 3. Amendment of the regulations of this Title when found necessary and desirable, as hereinafter provided.
 4. Initiation of appropriate proceedings to enforce the provisions of this Title.
- B. The Plan Commission shall administer the provisions of this Title, and in furtherance of said authority, shall:
1. Maintain permanent and current records of this Title, including amendments thereto.
 2. Receive and file all preliminary plats and final plats (together with applications).
 3. Forward copies of the preliminary plat to other appropriate offices and agencies for their recommendations and report.
 4. Forward, with recommendations, to the Village Board of Trustees, all preliminary plats.
 5. Receive and file all final plats, and check their compliance with the preliminary plat.
 6. Forward, with recommendations, to the Village Board of Trustees, all final plats.
 7. Make all other determinations required by the regulations herein.
- C. The Village Engineer: The Village Engineer shall review all preliminary subdivision plats and make determinations in the areas of design standards and engineering specifications, as stipulated herein. When necessary, he shall cause copies of the preliminary plat to be forwarded to appropriate government agencies.
- D. Administrative Officer ⁴³ : It shall be the duty of the Administrative Officer to enforce this Title and bring any violations or lack of compliance herewith to the attention of the Village Attorney.

9B-3-2: VARIATIONS AND EXCEPTIONS:

A. **Hardships:** Where the Plan Commission finds that extraordinary hardships or particular difficulties regarding the physical development of land may result from strict compliance with these regulations, it may recommend variations or exceptions to the regulations so that substantial justice may be done and the public interest secured, provided that such variation or exception shall not have the effect of nullifying the intent and purpose of this Title; and further provided the Plan Commission shall not recommend variations or exceptions to the regulations of this Title unless it shall make findings based upon the evidence presented to it in each specific case that:

1. The granting of the variation will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located.

2. The conditions upon which the request for a variation is based are unique to the property for which the variation is sought, and are not applicable, generally, to other property.

3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

B. **Large-Scale Developments:** The standards and requirements of these regulations may be modified in the case of large-scale developments when the Plan Commission finds that a plan and program for a new neighborhood unit provides adequate public spaces and improvements for the circulation, recreation, light, air and public utilities service needs of the tract when fully developed and which also provides such covenants or other legal provisions as will assure conformity and achievement of the plan.

Alternative construction methods, design standards and required improvements may be approved by the Plan Commission and Board of Trustees if such methods, improvements and design features are proven to be comparable to the requirements of this Title in every respect. For the purpose of securing professional advice and additional reaction to such requested exceptions, the Plan Commission may forward copies to appropriate government agencies.

C. **Conditions:** In recommending variations and exceptions, the Plan Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of the Village Land Subdivision Regulations.

D. **Procedure for Variance:** A petition for any such variance shall be submitted in writing by the subdivider at the time the preliminary plat is filed for consideration by the Plan

Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

E. Recommendations: Such variations and exceptions as may be recommended by the Plan Commission shall be forwarded to the Board of Trustees in writing, substantiating the recommended variations and/or exceptions. The Board of Trustees may approve such variations or exceptions from the requirements of this Title in specific cases as listed on the final plat, which in its opinion do not adversely affect the Zoning Ordinance for the Village or the intent and purposes of this Title.

9B-3-3: APPEALS:

Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom within sixty (60) days of notification of such objection or rejection of the plat, by presenting to a court of record a petition for a writ of certiorari directed to the Board of Trustees. The court shall direct that the plat be approved if it finds that the action of the Village Board of Trustees is arbitrary, unreasonable or discriminatory.

9B-3-4: AMENDMENTS:

For the purpose of promoting the public health, safety, general welfare, the Village Board of Trustees may from time to time amend the regulations imposed by this Title. The Plan Commission shall hold a public hearing on proposed amendments and make recommendations thereon to the Board of Trustees.

9B-3-5: FEES:

A. Required Payment: In order to cover the costs of plan examinations, incidental to the approval of a subdivision, the subdivider shall pay a fee at the time of application for approval of a preliminary plat. Such fee shall be based on the projected number of lots to be created. (At the time of application for approval of the final plat, the required fee will be recalculated on the basis of the actual number of lots created, based on this calculation, the subdivider is to pay an additional amount or to receive a refund.) There shall be no refund of any portion of the fee if the subdivider fails to apply for final approval of the subdivision within the time limit prescribed by these regulations. (Ord. 76-1, 1-8-76)

B. Amount of Fees:

Number of Lots	Fee
1 to 5	\$250.00
6 and over	\$275.00 plus \$25.00 for each lot in excess of 6

In addition to the above fees, the subdivider will be responsible for the payment of all professional fees and costs incurred by the Village in connection with approval of the subdivision prior to final approval of the subdivision as set forth in subparagraphs C and D of this Section. (Ord. 81-WS-13, 10-22-81)

C. Engineering and Inspection: To defray the engineering and inspection expenses incurred by the Village in preparation or checking of preliminary and final cost estimates, working drawings, specifications, in checking the final plat (prepared by others), and in executing inspection responsibilities, the subdivider shall be required to reimburse the Village as follows: (These are separate and distinct charges from the fee paid at the time of submission of the preliminary layout.)

1. If the subdivider elects to have working drawings and specifications prepared by the Village, the procedure shall be:

a. He shall make a request for preparation of a preliminary estimate of construction costs for improvements. This request shall be in writing to the Village Board of Trustees and shall be accompanied by a certified check in the amount of two hundred fifty dollars (\$250.00) to be receipted for by the Village Clerk. The deposit is to guarantee the expenses of preparation of the preliminary estimate by the Engineer for the Village.

b. When notified of the amount of the preliminary estimate of construction costs, the subdivider shall make a further written request to the Village Board of Trustees for preparation by the Engineer for the Village of a final estimate of construction costs, working drawings and specifications to be employed in the construction and inspection of the improvements. In making this request, the subdivider shall pay over to the Village Clerk an engineering fee equal to one hundred percent (100%) of the Engineer's quoted charge to the Village.

c. Upon payment of the engineering fee, the two hundred fifty dollars (\$250.00) bond shall be refunded. The two hundred fifty dollars (\$250.00) bond shall be forfeited if the engineering fee is not paid within six (6) months after notification of the amount of the preliminary estimate of construction cost and new bond shall be posted with a new request for preliminary estimate. There shall be no refund of the engineering fee if the project is abandoned or if approval of the final plat is denied. Any revision of work drawings, for whatever reason, shall be subject to an additional engineering fee paid for in advance, in an amount quoted by the Village Engineer.

d. The engineering fee is intended to cover the cost of preparing final work drawings, cost estimates and specifications but is not intended to cover the cost of staking out the project and inspecting the work once construction is begun.

2. If the subdivider elects to have working drawings, specifications and cost estimates for improvements prepared by the Engineer retained by himself, the procedure shall be:

a. He shall apply in writing to the Village Board of Trustees making a request that such drawings, specifications and estimates be checked by the Engineer for the Village. The application shall be accompanied by two (2) sets of construction prints, specifications and estimates.

b. The Village Board of Trustees shall inform the subdivider of the amount of the Engineer's charge to the Village for his service. Checking shall proceed after the subdivider has paid over this fee to the Village Clerk. Additional fees shall be paid for rechecking of drawings, specifications and estimates arising from revisions made by or required by the subdivider. There shall be no refund of engineering fees if the project is abandoned for any reason whatsoever.

c. The engineering fee is intended to cover the cost of checking the construction drawings, specifications and cost estimates, but is not intended to cover the cost of staking out the proposed work and inspecting said work once construction begins.

3. Inspection Requirements:

a. All improvements shall be subject to inspection by a duly authorized and qualified Village inspector both during the course of construction and after construction is completed. The inspector shall have authority over materials of construction, methods of construction and workmanship to insure compliance with working drawings and specifications. The contractor shall provide for reasonable tests and proof of quality of materials as requested by the inspector. Upon due cause the inspector may require that work be suspended, and due cause shall include weather conditions, questionable materials of construction, methods of construction, workmanship or nonadherence to specifications and drawings.

b. Approval by the inspector or absence of inspection shall in no way relieve the subdivider of full responsibility for adherence by his contractors to specifications and working drawings nor for high standards of materials, methods and workmanship.

c. Approval by the inspector shall not be deemed acceptance of the improvement by the Village. Acceptance shall be only by action of the President and Board of Trustees, and acceptance shall be contingent upon a favorable inspection report.

d. It shall be the responsibility of the subdivider or his contractor to notify the Village Clerk's office when work is to be started and to request assignment of an inspector. During construction, when certain phases of construction are started and completed and when final construction is completed, it shall be the responsibility

of the owner and/or subdivider or his agents to have proper inspections made by the Village inspector before proceeding.

e. Before grading or construction of improvements is started the subdivider or his contractor shall deposit with the Village Clerk a cash sum in an amount agreed upon between the Engineer for the Village and the subdivider or contractor as being sufficient to provide for inspection charges at current rates. From this sum shall be deducted the inspection expense incurred by the Village. Any excess of the sum deposited over total inspection charges will be refunded to the depositor and any overdraft for inspection shall be provided for immediately by the contractor to insure continuity of inspection.

f. The inspection charges shall be equal to one hundred percent (100%) of the Engineer's quoted charge to the Village.

If inspection is performed by an inspector on the Village's payroll, the charge shall be one hundred twenty five percent (125%) of the regular salary paid to the inspector computed to an hourly basis. There shall be not less than a four (4) hour charge for the time spent in any one working day.

D. Legal Expenses: The subdivider shall reimburse the Village for any legal expenses incurred by it in connection with the processing of the subdivision for approval. This shall include the cost of preparing or examining agreements, guarantees, escrows and the furnishing of opinion required, the preparation of deeds or any other instruments or conveyance that may be required, and any other legal expense incurred by the Village in connection with qualifying the subdivision.

The President and Board of Trustees may, in their discretion, obtain an estimate from the Village Attorney of the cost of any such legal expense and require a deposit from the subdivider in the amount of such estimate before incurring the legal expense involved. (Ord. 76-1, 1-8-76)

E. Filing Fees: Any and all fees incurred by the village for copying the plat and recording same with the Recorder of Deeds or Registrar of Titles shall be paid by the applicant for each subdivision approved by the Board. This fee shall be paid prior to the recording of said Plat of Subdivision. (Ord. 87-0-17, 8-13-87)

**CHAPTER 4
PROCEDURES FOR APPROVAL; PLATS**

9B-4-1: OUTLINE FOR PROCEDURES:

A. Preliminary Proposal:

1. The subdivider submits a letter of intent, sketch plan and other proposed improvements to the Village President and Board of Trustees. The Board of Trustees by motion refers proposal to the Plan Commission.
2. The Plan Commission Chairman, after checking the proposal, advises the subdivider as to the apparent adequacy of the proposed plan and schedules a preliminary plat hearing before the Plan Commission Board.

B. Preliminary Plat:

1. The subdivider prepares a preliminary plat three (3) copies, including preliminary engineering plans and specifications and intended dedication or reservation of public lands and presents the proposal to the Plan Commission. The preliminary plat shall be prepared in accordance with the requirements set forth in Section 9B-4-2, Preliminary Plat.
2. The Plan Commission shall discuss with the subdivider, the proposed subdivision and advise him of any Village plans which may affect the proposed subdivision; the procedural steps, design and improvement standards; and the general plat requirements. The Plan Commission may obtain the required recommendations from the Village Engineer or other Village officers by transmitting preliminary plat copies concerning matters within their jurisdiction.
3. The Plan Commission after applying provisions of this Title shall:
 - a. Approve the preliminary plat.
 - b. Approve the preliminary plat subject to modification.
 - c. Reject the preliminary plat, in which case findings are reported to the subdivider in writing.

C. Final Plat:

1. Within six (6) months of the date of approval of the preliminary plat, the subdivider prepares and presents to the Plan Commission a final plat incorporating all required modifications together with final engineering plans and specifications to the

preliminary plat. The final plat is prepared in accordance with requirements set forth in Section 9B-4-3 hereof.

2. The Plan Commission determines whether or not the final plat is in conformance with the approved preliminary plat and shall accept by motion, sign and forward the plat, with recommendations to the Village Board of Trustees.

3. The Village Board of Trustees shall review the plat, either approving or rejecting, within sixty (60) days after receiving from the Plan Commission.

4. Upon receipt of a certified copy of the approved final plat, the Village Clerk shall file a copy of the approved plat with the Recorder of Deeds of Cook County.

9B-4-2: PRELIMINARY PLAT:

In planning and developing a subdivision either within the corporate limits or within one and one-half (1 1/2) miles of the limits of the Village, the subdivider shall respect the following procedure:

- A. Filing of Preliminary Plat: The subdivider shall prepare a preliminary plat of the proposed subdivision, along with preliminary engineering plans and specifications, in accordance with the requirements of Chapter 5 of this Title and shall present this to the Plan Commission for discussion and tentative approval. The preliminary plat shall consist of three (3) black and white prints or other acceptable reproduction.
- B. Review and Recommendations: The preliminary plat shall be reviewed by the Plan Commission to determine its conformity to this Title and all other ordinances and regulations in force which affect subdivisions. Copies of such preliminary plat shall be transmitted to the President and Board of Trustees, Village Engineer and other Village officers as the Plan Commission shall deem necessary for their recommendations concerning matters within their jurisdiction. Their recommendations in respect thereto shall be transmitted to the Plan Commission not later than two (2) weeks from the date the plat is filed.
- C. Disposition of Preliminary Plat: The Plan Commission shall, within forty five (45) days from the date of application or the filing by the applicant of the last item of required supporting data, whichever date is later, unless such time is extended by mutual consent, tentatively approve or disapprove the plat, or approve it with modifications, noting thereon any changes that will be required. One copy shall be returned to the subdivider with the date of the tentative approval or disapproval, and the reasons therefor accompanying the plat.
- D. Required Improvements: The subdivider shall install street and utility improvements, and other improvements indicated on the plat, as hereinafter provided. If such improvements are not installed as required at the time the final plat is submitted for approval, the subdivider shall, before the recording of his plat, enter into a contract

with the Village of Willow Springs, agreeing to install the required improvements. The subdivider shall file, with said contract, a bond meeting the approval of the Village Attorney and the Village Treasurer or deposit moneys in escrow with a bank approved by the Village in an amount equal to one hundred twenty five percent (125%) of the estimated cost of improvements prepared by the Village Engineer. Such bond or moneys in escrow shall constitute a guarantee that such improvements will be completed by the subdivider or his subcontractors not later than one year from the date of recording of the plat, and that repairs necessitated by defects in material or workmanship will be made during the period not to exceed one year from and after final acceptance of such improvements by the Village Board of Trustees.

If the improvements are not completed or repairs are not made within the specified time period, the Board of Trustees may use the bond or the check or any necessary portions thereof to complete or repair same. The Village Board may, after conferring with the Village Engineer allow an extension in completion of improvement.

Upon completion of the required improvements guaranteed by the bond or certified check, and to insure that such improvements have been installed "as-built" survey plat of the subdivision, including location, dimensions, construction materials, and other information required by the Plan Commission, shall be submitted to the Plan Commission by the developer of the subdivision.

Governmental units to which these bond and contract provisions apply may file in lieu of said contract or bond, a letter from the officers authorized to act in their behalf, agreeing to comply with the provisions of this Chapter.

Where a subdivision is located in the path of urban development, as indicated by the Comprehensive Plan for Willow Springs, improvements may be required of a size and capacity necessary to adequately serve adjacent growth. When such "oversized" improvements are required, the Village shall, in conformance with the schedule represented by its capital improvement program and/or utility extension master plan, reimburse the subdivider for any construction in excess of what is necessary to serve only his subdivision. Maximum requirements for subdivision improvements shall be determined by the Plan Commission and Village Engineer with final approval by the Village Board of Trustees.

1. Water Facilities:

a. Where a public water main is accessible, subdivider shall install adequate water facilities (including fire hydrants) subject to the specifications and inspection of the Village Engineer and Fire Chief, the cost of engineering and inspection to be charged to the developer. The location of the fire hydrants shall first be approved by the Village Engineer and Fire Chief.

b. Water main extensions shall be approved by the Environmental Protection Agency or their officially designated agent. If a public utility water system is not

available, individual wells may be used provided the provisions of Section 9B-8-5B hereof are met, and water samples are submitted to and approved by the Village and/or County Health Officer. Such an order of approval shall be submitted to the Plan Commission.

c. If a connection to a public water main will be provided eventually, as recommended by the Village Engineer, the Plan Commission and determined by the Board of Trustees, the developer shall make arrangements for future public water service at the time the plat receives final approval. Performance or cash bonds may be required to insure compliance.

2. Sewer Facilities:

a. Where a public sanitary sewer is accessible, the subdivider shall install adequate sanitary sewer facilities (including the installation of laterals to the right of way), subject to the specifications and inspection of the Village Engineer, Department of Public Works of the Village of Willow Springs and the Metropolitan Sanitary District, hereinafter called the Department, the cost of inspection, determined on the basis of time devoted to the project at the Village Engineer's wage scale, to be charged to the developer. All construction work in connection with sanitary sewer extension shall be approved by the Environmental Protection Agency, or their official designated agent.

b. If public sewage facilities are not available and the developer intends to utilize a central sanitary sewage system to service the subdivision, such system shall be subject to approval of the Village of Willow Springs upon favorable recommendation from the Village Engineer. All such approved systems shall include a sewer layout so designed as to be compatible with and facilitate any future extension of the Metropolitan Sanitary District.

c. If public sewage facilities are not available and the developer does not intend to use a central sanitary sewage system to service the subdivision, minimum lot areas shall conform to the requirements of Section 9B-8-5B of this Title and percolation tests or test holes shall be made as directed by the Village and County Health Officer and the results submitted to the Cook County Health Department.

d. Private disposal systems shall comply with all requirements of the Environmental Protection Agency and/or the Cook County Health Department. An order from the Village and/or County Health Officer shall be submitted to the Plan Commission approving the sanitation facilities proposed by the developer. This approval shall be predicated upon written recommendation from the Village Engineer. If a connection to a public sanitary sewer will be provided eventually, as recommended by the Village Engineer, and the Plan Commission and determined by the Board of Trustees, the developer shall make arrangements for future sewage disposal by a public utility system at the time the plat receives final approval. Performance or cash bonds may be required to insure compliance. In the future, if a

public sanitary sewer is accessible and sanitary sewer is placed in a street or alley, abutting upon property, the owner thereof shall be required to connect to said sewer for the purpose of disposing of waste and it shall be unlawful for any such owner or occupant to maintain upon any such property an individual sewage disposal system.

3. Storm Water: Where a public storm sewer is accessible, the developer shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the specifications and inspection of the Village Engineer, the cost of engineering and inspection determined on the basis of time devoted to the project at Village wage scales, to be charged to the developer.

If a connection to a public storm sewer will be provided eventually, as recommended by the Village Engineer and the Plan Commission and determined by the Board of Trustees, the developer shall make arrangements for future storm water disposal by a public utility system at the time the plat receives final approval. Performance or cash bonds may be required to insure compliance.

4. Street Grading: The subdivider shall furnish drawings which indicate the existing and proposed grades of streets shown on the plat, and, after completion of engineering work on the streets by the Village Engineer and approval of street grades by the Plan Commission shall grade or cause to be graded the full width of the right of way of the streets proposed to be dedicated. The bed for the roadways in the street rights of way shall be graded to subgrade. The cost of engineering and inspection, determined on the basis of time devoted to the project at Village wage scales, shall be charged to the developer. The Village Engineer shall approve the work prior to the time the Plan Commission recommends approval of the final plat.

5. Street and Sidewalk Surfacing: After sewer and water utilities have been installed by the developer, the subdivider shall construct concrete combination curbs and gutters where required and shall surface or cause to be surfaced roadways to the widths prescribed in Chapter 8 of this Title and as indicated on the Official Map of the Village of Willow Springs. Said surfacing shall be of such character as is suitable for the expected traffic and in harmony with similar improvements in the surrounding areas. On all streets construction shall be as follows:

Surfacing: Bituminous Concrete Surface Course Class (2 1/2" thick).

Base: Gravel or Crushed Stone Base Course CA-6 (9" thick).

Alternates: BAM Base Course (6" thick).

All designated surface treatments shall meet the specifications of the Village Engineer of Willow Springs. Adequate provision shall also be made for culverts, drains and bridges. Dedicated walkways shall be improved by the subdivider with a

standard Willow Springs sidewalk to a grade established by the Village Engineer. Such work shall be done in accordance with plans prepared or approved by the Village Engineer. The work shall be inspected by the Village Engineer, with engineering and inspection costs (determined on the basis of time devoted to the project at Village wage scales) to be charged to the developer.

6. Monuments: The subdivider shall place permanent reference monuments in the subdivision as required herein and as approved by the Village Engineer.

The external boundaries of a subdivision shall be monumented in the field by monuments of stone or concrete, not less than thirty inches (30") in length, not less than four inches (4") square or five inches (5") in diameter, and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least thirty inches (30") long and two inches (2") in diameter. These monuments shall be placed not more than one thousand four hundred feet (1,400') apart in any straight line and at all subdivision corners, at each end of all curves, at the point where a curve changes its radius, and at all angle points in any line, and at all angle points along the meander line. Said meander points to be not less than twenty feet (20') back from the bank of any river or stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed on the side line of the street and so referenced.

All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field by iron rods or pipes at least thirty inches (30") long and two inches (2") in diameter. These monuments shall be placed at all block corners, at each end of all curves, at a point where a curve changes its radius, and at all angle points in any line.

All lot corners shall be monumented in the field by iron pipes at least twenty four inches (24") long and one inch (1") in diameter; or by round or square iron bars at least twenty four inches (24") long.

The lines of lots that extend to rivers or streams shall be monumented in the field by iron pipes at least thirty inches (30") long and one inch (1") in diameter, or by round or square iron bars at least thirty inches (30") long. These monuments shall be placed at the point of intersection of the river or stream lot line, with a meander line established not less than twenty feet (20') back from the bank of the river or stream.

All such monuments shall be set flush with the ground and planted in such a manner that they will not be removed by frost.

All monuments shall be properly set in the ground by a registered Illinois Land Surveyor and approved by the Village Engineer prior to the time the Plan Commission recommends approval of the final plat.

7. Street Trees: Street trees having a trunk diameter (measured 12 inches above the ground level) of not less than two inches (2") shall be planted along all residential streets, where trees do not already exist, no less than thirty feet (30') nor more than seventy five feet (75') apart. Only oak, honey locust, hard maples, ginkgo, or other long-lived shade trees, acceptable to the Village Engineer and Plan Commission shall be planted.

8. Street Lights: Street lights shall be installed to illuminate all roadways and sidewalk surfaces in accordance with design and specifications standards approved by the Village Engineer.

9. Street Names: Street signs are to be placed at all intersections within or abutting the subdivision, the type and location of which to be approved by the Village Engineer. No street names shall be used which will duplicate or be confused with the names of existing streets. New streets which are extensions of or obviously in alignment with existing streets shall bear the name of the existing streets. Street names shall be subject to the approval of the Plan Commission.

10. Other Improvements: It is also desirable to install other improvements such as electric lines, gas mains, and similar facilities in any subdivision. Whenever the Plan Commission and the Board of Trustees deem it necessary, they may require that any such improvements shall be installed before the plat is approved. When reasonably possible, the Plan Commission shall require that all utilities and service facilities be placed underground.

11. Topsoil. Topsoil shall not be removed from residential lots or used as spoil, but shall be redistributed so as to provide at least six inches (6") of cover on the lots and between sidewalks and curbs, and shall be stabilized by seeding or planting.

9B-4-3: FINAL PLAT:

After approval of the preliminary plat, the subdivider shall prepare and submit to the Plan Commission the final plat incorporating all required modifications to the preliminary plat. During the final plat stage, the following actions shall be taken:

- A. Filing of Final Plat: After he has entered into a contract, guaranteed by a bond, by which he agrees to provide utilities and improvements herein required, or after completion of such utilities and improvements to the satisfaction of the Village Engineer and Plan Commission, the subdivider shall file with the Village Clerk, within six (6) months of the date of approval or tentative approval of the preliminary plat, unless such six (6) month period is extended by the Plan Commission, the final plat and four (4) reproductions thereof which shall conform to the requirements of Chapter 6 of this Title. The Village Clerk shall forthwith transmit all copies of the final plat to the Plan Commission.

- B. Action by the Board of Trustees: Upon receipt thereof, the Plan Commission shall examine the final plat and all necessary certificates to determine its conformance to the preliminary plat and the requirements established in this Title, and shall within thirty (30) days of its submission, unless the time is extended by the Board of Trustees, either approve or disapprove said final plat.

If the Plan Commission approves the final plat, such approval and the date thereof shall be noted on the plat over the signature of both the Chairman and Secretary of the Commission and the plat shall be transmitted to the Board of Trustees for the necessary action on the final approval of the plat and for approval of all proposed dedications.

The Board of Trustees shall approve or disapprove the final plat and accept or reject the areas preserved for or dedicated to the public within sixty (60) days of its submission to the Plan Commission unless the subdivider is notified of objections to the plat or the time is extended by agreement with the subdivider.

After the final plat shall have been approved by the Board of Trustees, the Village Clerk shall cause a certified copy of the resolution approving such plat to be attached to the plat and returned to the subdivider. Copies of the resolution and plat shall also be transmitted to the Plan Commission and the Village Engineer, and the Village Clerk shall retain one copy for his file. The Village Clerk shall promptly file a reproducible copy of the subdivision plat in the Recorder of Deed's office of Cook County.

- C. Subdivision Plat Lying Outside the Corporate Limits of Willow Springs and Being Within the Review Jurisdiction of Willow Springs: For the subdivision platting of any land lying outside the corporate boundaries of the Village of Willow Springs, but within one and one-half (1 1/2) miles thereof, the procedure hereinbefore set forth shall apply except for the following modifications:

1. Tentative Approval of Preliminary Plat: After approval and recommendation of a subdivision plat by the Willow Springs Plan Commission, such plat shall be referred to the Village Board of Trustees for forwarding to the legislative body of Cook County for final (tentative) approval.

2. Final Plat Approval: After approval and recommendation of a final plat of subdivision by the Willow Springs Plan Commission, such plat shall be referred to the Village Board of Trustees for forwarding to the legislative body of Cook County for approval.

3. Other Required Approvals: Any other approval, certificate, review, inspection, bond, or guarantee required herein shall be handled pursuant to Cook County requirements for land subdivision. (Ord. 76-1, 1-8-76)

CHAPTER 5 PRELIMINARY PLATS

9B-5-1: PRELIMINARY PLAT REQUIRED:

Every proposed subdivision shall be submitted to the Plan Commission for tentative or conditional approval in the form of a preliminary plat prior to the submission of a final record plat. The preliminary plat is not intended to be a final record plat and must be prepared in such form as not to be confused with a final record plat. Its purpose is to show graphically all facts needed to enable the Plan Commission and other public bodies to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest. The preliminary plat shall be prepared by a qualified professional, trained and experienced in the layout of subdivisions.

The following graphic and descriptive items are normally required to be shown on the preliminary plat and the accompanying application for approval. The lack of information under any item specified herein, or improper information supplied by the applicant, shall be cause for disapproval of a preliminary plat.

9B-5-2: PRELIMINARY PLAT CONTENTS:

The owner or his agent shall provide the Plan Commission with a preliminary plat and it shall contain the following information:

A. Name for File Identification:

1. Name of subdivision if property is within an existing subdivision.
2. Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded in Cook County.
3. Name of property if no subdivision name has been chosen. (This is commonly the name by which the property is locally known.)

B. Location and Description of Property: Location of property by government lot, section, township, range and county.

C. Basic Facts and Proposals Pertaining to the Property:

1. Size of tract in acres or of existing lots, if any, in square feet.
2. Existing zoning classification of property and any rezoning proposed to be requested.
3. Number of lots proposed in subdivision.

4. Area of lots proposed; showing total square feet per proposed lot and dimensions per lot in square feet.

5. Proposed type of water and sewer facilities.

6. Any other proposals, such as parcels of land intended to be dedicated, conveyed or reserved for public use, and the conditions proposed for such disposal and use. (Ord. 76-1, 1-8-76)

7. All existing public utility easements and existing sanitary sewer and water lines. (Ord. 87-0-16, 8-13-87)

D. Information as to Ownership, Preparation of Plat, and Submission thereof.

1. Name and address, including telephone number, of legal owner or agent of property and citation of last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date and land records reference.

2. Citation of any existing legal rights of way or easements affecting the property.

3. Existing covenants on the property, if any.

4. Name and address, including telephone number, of the professional responsible for the subdivision design shall be shown on the preliminary plat as submitted -- Registered Professional Engineer of Illinois, responsible for the design of public improvements, and Registered Illinois Land Surveyor, responsible for surveys. (Ord. 76-1, 1-8-76)

E. The preliminary plat shall be submitted to the Village Engineer for his review and approval. He shall submit a written report to the Plan Commission detailing his findings and recommendations. All fees charged by the Engineer shall be billed by the Village Clerk to the applicant.

F. Upon request of the Village Engineer, a topographical survey shall be provided at applicant's expense. Said survey shall be prepared by a registered professional engineer or registered surveyor. (Ord. 87-0-16, 8-13-87)

9B-5-3: DRAWING STANDARDS:

The preliminary plat shall be drawn with waterproof nonfading black ink or legibly drawn with pencil on tracing cloth or tracing paper of good quality at a scale of not more than one hundred feet to the inch (100' = 1"), and shall show correctly on its face the following information:

A. Date, scale and north point.

- B. The proposed subdivision name (must be the same as that specified in the application).
- C. The name and address of the owner, the subdivider and the surveyor preparing the plat.
- D. Location of the subdivision by government lot, quarter section, section, township, range and county.
- E. A vicinity sketch or small-scale drawing of the section or area within which the subdivision lies, with the location of the subdivision indicated thereon.
- F. The exact length and bearing of the exterior boundaries of the subdivision. Dimensions shall be expressed in feet and decimals of a foot.
- G. Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land.
- H. Zoning on and adjacent to the subdivision.
- I. Location, width and names of all existing and platted streets, alleys and other public ways and easements, railroad and utility rights of way, parks, cemeteries, watercourses, drainage ditches, permanent buildings, bridges and other pertinent data as determined by the Plan Commission.
- J. The water elevations of adjoining lakes or streams at the date of the survey and the approximate high and low water elevations of such lakes or streams. All elevations shall be referred to the Village of Willow Springs datum plane.
- K. If the subdivision borders a lake, river or stream, the distances and bearings of a meander line established not less than twenty feet (20') back from the ordinary high-water mark of such waterways.
- L. Provisions for layout, width and grades of all new streets and rights of way, including alleys, highways, easements for sewers and water mains, and other public utilities. Provisions for all utilities shall be underground.
- M. Existing sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sanitary and storm sewers are to be indicated in a general way upon the preliminary plat.
- N. Plans of proposed utility layouts (water, sewers and storm drains) showing connections to any existing or proposed utility system.
- O. Approximate dimensions and areas of lots.

- P. Approximate radii of all curves, length of tangents, and central angles on all streets.
- Q. Approximate location and area of all property proposed to be dedicated or reserved for public use or to be reserved by deed covenant for use of all property owners in the subdivision, with the conditions, if any, of such dedication or reservation.
- R. Contours at vertical intervals of not more than two feet (2') or at more frequent intervals if required by the Plan Commission for land with unusual topography.
- S. Street profile plans for all existing and proposed streets, containing information specified by the Plan Commission. (Ord. 76-1, 1-8-76)

CHAPTER 6 FINAL PLATS

9B-6-1: FINAL PLAT MAY CONSTITUTE PORTION OF APPROVED PRELIMINARY PLAT:

A final plat may constitute only a portion of the area contained in the approved preliminary plat, provided that the public improvements to be constructed in the area covered by the plat are sufficient by and of themselves to accomplish a proper development and to provide adequately for the health, safety and convenience of the proposed residents herein and for adequate access to contiguous areas.

9B-6-2: FINAL PLAT CONTENTS:

The owner or his agent shall furnish the Plan Commission a final plat and it shall contain the following information:

- A. Name of subdivision (which is subject to approval by the Village Board of Trustees and should be cleared with the Plan Commission prior to submission of the plat) and description of blocks and lots included on plat.
- B. Location of subdivision by government lot, section, township, range and county.
- C. Name, date of approval and file number of the preliminary plat upon which the final plat is based.
- D. Zoning classification of the property.
- E. Total number of lots and/or parcels included on the plat.
- F. Total area shown on the plat including streets and total area dedicated to public use, if any.

- G. Existing or proposed covenants, if any reference shall be made to any private restrictions and plats shall contain proper acknowledgements of owners and mortgagees accepting said platting and restrictions.
- H. Name and address, including telephone number, of the owner or his agent and the surveyor who prepared the plat.
- I. Submission of final engineering plans and specification for all water systems, sanitary sewage disposal systems and all storm drainage facilities, showing connection to any existing or proposed utility system.
- J. Final engineering drawings showing street profile plans for all existing and proposed streets, containing all information required by the Village Engineer and the Plan Commission.

9B-6-3: DRAWING STANDARDS:

The final plat shall be drawn with waterproof nonfading black ink, at a scale of not more than one hundred feet to the inch (100' = 1"), on muslin-backed white paper or four (4) mil transparent Mylar, twenty two inches wide by thirty one and one-fourth inches long (22" x 31 1/4"), or in a form deemed acceptable by the Plan Commission. When more than one sheet is used for any plat, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the plat and showing the relation of that sheet to the other sheets, and each sheet shall bear the name of the subdivision. Each plat shall show correctly on its face the following information:

A. Map and Engineering Information:

1. Date, scale and north point.
2. The exterior boundaries of the land surveyed and divided.
3. All monuments erected, corners and other points established in the field in their proper places. The material of which the monuments, corners or other points are made shall be noted at the representation thereof or by legend, except that lot corners need not be shown. The legend for metal monuments shall indicate the kind of metal, the diameter, length, and weight per lineal foot of the monument.
4. The exact length and bearing of the exterior boundaries, the boundary lines of all blocks, public grounds, streets and alleys, and all lot lines, except that when the lines in any tier of lots are parallel, it shall be sufficient to mark the bearings of the outer lines on one tier thereof. Easements shall be shown by center line and width when lines are parallel to a boundary, otherwise boundary bearings and distances shall be shown. Where the exterior boundary lines show bearings or lengths which vary from those recorded in abutting plats or certified surveys, there shall be the following note placed along such lines, "recorded as (show recorded bearing or length or both)".

5. Blocks, if designated, shall be consecutively numbered, or lettered in alphabetical order. The blocks in numbered additions to subdivision bearing the same name shall be numbered or lettered consecutively through the several additions.

6. All lots in each block consecutively numbered. Outlots shall be lettered in alphabetical order. If blocks are numbered or lettered, outlots shall be lettered in alphabetical order within each block.

7. The exact width of all easements, streets and alleys.

8. All lake or stream shore meander lines established by the surveyor in accordance with Section 9B-4-2D6 of this Title, the distances and bearings thereof, and the distance between the point of intersection of such meander lines with lot lines and the ordinary high-water mark.

9. The center line of all streets.

10. The number of degrees and minutes in all exterior boundary and block angles. When such angles are between a curve and its tangent, the angle shown shall be that between the tangent and the main chord of the curve; when between curves of different radii, the angle between the main chords.

11. When a street is on a circular curve, the main chords of the right of way shall be drawn as dotted lines in their proper places; and either on them, or in an adjoining table, shall be noted their bearings and lengths, the radius of the circle of which the curve is a part, the central angle subtended and the tangent bearing at either the point of curve or point of tangency. The lot lines may be shown in the same manner or by bearings and distances. When a circular curve of thirty foot (30') radius or less is used to round off the intersection between two (2) straight lines, it shall be tangent to both straight lines; it shall be sufficient to show on the plat the radius of the curve and the tangent distances from the points of curvature to the point of intersection of the straight lines.

12. When strict compliance with a provision of this Section will entail undue or unnecessary difficulty or tend to render the plat more difficult to read, and when the information on the plat is sufficient for the exact retracement of the measurements and bearings or other necessary dimensions, the Plan Commission, upon the recommendations of the Village Engineer, may waive such strict compliance.

B. Name, Location and Position: The name of the subdivision shall be printed on the plat in prominent letters, and the following information relating to the position and location of the subdivision shall be shown thereon:

1. The location of the subdivision by government lot, recorded private claim, quarter section, section, township, range, and county noted immediately under the name given the subdivision.

2. The exact location of the subdivision, indicated by distances and bearings with reference to a corner or corners established in the U.S. public land survey.
3. A small drawing of the section, or governmental subdivision of the section, in which the subdivision lies, with the location of the subdivision indicated thereon. This drawing shall be oriented on the sheet in the same direction as the main drawing.
4. Where provision is made for access to any lake or stream, the plat shall show the area over which access is provided to the lake or stream together with a small-scale drawing clearly indicating the location of the subdivision in relation to the lake or stream and the location of the area over which access is provided.
5. The names of adjoining streets, State highways and subdivisions shown in their proper location underscored by a dotted line.
6. Abutting street and State highway lines of adjoining plats shown in their proper location by dotted lines. The width of these streets and highways shall be given also.

C. Roads and Public Spaces:

1. The name of each road or street in the plat shall be printed thereon in prominent letters.
2. All lands dedicated to public use except roads and streets shall be clearly marked "Dedicated to the Public".
3. All roads or streets shown on the plat which are not dedicated to public use shall be clearly marked "Private Road" or "Private Street" or "Private Way".
4. Each lot within the plat must have access to a public or private street unless otherwise provided by local ordinance.

D. Site Conditions and Topography:

1. All existing buildings.
2. All watercourses, drainage ditches, and other existing features pertinent to proper subdivision.
3. The water elevations of adjoining lakes, rivers or streams at the date of the survey and the approximate high and low water elevations of such lakes, rivers and streams. All elevations shall be referred to the Village of Willow Springs datum plane.

9B-6-4: RECORDING OF FINAL PLAT:

To entitle a final plat to be entered in the proper record books in the office of the Recorder of Deeds of Cook County, the following certificates, together with the certificate of approval of the Village Board of Trustees, shall accompany it. These certificates shall be lettered or printed legibly with black durable ink or typed.

A. Acknowledgement: The following shall be submitted with each plat:

1. A correct description of the land or parcel of land to be subdivided.
2. A notarized statement to the effect that the subdivision as it appears on the plat is with the free consent and in accordance with the desire of the proprietor, signed and acknowledged by such proprietor and his spouse, if any, acknowledging the adoption of the plat and the dedication of streets and other public areas, and granting a release of mortgage on such area as dedicated for public use.

B. Certificate for Surveyor: The final plat shall be accompanied by a certificate from a Registered Illinois Land Surveyor, attesting to the fact that the plat represents a survey made by him and that monuments and markers shown thereon exist as located and that all dimensional and geodetic details are correct, and that he has complied with all the rules contained herein governing plats, and noting exceptions, if any.

C. County Treasurer's Certificate: The final plat shall be accompanied by a certificate from the County Treasurer, attesting to the fact that all taxes are paid for the current year and all prior years, or that the required statutory security has been deposited in the office of the County Treasurer, guaranteeing payment thereof.

D. Village Collector's Certificate: The final plat shall be accompanied by a certificate from the Village Collector, attesting to the fact that all local taxes are paid for the current year and all prior years.

E. Plan Commission Certificate: The final plat shall contain a statement that the Village Plan Commission has approved the final plat, which statement shall be signed by the chairman and attested by the secretary.

F. Village Engineer's Certificate: The final plat shall contain a statement certifying that the Village Engineer has approved the final plat and all additional required information. (Ord. 76-1, 1-8-76)

**CHAPTER 7
GENERAL REQUIREMENTS AND PRINCIPLES**

9B-7-1: GENERAL REQUIREMENTS:

- A. The plan commission, in the examination of subdivision plats for approval, and in the application of this title, shall take into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to width and location of streets, suitability of sanitary utilities, surface drainage, lot sizes and arrangements, as well as local requirements such as parks and playgrounds, schools and recreation sites, and other public uses.
- B. The plan commission shall especially require that all subdivisions conform to the provisions and conditions of the zoning ordinance for future development of the village. Plat approval may be withheld if a subdivision does not conform to the provisions of the zoning ordinance.
- C. The plan commission shall not recommend for approval by the board of trustees any plat of subdivision which does not make adequate provision for storm or flood water runoff channels or basins.
- D. In all subdivisions, due regard shall be given to the preservation of natural features such as large trees, watercourses, historical and similar features. (Ord. 76-1, 1-8-1976)

9B-7-2: UNSUITABLE LAND:

No land shall be subdivided for residential use which is held by the plan commission, after investigation by the village engineer, to be unsuitable for such use by reason of flooding or bad drainage, adverse earth or rock formation or topography, or any other feature likely to be harmful to the health, safety or welfare of the future residents, in the proposed subdivision or of the community. (Ord. 76-1, 1-8-1976)

9B-7-3: DEDICATION OF LAND FOR PUBLIC USE; GENERAL PROVISIONS:

- A. When a final plat of a subdivision has been approved by the village board of trustees as required approvals are obtained and the plat is recorded, such approval by the board of trustees shall constitute acceptance for the purpose(s) designated on the plat of all land shown on the plat as dedicated to or reserved for the public use, including street dedications.
- B. Whenever a preliminary plat includes a proposed dedication of land for public use and the plan commission finds that such land is not required and/or is not suitable for public use, the plan commission may either refuse to approve such dedication in the location shown, or require the rearrangement of lot lines in the proposed subdivision to include such land therein.

- C. In determining how much land shall be dedicated to public recreation uses as hereinafter set forth, the following land areas shall not be included in such calculations:
1. Any land area zoned for business or industrial development.
 2. Any land area required for development of arterial streets, expressways, freeways, state highways, or any other required public right of way which exceeds eighty feet (80') in width. (Ord. 76-1, 1-8-1976)
- D. All subdividers shall be required to dedicate land for public use, not to exceed twelve percent (12%) of the total gross acreage developable for residential users. (Ord. 86-0-1, 2-13-1986)

9B-7-4: DEDICATION AND RESERVATION OF PARK AND RECREATIONAL AREAS:

- A. Specific Requirements: Where a proposed park, playground, community center or other recreational site or facility or police or fire station or any other proposed public use, included in the zoning ordinance is located in whole or in part in the area being subdivided, the subdivider shall dedicate such land to the proper public agency or agencies as a part of the final subdivision plat; provided, however, that in no case shall the amount of land required to be dedicated, other than required streets and alleys, exceed twelve percent (12%) of the total gross acreage developable for residential uses; and provided further, that any part of such land in excess of twelve percent (12%) of the total gross land area developable for residential uses shall also be shown on all subdivision plats (differentiated by symbol from land to be dedicated) and the acquisition of such additional land needed to parks, playgrounds, community centers or other recreational facilities, other than required streets and alleys, may be acquired by the proper governing bodies, or arrangements may be made for the acquisition of such area from the subdivider at the cost of unimproved land. Land reserved in excess of twelve percent (12%) of the total gross land area developable for residential uses shall be so reserved for a period of not to exceed one year from the date of approval of the final subdivision plat. (Ord. 76-1, 1-8-1976)
- B. Cash In Lieu Of Dedication: In subdivisions or planned unit developments where no land area requirements for parks or recreational uses are shown on the village's comprehensive plan, or where less than twelve percent (12%) of the total gross and area developable for residential uses is required for such parks, open space, passive recreational areas, bike and/or walking paths, playgrounds, community centers or other recreational facilities, the subdivider or developer shall dedicate such area as is required and, in addition, shall pay to the village clerk for the "park and recreation fund", of the village, a sum of money such that, either the dedication or the dedication plus the cash payment in lieu thereof shall equal twelve percent (12%) of the appraised value of the unimproved land area developable for residential purposes. *For development or annexation less than two acres a 25% discount will be given to the*

total calculated fee. The value of the subject land shall be established by negotiation, and if negotiations fail, by appraisal made by three (3) qualified appraisers, one of whom shall be appointed by the board of trustees and one of whom shall be mutually agreed upon by the two appraisers aforementioned, who shall make the actual appraisal. A subdivider or developer and the board of trustees may agree on an installment method of payment, not to exceed two (2) years, based on the sale of lots or units. Any monies received by the "park and recreation funds" shall be used either for: (1) the purchase of parks, open space, passive recreational areas, bike and/or walking paths, playgrounds, community centers or other recreational facilities in accordance with the village's comprehensive plan and after receipt of a recommendation from the plan commission as to the location of such site or facility; or (2) the purchase of park and/or recreational equipment; or (3) the improvement and enhancement of any existing parks or recreation areas within the village or serving the village; or (4) recreational programs and events as deemed approved by the board of trustees. (Ord. 2007-O-46)

C. Land Not Suitable For Dedication: Whenever the plan commission finds that land for parks, playgrounds, community centers or other recreational facilities are not required or are not suitable for such recreational facilities, or where the plan commission finds that the area to be subdivided is too small to warrant dedication of land, the plan commission may reject all dedications of land and require cash payments in lieu thereof, in accordance with subsection B of this section.

D. Reservation Of Other Public Spaces And Sites: The following shall apply:

1. Preliminary Plan To Accommodate Planned Public Spaces: Whenever a tract of land to be subdivided includes a proposed street, highway or parkway, or proposed site for a school, fire station or other public use as indicated on the zoning ordinance, such space shall be suitably incorporated by the developer into his subdivision plat after proper determination of its necessity by the plan commission and the appropriate village office or other public agency concerned with the acquisition, development and use of each such site.

2. Requirements For Adequate Open Space: Unless appropriate provision for dedication or donation of school, fire station and other public use spaces has been made by the village board of trustees in a previous action, such as in the case of required dedications or of a large scale development involving multiple land uses, any required school, fire station or other public use sites shall be acquired by the school district or the appropriate village, county or state agency.

3. Acquisition Of Land For Public Use: The plan commission shall consider all preliminary plans and adopted or proposed studies related thereto, to determine the need for acquisition for public use of any of the land included in the preliminary plan. Land may be acquired for: public school sites, fire stations, police stations, parks, playgrounds, municipal public utilities, or other public recreation areas, or other public purposes as provided by law.

a. Referral To Public Body: Plan commission shall refer the plat to the public body concerned with acquisition for its consideration and report. The plan commission may propose alternate areas for such acquisition and shall allow the public body or agency thirty (30) days for reply. The agency's recommendation, if affirmative, shall include a map showing generally the boundaries and area of the parcel to be acquired and an estimate of the time required to complete the acquisition.

b. Notice To Property Owner: Upon receipt of an affirmative report from the specific agency, the plan commission shall notify the property owner, and the subdivider shall appropriately indicate on the preliminary plat and final plat the generalized boundary of that area proposed to be acquired by the public body.

c. Duration Of Land Reservation: The acquisition of land reserved by a public agency as shown on the final plat shall be initiated by such agency within twelve (12) months after approval of the final plat, and after proper notification, in writing, from the property owner that he intends to develop the land. Such letter of intent to develop shall be accompanied by a sketch plan of the proposed development and a tentative schedule of construction. Failure on the part of the public agency to initiate acquisition within the prescribed twelve (12) months shall result in the removal of the "reserved" designation from the property involved and the freeing of the property for immediate development. (Ord. 76-1, 1-8-1976)

9B-7-5: VACATION OF A PLAT OF SUBDIVISION:

Any plat or any part of a plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument to which a copy of such plat shall be attached, declaring the same to be vacated.

Such an instrument shall be approved by the board of trustees in like manner as plats of subdivisions. The board of trustees may reject any such instrument which abridges or destroys any public rights in any of its streets or alleys. Such an instrument shall be executed, acknowledged or approved, and recorded or filed in the like manner as plats of subdivisions; and being duly recorded or filed, shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys and public grounds, and all dedications laid out or described in such plat.

When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing. (Ord. 76-1, 1-8-1976)

9B-7-6: LAND ABUTTING A PRIVATE WAY OUTSIDE THE VILLAGE:

No person shall sell any parcel of land of one acre or less in size, located outside the corporate limits of the village, if it abuts a road which has not been accepted as a public road unless the seller informs the purchaser in writing of the fact that the road is not a

public road and is not required to be maintained by the county within which it is located. (Ord. 76-1, 1-8-1976)

9B-7-7: SUBDIVISIONS CREATED BY SUCCESSIVE DIVISIONS:

Whenever a parcel of land is subdivided into lots containing one or more acres and there are indications that such lots will eventually be subdivided into smaller building sites, the board of trustees may require that such parcels of land be divided so as to allow for the future opening of streets and the ultimate extensions of adjacent streets. Easements providing for the future opening and extension of such streets may be made a requirement of the plat. (Ord. 76-1, 1-8-1976)

9B-7-8: APPROVAL OF LAND DIVISION WITHOUT A PLAT:

Notwithstanding the general provisions set forth in sections 9B-7-1 through 9B-7-7 of this chapter, minor subdivision (normally referred to as "lot splits") shall be permitted and approved by the plan commission, without filing a subdivision plat as required by this title, in accordance with the following:

A. Purpose: The purpose of this section is to permit the subdivision of a parcel of land:

1. Along an existing dedicated or deeded public street.
2. Not involving the opening, widening or extension of any street or road.
3. Which parcel of land results in not more than four (4) lots, all of which must meet the minimum area requirements of the zoning ordinance.

B. Procedure: If the plan commission, acting through the building commissioner, is satisfied that a proposed minor subdivision (lot split) is not contrary to the herein established platting and subdividing rules and regulations and such plat is not contrary to the zoning ordinance, such plan commission shall approve same within fourteen (14) working days of the date of submission.

C. Final Disposition: After a minor subdivision (lot split) has been approved by the plan commission and the building commissioner, the plat or other graphic representation of such minor subdivision shall be stamped, "approved by the plan commission, no plat required", and shall be signed by the plan commission chairman and the building commissioner, and shall be transmitted to the board of trustees for similar action. The board of trustees shall, within fourteen (14) working days, approve or disapprove such minor subdivision.

After the minor subdivision (lot split) has been stamped approved and signed as hereinabove provided, it shall be filed and recorded for record with the recorder of deeds of Cook County.

D. Monuments: All minor subdivisions (lot splits) are required to provide permanent monuments as hereinbefore required under subsection 9B-4-2D6 of this title. (Ord. 76-1, 1-8-1976)

9B-7-9: DEDICATION OF SCHOOL LAND OR PAYMENT OF FEES IN LIEU THEREOF:

As a condition of approval of a final plat of development, a final plat of subdivision, or a final plat of or special use permit for a planned unit development, each subdivider or developer will be required to dedicate land for school purposes to serve the immediate and future needs of the residents and children of the development, or make a cash contribution in lieu of actual land dedication, or a combination of both, at the option of the village, in accordance with the following criteria and formula:

A. Criteria For School Land Dedication:

1. Requirements And Population Ratio: The ultimate density of a proposed development, subdivision or planned unit development shall bear directly upon the amount of land required to be dedicated for school sites. The land dedication requirement shall be determined in accordance with the data for the estimated number of children entering school per type of dwelling found in the "table of estimated ultimate population per dwelling unit", 1996 edition (the "table"), prepared by Illinois School Consulting Services/Associated Municipal Consultants, Inc., Naperville, Illinois.

School classifications and size of school sites within the village shall be determined in accordance with the following criteria based upon "Recommendations For Elementary And High School Spaces" published by the office of the superintendent of public instruction (now the state of Illinois superintendent of education), state of Illinois, Springfield, Illinois:

School Classification By Grades	Maximum Number Of Students	Minimum Number Of Acres Of Land
Elementary	600	11
Junior high	900	29
Senior high	1,500	45

Provided, however, that because the senior high school districts within the village encompass a much larger area not within the corporate boundaries of the village, the village shall compute and require any land dedication or cash payment in lieu of land dedications for the senior high school districts, only, at twenty five percent (25%) of a full dedication or contribution.

2. Location: The comprehensive plan of the village, the comprehensive school plan or facility utilization plan of the school district and the standards adopted by the school district shall be considered in locating school sites. The location of dedicated school sites shall be determined with the input of the school district involved. A central location which will serve equally the entire development is most desirable. Additional guidelines which shall be considered in locating sites include, but are not limited to, size of the subdivisions, proximity of the site to other schools and municipal services, topography and shape of the site, accessibility of the site, safety and other environmental and use conditions.

B. Criteria For Requiring A Contribution In Lieu Of School Land: Where the subdivision or development is small and resulting school site is, in the opinion of the village, too small to be practical or when the available land, in the opinion of the village, after consultation with the affected school district, is inappropriate for school purposes, the village shall require the subdivider or developer to pay a cash contribution in lieu of school land dedication to the village which shall then pay said contributions to the school district to be held in trust by the school district in which the development is located to be used by the school district in accordance with this chapter. Such contributions shall be expended solely for the acquisition of land for school sites or for the improvement of existing local school land which already serves such needs which land or improvements will be available to serve the immediate or future needs of the residents of that development pursuant to subsection B2 of this section. The village shall have the right to request and receive from the affected school districts annual audit reports and any other information the village may need from time to time to ensure compliance with this section. If any portion of a cash contribution in lieu of school land dedication is not expended for the purposes set forth herein within ten (10) years from the date of receipt, the school district (or the village, if applicable) holding the funds shall refund such contribution to the owners of record of all lots, except lots dedicated pursuant to the provision of this section, in the development, subdivision or planned unit development for which such contribution was made. The refund shall be paid to the persons who are the owners of record on the day which is the tenth anniversary of the receipt of such contribution. The amount of the refund due to each lot owner shall be equal to the amount of the original contribution, together with such interest as may have been earned thereon, divided by the total number of lots in the development, subdivision or planned unit development (excluding only those lots which were dedicated pursuant to this section) for which such contribution was made.

1. Acquisition Using Cash In Lieu Of School Land Donations:

a. The term "acquisition", as used in this section, shall mean the acquiring of land by purchase, condemnation or such other means as may be appropriate.

b. The acquired land shall be used for the construction of new facilities or improvements to existing facilities per subsection B2 of this section.

2. Improvements Using Cash In Lieu Of School Land Donations: Where existing school lands will serve the needs of the development, the cash contribution in lieu of land dedication shall be used for the following types of physical improvements: expansion of existing school facilities, additions to existing facilities and additions to school grounds and environment.

3. Fair Market Value: The cash contribution in lieu of land shall be based on the sum of the fair market value of a vacant, unimproved and unsubdivided acre of land in the Village and the estimate of the Village Engineer as to the cost of improving such land with electrical utilities, water, sewer and streets, including enclosed drainage and curbs and gutters, and all other improvements required under this subdivision Regulations Ordinance. All cash contribution calculations shall be made by the Village, and the affected School Districts shall refer all developers to the Village for such calculations. It has been determined that the present fair market value of a vacant, unimproved and unsubdivided acre of land in and surrounding the Village is \$100,000.00 per acre and the estimate of the Village Engineer as to the cost of improvements per acre is \$50,000.00, for a total of \$150,000.00, and such figure shall be used in making any calculation herein unless the subdivider, developer or the affected School District files a written objection thereto. In the event of any such objection, the developer shall, at his cost and by a Member of Appraisal Institute (M.A.I.) submit an appraisal showing the "fair market value" of the land in the development or other evidence thereof and final determination of said "fair market value" per acre of such vacant, unimproved and unsubdivided land shall be made by the Village Board based upon such information submitted by the subdivider or developer or School District and from other sources which may be submitted to the Village Board by others. The Village, on its own motion or at the request of others, may from time to time amend this provision to provide for different fair market values for parcels that are deemed by others and the Village to be of greater or lesser value. (Ord. 2007-O-11; Ord. 2007-O-46)

4. Criteria For Requiring Dedication And A Fee: There may be situations when both a land dedication and a cash contribution are necessary. These occasions may arise, among others, when:

a. If it is determined by the village that the land to be dedicated for a school site within a development contains fewer acres than the amount called for by this section, a cash contribution shall be required for the difference between the amount of land called for by this section and the amount of land which is actually to be dedicated.

b. If a major part of a local school site has already been acquired and only a small portion of land is needed from the development to complete the site, the remaining portions shall be required by dedication, and a cash contribution for the difference is required.

C. Density Formula: The table is generally indicative of current and short range projected trends in family size for a new construction and shall be used in calculating the amount of required dedication of acres of land or the cash contribution in lieu thereof.

1. Objections To Density Formula: In the event a subdivider, developer or school district involved files a written objection to the table listed herein and submits his own demographic study showing the estimated additional population to be generated from the subdivision or planned unit development, a final determination of the density formula to be used in such calculations shall be made by the village board based upon such demographic information as the village shall require. It is recognized that population density, age distribution and local conditions change over the years, and the specific formula for the dedication of land, or the payment of fees in lieu thereof, as stated herein, is subject to periodic review and amendment if necessary.

2. Presumed Density Formula: In applying the table density to a subdivision for which the types of units and number of bedrooms cannot reasonably be determined from the data on file with the village at the time the application for final plat approval is complete, the following types of units and bedroom data shall be used:

Detached single-family	4 bedroom unit per lot
Attached single-family	Equal mix of 2 and 3 bedroom units at maximum unit density permitted by applicable zoning
Low density apartment	Equal units of 2 and 3 bedroom units at maximum unit density permitted by applicable zoning
High density apartment	Equal mix of 1 and 2 bedroom units at maximum unit density permitted by applicable zoning

D. Reservation Of Additional Land: Where the comprehensive plan of the village calls for a larger amount of school land in a particular proposed development, subdivision or planned unit development than the developer is required to dedicate, the land needed beyond the developer's contribution shall, if so determined by the village board, be reserved for subsequent purchase by the village or other public body designated by the village, provided that such acquisition is made within one year from the date of approval of the final plat.

E. Combining With Adjoining Developments: Where the subdivision or planned unit development is less than forty (40) acres, school space which is to be dedicated should, where possible, be combined with dedications from adjoining developments in order to produce usable school sites without hardship on a particular developer.

F. Topography And Grading: The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for its intended purposes. Grading on sites dedicated for school uses shall not differ greatly from surrounding land.

- G. Improved Sites: All sites shall be dedicated fully improved with streets, water, sewer, enclosed drainage, curbs and gutters and in a condition ready for full electrical and gas service, as applicable to the location of the site, or acceptable provision made therefor.
- H. Title To Sites: All sites to be dedicated shall be conveyed to the village either by warranty or trustee's deed, or such form of conveyance as the village shall require. The subdivider or developer shall be responsible for conveying good, merchantable title to such sites, and shall be responsible for payment of all real estate taxes to the date of conveyance, including any agricultural rollback taxes which might be extended or levied against such sites. In the discretion of the village, a commitment for title insurance issued by a company authorized to do business in Illinois may be required as evidence of clear title. Conveyance shall occur only after or simultaneously with the passage of a resolution by the school district in which the development is located in which it indicates that the property will be accepted by the school district for school purposes. Immediately thereafter, the village shall convey such property to the regional board of school trustees, or the trustees of school of township 38 north, range 12 east, for the use and benefit of the appropriate school district, whichever is applicable.
- I. Time For Dedication Or Payment Of Fees In Lieu Thereof: The dedication of school lands or payments of fees in lieu thereof shall be made by the owner of land within ten (10) days after the land is annexed to the village or prior to or at the time of the approval of the final plat of subdivision, or a final plat of planned unit development, whichever is first to occur.
- J. Expenditure Of Cash Contributions: Any school district which services the development may receive cash contributions hereunder, such contributions to be utilized in accordance with this section only at the school district's building to which children residing in the village are assigned.
- K. Indemnification: Except as otherwise provided below, the affected school districts shall be required, as a condition of receiving the donations hereunder, to indemnify and hold harmless the village of Willow Springs from any loss, claims and causes of actions of every kind incurred by the village as a result, either directly or indirectly, of the passage of the ordinance codified herein, or the administration or enforcement thereof, including any so incurred as a result of a lawsuit brought or threatened by the affected school districts. If the village is sued by any subdivider or developer as a result, directly or indirectly, of the passage of the ordinance codified herein, the village may, at its option, undertake the defense, and all costs, including attorney fees, shall be immediately reimbursed by the affected school district. The village may withhold delivery of any contribution to a school district pending compliance with these indemnity provisions:
1. Where the village receives land or fees in lieu thereof and fails to convey property to the affected school district or expends funds for village use (i.e., police car, water

well) and suit is filed, the village shall defend against such suit and bear its own costs and expenses incurred for such suit, including attorney fees.

2. Where school districts improperly use funds or fail to use funds and do not return same as specified in this section, the village may sue the affected school district and shall be entitled to recover as a part of the judgment therein, or any settlement thereof, all costs and expenses, including attorney fees, incurred by the village.

3. Unless otherwise specifically provided, the above indemnification provisions shall be an implied condition of every intergovernmental contract entered into pursuant to this section.

L. Penalty: Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists enforcement of any of the provisions of this section, or who shall refuse to remedy a violation of any such provisions shall, upon conviction, where no specific penalty is provided for the subsection being violated, be punished by a fine not to exceed seven hundred fifty dollars (\$750.00) for any one offense. A separate offense shall be deemed committed for each day such violation shall continue. (Ord. 98-O-16, 6-25-1998)

9B-7-10 Public Safety Impact Fee:

a. As a condition of approval of a final plat of development, a final plat of subdivision, or a special use permit for a planned unit development, each subdivider or developer will be required to submit to the Village a cash contribution for a Public Safety Impact Fee, to serve the immediate and future needs of the residents of the development, in accordance with the following calculation.

b. Calculation of Fee: The fee will be \$1000.00 per dwelling for detached dwellings. The fee will be \$600.00 per dwelling for attached dwellings. (Ord. 2007-O-47)

9B-7-11 Transit System Impact Fee:

a. As a condition of approval of a final plat of development, a final plat of subdivision, or a special use permit for a planned unit development, each subdivider or developer will be required to submit to the Village a cash contribution for a Transit System Impact Fee, to serve the immediate and future needs of the residents of the development, in accordance with the following calculation.

b. Calculation of Fee: The fee will be \$1,000.00 per dwelling for detached dwellings. The fee will be \$600.00 per dwelling for attached dwellings. (Ord. 2007-O-48)

CHAPTER 8 DESIGN STANDARDS

9B-8-1: CONFORMANCE REGULATIONS:

In addition to the design standards established herein, all subdivision plats shall comply with the following laws, ordinances, rules and regulations:

- A. The provisions of chapter 24, Illinois Revised Statutes.
- B. The Willow Springs Zoning Ordinance and all other applicable ordinances of the appropriate jurisdiction.
- C. The Zoning Ordinance, Public Utilities Plan, Official Map of the Village of Willow Springs or any portions thereof.
- D. The special requirements of this Title and any rules of the Village of Willow Springs, the Environmental Protection Agency, Metropolitan Sanitary District and Cook County Public Health Department relating to lot size and lot elevation if the subdivision is not served by public water or by a public sewer and provision for one or both of these services has not been made.
- E. The rules of the State Division of Highways relating to safety of access and the preservation of the public interest and investment in the streets if the subdivision or any lot contained therein abuts a State trunk highway or connecting street.

9B-8-2: STREETS AND ALLEYS:

- A. General Considerations: Streets shall be designed and located in relation to existing and planned streets, to topographical conditions and natural terrain features such as streams and existing tree growth, to public convenience and safety, and in appropriate relation to the proposed uses of land to be served by such streets.
- B. Arrangement:
 - 1. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights of way as established on the Official Map.
 - 2. All thoroughfares shall be properly related to special traffic generators such as industries, business districts, schools, churches and shopping centers; to population densities; and to the pattern of existing and proposed land uses.
 - 3. Minor streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient, safe access to property.

4. The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged where such use will result in a more desirable layout.

5. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Plan Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.

6. In business and industrial developments the streets and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian.

C. Railroads and Highways: Railroad rights of way and limited access highways where so located as to affect the subdivision of adjoining lands shall be treated as follows:

1. In residential districts a buffer strip at least twenty five feet (25') in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the railroad right of way or limited access highway. This strip shall be part of the platted lots and shall be designated on the plat: "This strip is reserved for the planting of trees and shrubs by the owner. The placement of structures hereon is prohibited".

2. In districts zoned for business, commercial or industrial uses, the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to insure suitable depth for commercial or industrial sites.

3. Streets parallel to the railroad when intersecting a street which crosses the railroad at grade shall, to the extent practicable, be at a distance of at least one hundred fifty feet (150') from the railroad right of way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

D. Access to Major Streets: Where a subdivision borders on or contains an existing or proposed major street, the Plan Commission may require that access to such streets be limited by one of the following means:

1. The subdivision of lots so as to back onto the major street and front onto a parallel local street; no access shall be provided from the major street and screen planting shall be provided in a strip of land along the rear property line of such lots.

2. A series of cul-de-sacs, U-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the major street.

3. A marginal access or service street (separated from the major street by a planting of grass strip and having access thereto at suitable points).

The number of residential streets entering a major street shall be kept to a minimum.

E. Minor and Collector Street Standards: The following minimum standards shall apply to the design of minor residential streets, including marginal access streets:

PAVEMENT WIDTH

(curb and gutter not included)

	Right-of-Way Width (Feet)	Residential Lots less than 20,000 Square Feet in area (Feet)	Subdivisions Lots 20,000 Square Feet or more in area (Feet)	Manufacturing or Business Subdivision (Feet)	Type of Curb	Sidewalk Width (Feet)	Horizontal Alignment (Minimum sight distance) (Feet)	Minimum Center Line Radius (Feet)	Designated Speed (MPH)
Collector Street	80	36	36	48	Vertical	5	250	350	35
Minor Street	66	27	24	30	Roll	5	200	250	30
Cul-de-Sac Street	66	27	24	30	Roll	5	200	250	30
Half Street (When permitted)	33	20	20	not permitted	Roll	5	200	250	30
Frontage Road	40	24	24	24	Roll	5	200	250	30
Alleys	24	20	20	20	None	None	N/A	N/A	N/A

NOTES:

1. Sidewalks are not required along Minor Residential Streets in low density developments.
2. Sidewalks shall be located with the inner edge one foot (1') outside of the property lot

line unless otherwise approved by the Plan Commission.

3. Cul-de-Sac Streets turn around areas shall have a minimum pavement radius of forty feet (40') measured from the center to the back of the curb or outer edge of roadway pavement.

F. Major Arterials and Nonresidential Streets: The right of way and pavement widths of all major arterials shall be that indicated on the Official Map of the Village of Willow Springs, or if no width is indicated herein, such width and all other design standards shall be determined by the Plan Commission upon recommendations of the Village Engineer. In no case shall the right-of-way width of a major arterial be less than eighty feet (80').

Design standards for minor and collector streets in nonresidential (commercial or industrial) subdivisions or parts of subdivisions shall be determined by the Plan Commission upon recommendation of the Village Engineer. In no case shall such design standards be less than the minimum standards for a low-density residential subdivision.

G. Street Grades: The grade of major streets shall not exceed six percent (6%) unless necessitated by exceptional topography and approved by the Plan Commission. The grade of all other streets shall not exceed ten percent (10%). The minimum grade of all streets shall be four-tenths of one percent (0.4%). Pedestrianways or crosswalks shall not exceed twelve percent (12%) grade unless steps of an approved design are to be constructed.

H. Vertical Curves: All changes in street grades shall be connected by vertical curves of a minimum length in feet equivalent to the algebraic difference in the percent of grade times a K factor; such K factor to be derived as follows:

Design Speed	K Factor	
	Crest Curve	Sag Curve
20	10	15
25	15	20
30	30	35
35	45	45

No vertical curves shall be required on minor streets or collector streets where the algebraic difference in percent of grade is less than two percent (2%).

I. Tangents: A tangent at least one hundred feet (100') in length shall be introduced between reverse curves on major arterials and collector streets.

J. Cul-De-Sacs or Dead-End Streets:

1. A cul-de-sac or dead-end street shall not exceed five hundred feet (500') in length.
2. The diameter of the paved portion of a cul-de-sac turnaround (measured at the outside right of way) shall be not less than eighty feet (80'). Pavement diameter of a cul-de-sac turnaround shall be not less than eighty feet (80').

K. Half-Streets: Street systems in new subdivisions shall be laid out so as to eliminate or avoid half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be dedicated by the subdivider. Where a new subdivision abuts an existing street of inadequate right-of-way width, additional right-of-way width may be required to be dedicated by the subdivider to meet the requirements of this Section.

L. Street Intersections:

1. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy five degrees (75) shall not be acceptable. Not more than two (2) streets shall intersect at any one point unless specifically approved by the Plan Commission.
2. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jogs with center line offsets of less than one hundred fifty feet (150') shall not be permitted. Where streets intersect major streets their alignment shall be continuous.
3. Minimum curb radius at the intersection of any two (2) local streets shall be at least twenty five feet (25'). Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice, to permit safe vehicular movement.
4. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than two percent (2%) grade a distance of sixty feet (60'), measured from the nearest right-of-way line of the intersecting street.
5. Where any street intersection will involve earth banks or existing vegetation inside any lot corner that could create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right of way to the extent deemed necessary to provide an adequate sight distance.

M. Alleys:

1. Alleys may be provided in all districts, where other definite and suitable provision cannot be made for service access such as off street loading and parking, consistent

with and adequate for the uses proposed, and in accordance with the provision of the zoning ordinance.

2. The width of alleys shall be not less than twenty four feet (24').

3. Dead end alleys are prohibited except under very unusual circumstances; and crooked and "T" alleys shall be discouraged. Where dead end alleys are unavoidable, they shall be provided with adequate turnaround facilities at the dead end. (Ord. 76-1, 1-8-1976)

9B-8-3: EASEMENTS:

A. Easements across lots or along rear or side lot lines shall be provided for public utilities or access where required or deemed necessary by the village engineer and building commissioner. Said easements shall be a minimum of ten feet (10') in width along rear lot lines. Where a rear lot line abuts an existing public alley, the rear yard easement requirement may be waived upon recommendation of the village engineer and building commissioner. Easements provided along a side lot line common with another side lot line in the same subdivision shall be a minimum of five feet (5') in width along each lot for a total of ten feet (10') minimum. In establishing required easement widths, consideration must be given to the size and depth of utility lines and the need for proper access, maintenance and future construction for utilities of public areas. Larger easements may be required and lot widths must be adjusted accordingly. Proper coordination shall be established between the subdivider and applicable utility companies for the establishment of utility easements. No building shed or permanent structure shall be constructed within easement areas. (Ord. 13-O-2005, 8-11-2005)

9B-8-4: BLOCKS:

A. Residential Blocks: Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets, railroads, or waterways.

The lengths, widths and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed one thousand two hundred feet (1,200') in length. Wherever practicable, blocks along major arterials and collector streets shall be not less than one thousand feet (1,000') in length.

Pedestrianways or crosswalks, not less than ten feet (10') wide, may be required by the plan commission through the center of blocks more than eight hundred feet (800') long where deemed essential to provide circulations or access to schools, playgrounds, shopping centers, transportation or other community facilities. (Ord. 76-1, 1-8-1976)

9B-8-5: LOTS:

- A. In general, the size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Lot dimensions shall conform to the requirements of the zoning ordinance for the zoning district in which the subdivision is located. (Ord. 95-0-2, 1-12-1995)
- B. For reasons of health and sanitation, the density of residential subdivisions shall be directly related to the availability of public water and sewer service. Residential lot sizes, regardless of jurisdictional boundary, shall meet the minimum requirements hereinafter established and shall comply with the rules and regulations of the state department of public health. The following types of subdivisions, meeting the following requirements as to: 1) minimum lot frontage, 2) maximum lot frontage, 3) minimum lot area, and 4) placement of structures shall be permitted:

Full utility subdivision: In a full utility subdivision the developer may establish zoning lots in accordance with the provisions of the zoning ordinance.
- C. Depth and width of properties reserved or laid out for business, commercial or industrial purposes shall be adequate to provide for the off street parking and loading facilities required for the type of use and development contemplated, as established in the zoning ordinance.
- D. Where residential lots fronting on major streets or highways are permitted by the plan commission, they should be platted with extra depth to permit generous distances between the buildings and such trafficways. Where lots front on major streets, the normal building setback line shall be increased by an additional twenty feet (20'). Business, commercial or industrial buildings in residential blocks shall be provided with setbacks at least equal to the setback of the residential properties in that block and shall comply with all applicable zoning requirements.
- E. Every lot shall front on or about a public street. Lots with access only to private drives or streets shall be permitted only with the approval of the plan commission.
- F. Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed as to avoid concentration of storm drainage water from each lot to adjacent lots.
- G. Lots at right angles to each other shall be avoided wherever possible, especially in residential areas.
- H. Side lot lines shall be approximately at right angles or radial to street lines.
- I. Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.

J. Lot lines shall follow municipal boundary lines whenever practicable, rather than cross them.

K. Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arteries, or to overcome specific disadvantages of topography and orientation. (Ord. 76-1, 1-8-1976)

9B-8-6: WATER MAINS:

Water mains shall be not less than six inches (6") in diameter, with all necessary valves and appurtenances, of a design and material approved by the village engineer. (Ord. 76-1, 1-8-1976)

9B-8-7: SANITARY SEWERS:

Sanitary sewers shall be not less than eight inches (8") in diameter, together with all necessary appurtenances, of a design and material approved by the village engineer. (Ord. 76-1, 1-8-1976)

9B-8-8: STORM SEWERS:

The storm water drainage system shall be separate and independent of the sanitary sewer system. Storm sewers shall be designed by the rational method, and a copy of design computations shall be submitted with the plans. Surface water drainage patterns shall be shown for each and every lot and block. All storm water drainage design and material shall be subject to the approval of the village engineer. (Ord. 76-1, 1-8-1976)

**CHAPTER 9
REQUIRED FORMS**

9B-9-1: USE OF FORMS:

The suggested forms to be used in connection with the land subdivision regulations as set forth in this Title are on file in the Village Clerk's office. (1983 Code)