

CHAMPAIGN COUNTY
SUBDIVISION REGULATIONS

ORDINANCE NO. 44

Champaign County

Urbana, Illinois

Champaign County, Illinois
Subdivision Ordinance

Table of Contents

	PAGE
ARTICLE ONE: PREAMBLE	1-1
Section 1.1--Purpose of Regulations	1-1
Section 1.2--Objectives of Regulations	1-1
Section 1.3--Part of Regional Comprehensive Planning Program	1-1
ARTICLE TWO: LEGAL CLAUSES AND ADMINISTRATION	2-1
Section 2.1--Enacting Clauses	2-1
Section 2.2--Short Title	2-1
Section 2.3--Legal Authority for Imposition of Regulations	2-1
Section 2.4--Application of Regulations	2-1
Section 2.5--Compliance	2-1
Section 2.6--Administration of Regulations	2-1
Section 2.7--Conflict with other Laws	2-2
Section 2.8--Violations and Penalties	2-2
Section 2.9--Amendments	2-3
ARTICLE THREE: DEFINITIONS	3-1
Section 3.1--General	3-1
Section 3.2--Definitions	3-1
ARTICLE FOUR: PROCEDURES FOR SUBMISSION	4-1
Section 4.1--Submission Phases	4-1
Section 4.2--Duties and Responsibilities	4-1
ARTICLE FIVE: PRELIMINARY SUBMISSION	5-1
Section 5.1--Informal Discussion Phase	5-1
Section 5.2--Procedures for Review	5-1
ARTICLE SIX: AREA GENERAL PLAN	6-1
Section 6.1--AREA GENERAL PLAN Submission	6-1
ARTICLE SEVEN: FLOOD HAZARD AREA REGULATIONS	7-1
Section 7.1--SUBDIVISIONS located in a Special Flood Hazard Area	7-1
Section 7.1.2---Additional Flood Hazard Area Regulations:	7-1
ARTICLE EIGHT: PRELIMINARY PLAT SUBMISSION	8-1
Section 8.1--Preliminary Plat Phase	8-1

Champaign County, Illinois
Subdivision Ordinance

Table of Contents -- continued

	PAGE
ARTICLE NINE: FINAL PLAT SUBMISSION	9-1
Section 9.1--FINAL PLAT Phase	9-1
ARTICLE TEN: MINOR SUBDIVISIONS	10-1
Section 10.1---FINAL PLATS for MINOR SUBDIVISION	10-1
ARTICLE ELEVEN: RECORDING SUBDIVISIONS	11-1
Section 11.1--Recording Phase	11-1
Section 11.2--Limitations of FINAL PLAT Approval	11-1
ARTICLE TWELVE: PROCEDURES FOR RESUBDIVIDING REPLATTING RECORDED LOTS AND FOR VACATION OF PLATS	12-1
Section 12.1--Procedure for Resubdivision	12-1
Section 12.2--Procedure for SUBDIVISIONS Where Future Resubdivision is Indicated	12-1
Section 12.3--Vacation of PLATS	12-1
ARTICLE THIRTEEN: SUBDIVISION PLAT AND RECORDING FEES	13-1
Section 13.1--General Requirements	13-1
Section 13.2--Schedule of Fees, Charges and Expenses	13-1
ARTICLE FOURTEEN: SUBDIVISION DESIGN STANDARDS	14-1
Section 14.1--General Requirements	14-1
Section 14.2--STREETS and RIGHTS-OF-WAY	14-2
Section 14.3--Block Face	14-5
Section 14.4--LOTS	14-5
Section 14.5--PUBLIC WALKWAYS	14-5
Section 14.6--Dedication of Public Land and Open-Space	14-7
Section 14.7--EASEMENTS	14-7
Section 14.8--Drainage and Stormwater Storage Facilities	14-7
ARTICLE FIFTEEN: NON-RESIDENTIAL SUBDIVISIONS	15-1
Section 15.1--General	15-1
Section 15.2--Standards	15-1
Section 15.3--Planned Unit Development	15-2

Champaign County, Illinois
Subdivision Ordinance

Table of Contents -- continued

	PAGE
<i>ARTICLE SIXTEEN: PHYSICAL IMPROVEMENTS</i>	16-1
Section 16.1--General Requirements	16-1
Section 16.2--Engineering Drawings Required	16-1
Section 16.3--Required Physical Improvements	16-3
Section 16.4--Guarantee of Performance	16-6
Section 16.5--Inspection of Improvements	16-8
Section 16.6--Acceptance of STREETS	16-9
<i>ARTICLE SEVENTEEN: EASEMENTS</i>	17-1
Section 17.1--Utility EASEMENTS	17-1
<i>ARTICLE EIGHTEEN: WAIVERS</i>	18-1
Section 18.1--WAIVER and Appeal Procedure:	18-1
<i>APPENDIX: Amendments</i>	A-1

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Champaign County, Illinois
Subdivision Ordinance

ARTICLE ONE: PREAMBLE

Section 1.1--Purpose of Regulations

- 1.1.1 These Regulations are designed to provide standards and rules related to the making, reviewing, filing and recording of subdivision plans and plats, and to provide for preliminary and final approval or rejection of such plans or plats, or portions thereof, by the County of Champaign, Illinois.
- 1.1.2 Subdivision of land shall mean the division of land as defined in the Illinois Revised Statutes.

Section 1.2--Objectives of Regulations

Pursuant to the authority conferred by the Statutes of the State of Illinois, the objectives of these Regulations are to provide for the orderly growth and harmonious development of the unincorporated areas of the County; to secure adequate traffic circulation by means of coordinated street systems with relation to major thoroughfares and streets adjoining subdivisions, public walkways, public facilities and other land uses; to achieve individual lots of reasonable utility and livability; to facilitate adequate provisions for transportation, water supply, drainage, sanitary sewage, and health requirements; to encourage the installation of street lights and street trees; to encourage adequate provisions for recreational areas, open-space, school sites, and other public ways and facilities; to encourage the installation of underground utilities; to provide for the further subdivision of tracts into smaller or larger parcels of land, and to provide administrative and review procedures for the attainment of these objectives.

Section 1.3--Part of Regional Comprehensive Planning Program

These Regulations are hereby made part of the Champaign Regional Comprehensive Planning Program.

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ARTICLE TWO: LEGAL CLAUSES AND ADMINISTRATION

Section 2.1--Enacting Clauses

Be it enacted by the People of the County of Champaign, State of Illinois, as represented by the Champaign County Board.

Section 2.2--Short Title

The title of these regulations shall be known as and may be cited as "Champaign County Subdivision Regulations."

Section 2.3--Legal Authority for Imposition of Regulations

The authority necessary to execute the foregoing purposes is contained in the *Illinois Plat Act* (765 ILCS 205/1 *et. seq.* 1994) and the *Illinois Judicial Plat Act* (765 ILCS 210 *et. seq.* 1994) and the *Illinois Counties Code* (55 ILCS 5/1041 and 3/5029, 1994).

Section 2.4--Application of Regulations

These Regulations shall apply and be enforced in all unincorporated areas of Champaign County, Illinois.

Section 2.5--Compliance

No land shall hereafter be subdivided, nor statutory plats filed, or recorded without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance. No improvements shall be made to a proposed subdivision, until the plat of the subdivision or street improvements shall have been approved by the action of the Environment and Land Use Committee; this approval must be in writing and placed on the original of the plat according to the procedure outlined in these Regulations.

Section 2.6--Administration of Regulations

Administration of these Regulations shall reside in the Environment and Land Use Committee of the Champaign County Board, subject to County Board approval. The County's Environment and Land Use Committee shall consider all subdivision plans and plats, recommend to the County Board for its approval, disapproval, or rejection any subdivision plan or plat or portions thereof, according to the provision of these Regulations

Champaign County, Illinois
Subdivision Ordinance

Section 2.6 Administration of Regulations--continued

and the *Illinois Plat Act* (765 ILCS 205/1 *et. seq.* 1994) and the *Illinois Judicial Plat Act* (765 ILCS 210 *et. seq.* 1994) and the *Illinois Counties Code* (55 ILCS 5/1041 and 3/5029, 1994).

A Subdivision Officer may be appointed by the full County Board, to aid in the administration of these Regulations; in the event that a Subdivision Officer is to be appointed, that the appointment be subject to the County's appointment procedures.

Section 2.7--Conflict with other Laws

Should any provision of these Regulations conflict with any other law, then the provisions of the more stringent requirements, regulations, restrictions, or limitations shall prevail.

Section 2.8--Violations and Penalties

2.8.1 Violations:

The following constitute violations of this ordinance and shall be subject to the penalties set forth below:

- a. Recording of any plat or portion thereof that is not in compliance with these Regulations or the Plat Act of the State of Illinois except as provided in the *Illinois Plat Act* (765 ILCS 205/1 *et. seq.* 1994).
- b. The sale, offering for sale, or other transfer of ownership, of any or all lots, without prior recording as set forth in these Regulations except as provided in the *Illinois Plat Act* (765 ILCS 205/1 *et. seq.* 1994).
- c. Failure to construct, within the time allowed, any public or private physical improvements included in an approved plat or approved engineering plan or drawing including the installation of temporary erosion and sedimentation control measures.
- d. Construction or any physical improvements that have not been approved including but not limited to significant changes in grading and alteration of drainage systems from the approved design.
- e. Continuing construction after a stop work order has been issued by the SUBDIVISION OFFICER.

Champaign County, Illinois
Subdivision Ordinance

Section 2.8--Violations and Penalties--continued

2.8.2 Penalties

- a. All violations carry a penalty of not less than 25 dollars nor more than 250 dollars per day per lot in addition to any penalty imposed by the *Illinois Plat Act*.
- b. The SUBDIVISION OFFICER may issue a stop work order if a violation is found. In such case no further work may proceed except as permitted by the SUBDIVISION OFFICER.
- c. The ENVIRONMENT AND LAND USE COMMITTEE may direct the Zoning Officer to withhold Zoning Use Permits in any portion of the SUBDIVISION until all violations are corrected.

Section 2.9--Amendments

2.9.1 Review of Regulations:

The County Environment and Land Use Committee shall from time to time, at intervals of not more than 2 years, examine these Regulations and shall recommend to the County Board such changes as may be necessary, in the opinion of the Environment and Land Use Committee, to fulfill the purposes stated heretofore.

2.9.2 Amendment of Regulations:

These Regulations may be amended by ordinance of the County Board, upon a recommendation by the County Environment and Land Use Committee and in ordinance with the Illinois Revised Statutes.

2.9.3 Public Hearing:

Prior to recommending any amendment or amendments to these Regulations to the County Board subsequent to the adoption of these Regulations by the County Board, the Environment and Land use Committee shall first hold a public hearing on such amendments, notice of which shall be published within 30 but not less than 10 days prior to the public hearing in a newspaper having general circulation in the County.

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ARTICLE THREE: DEFINITIONS

Section 3.1--General

For the purpose of these Regulations certain terms are herewith defined. When no inconsistent with the context, the present tense includes the past and future; works used in the singular number include the feminine and neuter genders. The work "building" includes structure and shall be construed as if followed by the words "or portion thereof." The word "shall" is always mandatory and not merely permissive. Any term not defined herein shall have the meaning of common or standard use.

Section 3.2--Definitions

ALLEY: A permanent service way providing a secondary means of access to abutting lands not intended for general traffic circulation.

AREA GENERAL PLAN: A general plan prepared by the SUBDIVIDER, or SUBDIVIDERS, for the progressive development of a large landholding, or several properties proposed to be subdivided by sections, meeting the requirements of these Regulations.

BASE FLOOD: The flood having a one percent chance of being equalled or exceeded in any given year. The BASE FLOOD is also known as the 100-year flood.

BASE FLOOD ELEVATION: The elevation in relation to Mean Sea Level of the crest of the BASE FLOOD.

BLOCK: An area of land bounded by existing or proposed STREETS, waterways, railroad right-of-way, waterway, or other barrier.

BOARD (Champaign County Board): The governing body of Champaign COUNTY, Illinois.

BOULEVARD: A STREET, other than a freeway or an expressway, developed with two-lane, one-way pavements separated by a landscaped island, median, or barrier.

CIVIL DIVISION: Any township, city or village within Champaign COUNTY, Illinois.

COMMERCIAL LETTER OF CREDIT: (See IRREVOCABLE COMMERCIAL LETTER OF CREDIT)

Champaign County, Illinois
Subdivision Ordinance

Section 3.2 Definitions--continued

COMMISSION: The Regional Planning COMMISSION of Champaign COUNTY, Illinois.

COMPREHENSIVE PLAN: An official advisory plan of jurisdiction formally adopted by municipality or the COUNTY; any part of which may be implemented by ordinance duly enacted by the Corporate Authorities as prescribed by the Illinois Municipal Code. Said plan shall be placed on file with the City clerk of the municipality and with the Champaign COUNTY Clerk.

COMPREHENSIVE PLANNING PROGRAM: The COMPREHENSIVE PLANNING PROGRAM or any part thereof prepared by the COMMISSION for the development of the JURISDICTIONAL AREA.

COUNTY: The County of Champaign, Illinois.

COUNTY ENGINEER: An official employed by the Champaign County Board as provided for in the *Illinois Highway Code* (605 ILCS 5/5-201, 1994).

COUNTY ENVIRONMENT AND LAND USE COMMITTEE: A standing COMMITTEE appointed by the COUNTY BOARD, with authority to approve, disapprove, or reject SUBDIVISION plans or PLATS or portions thereof, as provided in these Regulations.

COUNTY RECORDER: The Recorder of Deeds, Champaign COUNTY, Illinois.

CUL-DE-SAC (court or dead end STREET): A short STREET or HIGHWAY having one end open to traffic and being permanently or temporarily terminated by a vehicle turnaround.

CULVERT: A transverse drain that channels under a STREET or driveway.

CUUATS: Champaign-Urbana Urbanized Area Transportation Study; An interagency transportation planning body.

CURB FACE: The edge of the curb rising from the flow line of the gutter.

DEDICATION: The deliberate appropriation of land by its OWNER for any general public uses, reserving to himself no other right than such as are compatible with the full exercise and enjoyment of the public uses to which there property has been devoted.

Champaign County, Illinois
Subdivision Ordinance

Section 3.2 Definitions--continued

DRAINAGE BASIN: An area of land which, because of the nature of the topography, collects naturally the surface drainage of the surrounding land.

EASEMENT: A grant by the property OWNER of the use of an area of land by the public, a corporation, or PERSONS, for specified uses and purposes and to be designated as a "public" or "private" EASEMENT depending on the nature of the use.

ENGINEER: A professional engineer registered as such and licensed to practice in the State of Illinois or qualified to practice as provided in the *Illinois Professional Engineering Practice Act of 1989 (225 ILCS 325 et. seq., 1994)* as an Illinois Licensed Professional Engineer.

HIGHWAY COLLECTOR: A rural road (and its extensions in or through Villages or Cities) which forms an interconnected network and provides service to communities, generally under the administration of the COUNTY.

HIGHWAY LAND ACCESS: A rural road, other than an area service, COLLECTOR, major and trunk HIGHWAY, and SUBDIVISION STREET, which provides access to farms and land used for agricultural or other low intensity uses, generally under the administration of the township ROAD DISTRICT.

HIGHWAY COMMISSIONER: (See ROAD DISTRICT HIGHWAY COMMISSIONER)

IRREVOCABLE COMMERCIAL LETTER OF CREDIT: Written offer by a bank or other financial agency to Champaign COUNTY, approved and accepted by the Champaign COUNTY State's Attorney and by Champaign COUNTY, authorizing the COUNTY to draw on that bank or other financial agency in accordance with the terms stated and a promise by the bank or other financial agency to accept and pay bills or drafts so drawn. Such letter of credit shall be irrevocable and shall be accompanied by the SUBDIVIDER'S PERSONAL BOND.

JURISDICTIONAL AREA: Champaign County, Illinois.

LOT: A portion of a SUBDIVISION or other parcel of land intended as a unit for development or transfer of ownership, equals a ZONING LOT.

Champaign County, Illinois
Subdivision Ordinance

Section 3.2 Definitions--continued

LOT ZONING: A single property, parcel, unit, tract, plot, or otherwise designated portion of land which is designated by its OWNER or DEVELOPER as a property, parcel, unit, tract, plot, or otherwise designated portion of land which has been sold, or is offered or will be offered for sale, and is to be used, developed, or built upon as a unit under single ownership or control, and which is occupied or capable of being occupied by one or more structures and the accessory structures, or uses customarily incidental to it, including such open spaces as are arranged and designed to be used in connection with such structures as a ZONING LOT may or may not coincide with a LOT OF RECORD.

LOT, AREA: The horizontal projection of a parcel of land or a body of water, or combination of both, exclusive of any portion of the RIGHT-OF-WAY of any public or private STREETS; measurements are to be made by standard surveying practice methods.

LOT, CORNER: A parcel of land at the junction of and fronting or abutting on two or more intersecting STREETS.

LOT, DEPTH: The average distance between the front and rear line of a LOT measured in the general direction of its side LOT lines.

LOT, INTERIOR: A LOT other than a CORNER LOT.

LOT OF RECORD: A LOT which is part of a SUBDIVISION and is shown on a map or PLAT thereof which has been recorded in the office of the RECORDER of Deeds, Champaign COUNTY, Illinois.

LOT, THROUGH OR DOUBLE FRONTAGE: An INTERIOR LOT having frontage on two parallel or approximately parallel STREETS or HIGHWAYS.

LOT, WIDTH: For regular-shaped LOTS, the average distance between the side lines of a LOT measured at right angles to the depth of the LOT. For pie-shaped LOTS the LOT WIDTH shall be measured at the RIGHT-OF-WAY line.

MARGINAL ACCESS STREET (Frontage Road): A local STREET or HIGHWAY paralleling, adjacent to and having limited access to a freeway, expressway, COLLECTOR HIGHWAY, area service HIGHWAY, or land access HIGHWAY which provides direct access to abutting property and protection from through traffic.

Champaign County, Illinois
Subdivision Ordinance

Section 3.2 Definitions--continued

MONUMENTS: A physical structure which marks the location of a corner or other survey point as required by provisions contained herein.

OFFICIAL ROAD MAP: The OFFICIAL ROAD MAP for the COUNTY of Champaign, made and adopted by the COUNTY BOARD.

OWNER: Any PERSON having any legal, equitable or beneficial interest in the land sought to be subdivided.

PARTIAL STREET: That portion of the STREET RIGHT-OF-WAY on either side of a tract boundary, generally parallel and adjacent to the boundary line of the tract, having a lesser RIGHT-OF-WAY width than required for a full width STREET of the type involved.

PERFORMANCE GUARANTEE: A security permitted under these Regulations which shall be accepted by the COUNTY clerk and approved by the ENVIRONMENT AND LAND USE COMMITTEE in lieu of a requirement that certain PUBLIC IMPROVEMENTS be made prior to approval of a FINAL PLAT.

PERSONAL BOND: A bond executed by the promisor without a surety; a contract or promise to pay.

PERSON: A corporation, firm, partnership, association, agency, organization, or any other group acting as a unit, as well as a natural PERSON.

PLACE: An open, unoccupied, officially-designated space other than a public STREET or ALLEY, permanently reserved for use as the principal means of access to abutting property, having a turning circle of not less than 120 feet in diameter and not more than 100 feet in length measured from the edge of the intersecting road surface to the back of the turning circle.

PLAT: A map indicating the SUBDIVISION prepared and certified by a registered land SURVEYOR in compliance with these Regulations and the *Illinois Compiled Statutes*.

PLAT, FINAL: A PLAT prepared for official recording and meeting the criteria of these Regulations.

Champaign County, Illinois
Subdivision Ordinance

Section 3.2 Definitions--continued

PLAT, PRELIMINARY (Official): A preliminary map, and supporting data, indicating the proposed layout of the SUBDIVISION in sufficient detail to provide adequate basis for the review by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE, meeting the requirements of these Regulations.

PUBLIC IMPROVEMENTS: STREET pavements (with or without curb and gutter), PUBLIC WALKWAYS, MONUMENTS, water mains, sanitary and storm sewers, street signs, culverts and appurtenances to the foregoing items and for use by the public.

PUBLIC WALKWAY: A RIGHT-OF-WAY dedicated for the purpose of pedestrian access and located so as to connect two or more STREETS, as STREET and a public land parcel, or any two public parcels of land.

REPLATTING (Resubdividing): The recombination or redivision of LOTS of record into larger or smaller LOTS.

REVIEWING AUTHORITY: ENVIRONMENT AND LAND USE COMMITTEE of the COUNTY BOARD.

RIGHT-OF-WAY (Highway): (See STREET)

ROAD DISTRICT: Each Township, for the purposes of these Regulations, shall be and is called a ROAD DISTRICT for all purposes relating to the construction, repair, maintenance, financing and supervision of township roads, including land access HIGHWAYS.

ROAD DISTRICT HIGHWAY COMMISSIONER: The elected official charged with the duties and responsibilities as stated in the *Illinois Highway Code*. Such duties include, but are not limited to, inclusion of roads in the district system, construction and maintenance of district roads, general charge of all matters relating to the ROAD DISTRICT.

SETBACK LINE: The line within a property defining the required minimum distance between any enclosed structure and the adjacent or proposed center-line of a STREET.

SIDEWALK: A pedestrian WALKWAY within the public road RIGHT-OF-WAY or EASEMENT.

SKETCH PLAN: A sketch map indicating the proposed general development of the area to be subdivided.

Champaign County, Illinois
Subdivision Ordinance

Section 3.2 Definitions--continued

STREET (Highway): A RIGHT-OF-WAY, whether designated as a STREET, HIGHWAY, road, lane, court, thoroughfare, parkway, freeway, expressway, BOULEVARD, or avenue, other than an ALLEY or PLACE, usually affording the principal means of access to abutting property.

STREET LINE: The dividing line between the STREET or HIGHWAY RIGHT-OF-WAY and the LOT.

SUBDIVIDER: Any PERSON, firm, etc., engaged in developing or improving a tract of land which complies with the definition of a SUBDIVISION as defined in these Regulations.

SUBDIVISION (Subdivision of Land): The division of land as defined by the *Illinois Compiled Statutes*, 1994, Chapter 765, Section 205/1 through 205/11 and Section 210/1 through 210/3.

SUBDIVISION, MAJOR: All SUBDIVISIONS not classified as MINOR SUBDIVISIONS, including but not limited to SUBDIVISION of four or more LOTS, or any size SUBDIVISION requiring any new STREETS or extension of the local governmental facilities, or the erection of any PUBLIC IMPROVEMENTS.

SUBDIVISION, MINOR: Any SUBDIVISION containing not more than three LOTS fronting on an existing STREET, not involving any new STREET or road, or the extension of municipal facilities, or the creation of any PUBLIC IMPROVEMENTS.

SUBDIVISION DESIGN STANDARD: The officially adopted guides, principals, specifications and standards for the preparation of SUBDIVISION plans and PLATS indicating, among other things, the maximum and minimum dimensions of the various elements set forth in the AREA GENERAL PLAN, PRELIMINARY PLAT or FINAL PLAT.

SUBDIVISION OFFICER: The administrative official designated by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE to receive and review PLATS prior to consideration by the COMMITTEE, to execute necessary documents as authorized by the COMMITTEE and to enforce the regulations in the SUBDIVISION ordinance.

SURETY BOND: (See PERFORMANCE GUARANTEE)

Champaign County, Illinois
Subdivision Ordinance

Section 3.2 Definitions--continued

SURVEYOR: A land SURVEYOR registered to practice, in the State of Illinois as provided in the *Illinois Compiled Statutes*.

"U" STREET: A short BOULEVARD having one end permanently terminated by a vehicular turnaround.

VICINITY MAP: A drawing located on the PRELIMINARY PLAT which sets forth by dimensions or other means, the relationship of the proposed SUBDIVISION to other nearby developments, landmarks, community facilities or services.

WAIVER: A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

WALKWAY: (See PUBLIC WALKWAY)

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ARTICLE FOUR: PROCEDURES FOR SUBMISSION

Section 4.1--Submission Phases

SUBDIVISION planning, review and approval shall proceed through the following sequential phases:

Informal Discussion Phase, Pre-application conference. (Article Five)

PRELIMINARY PLAT Review and Approval Phase. (Article Eight)

FINAL PLAT Review and Approval Phase. (Article Nine)

Recording Phase. (Article Eleven)

Section 4.2--Duties and Responsibilities

The purposes and objectives regarding land SUBDIVISION can best be understood by considering the various duties and responsibilities associated with land subdividing. The specific duties and responsibilities of the individuals or groups listed below are clearly identified in these Regulations.

4.2.1 SUBDIVIDER:

The SUBDIVIDER is responsible for initiating discussions with the SUBDIVISION OFFICER designated herein before thoroughly preparing any SUBDIVISION plans or PLATS in order to become familiar with these Regulations and the public policies and objectives applicable to the territory in which the proposed SUBDIVISION lies.

4.2.2 ENGINEER and SURVEYOR:

The Engineer and Surveyor acting on behalf of the Subdivider are responsible for preparing the necessary subdivision plans, surveys and plats and the engineering drawings and specifications as required by these Regulations.

4.2.3 REVIEWING AUTHORITY:

The REVIEWING AUTHORITY is the ENVIRONMENT AND LAND USE COMMITTEE. The COMMITTEE is responsible for reviewing any SUBDIVISION or PLAT, or portions thereof, and approving those that fully meet the provisions and requirements of these Regulations. WAIVERS may be considered and based on Article Eighteen of this Ordinance.

Champaign County, Illinois
Subdivision Ordinance

Section 4.2--Duties and Responsibilities--continued

4.2.4 SUBDIVISION OFFICER:

The SUBDIVISION OFFICER, in addition to the functions and duties outlined in Article Three of this Ordinance, shall generally be responsible for receiving, reviewing and distributing PLAT applications to the COUNTY ENVIRONMENT AND LAND USE COMMITTEE and other interested groups as specified by these Regulations.

ARTICLE FIVE: PRELIMINARY SUBMISSION

Section 5.1--Informal Discussion Phase

5.1.1 Purpose:

The purpose of the informal discussion phase, insofar as possible, is to guide and assist the SUBDIVIDER in his future decisions with a view to avoiding later difficulties and delays. This is the basic policy stage, during which the SUBDIVIDER meets informally with the COUNTY SUBDIVISION OFFICER. In the course of the discussion with the SUBDIVIDER should make known his tentative plans for subdividing and development, and may exhibit sketch plans and shall be appraised by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE concerning specific public policies and objectives which the COUNTY may have for the area in question. Discussion at the pre-application conference shall involve the entire area of ownership and anticipated development. An AREA GENERAL PLAN may be required at this meeting.

Section 5.2--Procedures for Review

5.2.1 Submission:

A pre-application conference may be requested by all SUBDIVIDERS prior to initial plat applications. SUBDIVIDERS shall contact the SUBDIVISION OFFICER to arrange a pre-application conference. SUBDIVIDERS may be required to submit an AREA GENERAL PLAN with material sufficient to identify the tract and establish the relationship of the proposed development with surrounding area. (See Article Six)

5.2.2 Processing:

Upon a request for a pre-application conference, the SUBDIVISION OFFICER shall schedule the pre-application conference no more than five working days after requested. The pre-application conference shall be attended by the SUBDIVISION OFFICER or his representative, the developer or his representative, and others as deemed necessary to afford the developer and the public officials an opportunity for discussion prior to application for PRELIMINARY PLAT approval. All materials will be considered as submitted for informal discussion. Discussions will involve the proposals in compliance with these Regulations, determination of the scope of the proposed SUBDIVISION, an outline of the procedures for the recording of plats and general information exchange. No approvals will result from this conference, however, the SUBDIVISION OFFICER may make recommendations on the scope of initial PLAT application by the SUBDIVIDER, continuity of the proposed

Champaign County, Illinois
Subdivision Ordinance

Subsection 5.2.2 Processing--continued

STREET pattern with existing or proposed STREETS adjacent to the proposed SUBDIVISION, and other factors based on peculiarities of the area in which the SUBDIVISION is proposed.

The SUBDIVISION OFFICER may identify MINOR SUBDIVISIONS under the terms of this Ordinance at the pre-application conference and recommend the initial submission of a FINAL PLAT. (See Section 10.1)

Additional pre-application conferences may be scheduled at the request of the developer or the SUBDIVISION OFFICER.

- 5.2.3 Review of any material submitted by the SUBDIVIDER during the informal discussion phase shall be made by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE. Any SKETCH PLAN submitted, shall be studied with regard to the best principles of land subdividing and development; to LOT sizes, and proportions; to existing and planned land uses; to topography and drainage; to provisions for recreation areas, public open space, schools, parks and other public facilities; to design and location of STREETS; and to conformity with the continuity of existing STREET systems, WALKWAYS and related matters.
- 5.2.4 The COUNTY ENVIRONMENT AND LAND USE COMMITTEE may make an inspection of the site to determine its relationship to and effect upon major thoroughfares, utility systems, and adjacent land uses (existing and planned) and ascertain the existence of any unusual problems; and shall determine:
- a. The conformity of the proposed development to existing zoning regulations, OFFICIAL ROAD MAP, and COUNTY and municipal development plans and policies.
 - b. The effect of the proposed development upon schools, public open spaces, and other nearby community facilities.
 - c. The need for preparation and review of an AREA GENERAL PLAN prior to consideration of the PRELIMINARY PLAT.

ARTICLE SIX: AREA GENERAL PLAN

Section 6.1--AREA GENERAL PLAN Submission

- 6.1.1 An AREA GENERAL PLAN may be prepared and submitted by the SUBDIVIDER, for approval by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE, prior to the submission of the initial preliminary plat. The COUNTY ENVIRONMENT AND LAND USE COMMITTEE shall determine that either of the following conditions exists to warrant a requirement of preparation and submission of an AREA GENERAL PLAN:
- a. The parcel initially proposed for platting constitutes a portion of a larger tract of land owned, under option to purchase by the SUBDIVIDER.
 - b. The parcel initially proposed for platting constitutes a portion of a larger land area, the development of which will be complicated by unusual problems of drainage, street layout, utility services, land usage, or land ownership pattern.
- 6.1.2 The AREA GENERAL PLAN shall show property boundaries, EASEMENTS, land characteristics including wetlands, drainage, flood prone areas as identified on Flood Prone Area Maps, wooded areas and major topographic features, development characteristics, STREETS, existing buildings, sewer, water lines and pipelines. Also to be shown in the AREA GENERAL PLAN are the proposed layout of STREETS, blocks and LOTS; proposed location of commercial, parks and other public areas. The AREA GENERAL PLAN shall be prepared to a proper scale of one inch equals 100 feet, (1"=100') or larger, and to proper accuracy.
- 6.1.3 The SUBDIVISION OFFICER and the ENVIRONMENT AND LAND USE COMMITTEE shall review the AREA GENERAL PLAN at a regular meeting for compliance with these Regulations and its consistency with any applicable Champaign COUNTY plans and policies. The ENVIRONMENT AND LAND USE COMMITTEE may consider municipal development plans or parts thereof to the extent that the ENVIRONMENT AND LAND USE COMMITTEE determines that such plans are relevant.
- 6.1.4 AREA GENERAL PLAN as the OFFICIAL PRELIMINARY PLAT:
- a. The AREA GENERAL PLAN may serve as the SUBDIVIDER'S OFFICIAL PRELIMINARY PLAT, provided that the AREA GENERAL PLAN submitted as the OFFICIAL PRELIMINARY PLAT by the SUBDIVIDER,

Champaign County, Illinois
Subdivision Ordinance

Subsection 6.1.4 AREA GENERAL PLAN as the OFFICIAL PRELIMINARY PLAT--continued

conforms to the requirements as set forth in Section 8.1 of these Regulations. In the event the COUNTY ENVIRONMENT AND LAND USE COMMITTEE approves the AREA GENERAL PLAN as the OFFICIAL PRELIMINARY PLAT, the SUBDIVIDER may submit the FINAL PLAT for review and approval as provided in Section 9.1 of these Regulations.

- b. A portion of the AREA GENERAL PLAN may serve as the SUBDIVIDER'S OFFICIAL PRELIMINARY PLAT, provided that this portion is clearly designated and provided that this portion of the AREA GENERAL PLAN submitted as the OFFICIAL PRELIMINARY PLAT by the SUBDIVIDER conforms to the requirements as set forth in Section 8.1 of these Regulations.
- c. After approval of an AREA GENERAL PLAN such plan may be modified by the ENVIRONMENT AND LAND USE COMMITTEE, after review, when such a request is received from the DEVELOPER of the original AREA GENERAL PLAN.

ARTICLE SEVEN: FLOOD HAZARD AREA REGULATIONS

Section 7.1--SUBDIVISIONS located in an a Special Flood Hazard Area

7.1.1 Requirements:

Those portions of SUBDIVISIONS and other developments located in a Special Flood Hazard Area as designated by the Champaign COUNTY *Special Flood Hazard Area Ordinance* and amendments thereto, as generally depicted on the Federal Emergency Management Agency's Flood Insurance Rate Map No. 170894, dated March 1, 1984, shall provide that:

- a. All SUBDIVISIONS and other development proposals shall be designed to minimize flood damage to the proposed SUBDIVISION or development site as to other properties.
- b. All new utilities and facilities, such as sewer, gas, electrical and water systems, shall be located and constructed to minimize or eliminate flood damage.
- c. Adequate drainage shall be provided so as to reduce exposure to flood hazards. Copies of the SUBDIVISION PLAT and plans for drainage shall be forwarded to the COUNTY Highway Department and the applicable drainage districts for their review.
- d. For any proposed SUBDIVISION or new development, the applicant shall show an identifiable vertical reference point (Mean Sea Level) for each LOT or PLATTED parcel as certified by a registered professional ENGINEER or registered land SURVEYOR. The Zoning Administrator shall make a reasonable determination of the BASE FLOOD ELEVATION from the best available data from federal, state or local sources.
- e. Prior to any alteration or relocation of a watercourse, the SUBDIVISION OFFICER shall notify adjacent communities, applicable drainage districts, the Illinois Department of Natural Resources Office of Water Resources and the U.S. Army Corps of Engineers.

7.1.2 Disclaimer of Liability

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by

Champaign County, Illinois
Subdivision Ordinance

Subsection 7.1.2 Disclaimer of Liability--continued

man-made or natural causes. This Ordinance does not imply that development either inside or outside of areas designated as an A Zone will be free from flooding or damage. This Ordinance does not create liability on the part of the COUNTY or any officer or employee thereof for any flood damage that results from reliance on this Ordinance or any administrative decisions made lawfully thereunder.

ARTICLE EIGHT: PRELIMINARY PLAT SUBMISSION

Section 8.1--PRELIMINARY PLAT Phase

8.1.1 Purpose:

The purpose of the PRELIMINARY PLAT phase, insofar as possible, is to assist the SUBDIVIDER and the REVIEWING AUTHORITIES in determining whether the proposed SUBDIVISION conforms to the standards and requirements of these Regulations and the tentative approved AREA GENERAL PLAN, and the pertinent standards and regulations of affected COUNTY Departments. The PRELIMINARY PLAT is the document which shall be used for review by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE.

8.1.2 Information Required:

The PRELIMINARY PLAT shall be prepared by a registered ENGINEER and a SURVEYOR and the PRELIMINARY PLAT is to be approved by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE before any SUBDIVISION development is started. The following items and information shall be shown on the PRELIMINARY PLAT; all mapped data shall be presented at a scale of one to 100 feet (1" = 100') or larger:

a. General Information:

- (1) The proposed name of SUBDIVISION; land owner's, ENGINEER's and SURVEYOR's names and addresses.
- (2) The location of the SUBDIVISION by township section for reference; section or quarter section corners shall be indicated.
- (3) The graphic scale, north arrow, and date of preparation.

b. Existing Conditions:

- (1) The locations, width, and names of all existing public and/or private STREETS, railroads, or other public ways and utility rights-of-way within and/or adjacent to the tract to within 200 feet of the boundary of the tract.

Champaign County, Illinois
Subdivision Ordinance

Subsection 8.1.2 Information Required--continued

- (2) The locations and size of all existing sanitary sewers, water mains and appurtenances, storm drainage, known field drainage tile or other known underground facilities within the tract and any such known facilities entering or exiting the tract.
- (3) The location and identification of all public and quasi-public areas and civil division lines within and/or adjacent to the tract, to within 200 feet of the boundary of the tract.
- (4) The location and identification of all recorded SUBDIVISIONS lying adjacent to, or across a public RIGHT-OF-WAY from, the tract.
- (5) The acreage and identification of the nearest drainage district or districts that lie upstream and downstream from the tract of land that is proposed for SUBDIVISION.
- (6) The location and identification of all existing man-made features such as buildings, high-tension towers, public water and sewer lines, pipe lines, excavations, bridges, railroad tracks, culverts and related items within and/or adjacent to the tract, to within 200 feet of the boundary of the tract proposed to be subdivided. The PRELIMINARY PLAT shall note the location of the nearest public sewer and public water lines.
- (7) The location of existing streams, rivers, drains, lakes, ponds and impoundments within and/or within 200 feet of the boundaries of the tract.
- (8) The location and width of all public and/or private EASEMENTS within the boundary of the tract and the name of the person or persons benefitted by the easement.

c. Proposed Conditions:

- (1) The locations, width and names of proposed STREETS and RIGHT-OF-WAY widths including connections to adjoining public and/or private STREET RIGHT-OF-WAY and proposed phasing of construction and FINAL PLAT application.

Champaign County, Illinois
Subdivision Ordinance

Subsection 8.1.2 Information Required--continued

- (2) The location and width of WALKWAYS and EASEMENTS including connections to adjoining public lands and public and/or private WALKWAYS and EASEMENTS.
 - (3) All LOTS, including the required SETBACK LINES and dimensions of typical LOTS. All LOTS must be numbered in consecutive order.
 - (4) The location and acreage of any proposed public and/or quasi-public land within 200 feet of the tract.
 - (5) The plan of any proposed water courses or impoundments including stream relocations, showing normal water levels and direction of flow.
 - (6) The provisions for water supply and sewage disposal.
 - (7) Percolation test data at a minimum frequency of one test hole for each lot in the approximate area of the proposed absorption field. Such test holes and percolation data shall be so indicated on the face of the PRELIMINARY PLAT.
 - (8) A stormwater detention and drainage plan prepared in conformance to the requirements of the Champaign COUNTY *Interim Stormwater Management Policy*.
- d. Subsidiary Drainage PLAT - A subsidiary drainage PLAT shall be filed in accordance with the following requirements:
- (1) Show topographically and by profile the elevation of the land, prior to the commencement of any change in elevations, by contours at two foot intervals and extending 200 feet beyond the exterior boundaries of the SUBDIVISION.
 - (2) Show proposed changes in the elevations and the flow of surface water from the SUBDIVISION.
 - (3) Demonstrate feasibility of compliance with the Champaign COUNTY *Interim Stormwater Management Policy*.

Champaign County, Illinois
Subdivision Ordinance

Champaign County, Illinois
Subdivision Ordinance

Section 8.1 PRELIMINARY PLAT Phase--continued

8.1.3 Soil and Water Conservation District Review and Approval:

Information concerning the proposed SUBDIVISION shall be submitted by the developer to the Soil and Water Conservation District for comments as to:

- a. Suitability of soils for building construction and indicate problems that may arise in the event good engineering practices are not followed.
- b. Suitability of soils for septic tank systems.
- c. Best use of soils in the area in question.
- d. All fees as required by this section shall be paid by the SUBDIVIDER directly to the Champaign COUNTY Soil and Water Conservation District. The SUBDIVISION OFFICER shall supply the required forms to the SUBDIVIDER or his representative at the pre-application conference.

The Soil and Water Conservation District shall issue a written opinion concerning the proposed SUBDIVISION within 30 days from the time of receipt, to the SUBDIVISION OFFICER. If no opinion is received within 30 days, the SUBDIVISION shall be considered recommended by the Soil and Water Conservation District.

8.1.4 Procedures for Submission:

- a. SUBDIVIDERS shall submit:
 - 1) A complete PRELIMINARY PLAT application consistent with the provisions of this ordinance and submitted on approved COUNTY forms available from the SUBDIVISION OFFICER in the Department of Planning and Zoning,
 - 2) five copies of the PRELIMINARY PLAT,
 - 3) a reduction of the PRELIMINARY PLAT or sketch showing LOTS and STREETS submitted on an 8 1/2" x 11" sheet,
 - 4) an open title commitment or a title policy not more than twelve months old, and

Champaign County, Illinois
Subdivision Ordinance

Subsection 8.1.4 Procedures for Submission--continued

5) supportive material to the COUNTY SUBDIVISION OFFICER at least 14 calendar days prior to the ENVIRONMENT AND LAND USE COMMITTEE meeting at which the SUBDIVIDER wishes the PLAT considered.

- b. The COUNTY SUBDIVISION OFFICER shall not present the PLAT to the ENVIRONMENT AND LAND USE COMMITTEE unless all required material has been submitted 14 days prior to a regularly scheduled meeting of the Committee.

8.1.5 Procedures for Review and Approval:

- a. The SUBDIVISION OFFICER shall notify the adjacent property owners, the Township Highway Commissioner, the COUNTY ENGINEER, the SURVEYOR and/or ENGINEER, and the owner of the property to be subdivided that the SUBDIVISION application is under consideration and the date, time, and location of the ENVIRONMENT AND LAND USE COMMITTEE meeting at which the PRELIMINARY PLAT of the SUBDIVISION will be considered. The notice shall be mailed no less than five days prior to the meeting.
- b. The COUNTY ENVIRONMENT AND LAND USE COMMITTEE shall examine the PRELIMINARY PLAT for compliance with these Regulations with special attention given to the following:
 - (1) Design standards and information requirements as set forth by these Regulations.
 - (2) STREETS and thoroughfares as related to neighborhood circulation and existing and proposed topography.
 - (3) Existing zoning and existing and planned land use.
 - (4) An official land use plan adopted by the COUNTY Board.
 - (5) OFFICIAL ROAD MAP.
 - (6) Land required for schools, parks, or other public use.

Champaign County, Illinois
Subdivision Ordinance

Subsection 8.1.5 Procedures for Review and Approval--continued

- (7) Utility methods and systems, drainage and street improvements.
 - (8) Water courses.
- c. The COUNTY ENVIRONMENT AND LAND USE COMMITTEE shall consider the PRELIMINARY PLAT if such application is properly submitted at a regular meeting occurring within 30 days following the completed submittal of the PRELIMINARY PLAT. Action on the PRELIMINARY PLAT shall be upon motion of the COMMITTEE and shall enumerate all approved WAIVERS. If the COUNTY ENVIRONMENT AND LAND USE COMMITTEE does not approve the PRELIMINARY PLAT, or rejects the PRELIMINARY PLAT, or portions thereof, the reasons for such disapproval or rejection shall be entered in the official meeting minutes, and the COMMITTEE shall list the reasons for disapproval or rejection upon the COMMITTEE's file copy, and shall notify the SUBDIVIDER in writing within 10 days of the reasons for said disapproval or rejection.
- d. Approval of the PRELIMINARY PLAT by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE shall be indicated on the drawings in the following manner; however, such approval and designation thereof does not insure final acceptance of the STREETS and other public ways for dedication nor continuation of zoning requirements for the tract or its environs:

Preliminary Plat Certificate

The preliminary plat of subdivision as shown herein is approved and the County Environment and Land Use Committee now is ready to receive the final plat of said subdivision for consideration. This is NOT an approval of the final plat. Final acceptance of the streets and other public ways for dedication is not guaranteed by this approval. This approval shall expire within 12 months of the date below.

DATE: _____, 19____

Champaign County Environment and Land Use Committee

By: _____, Chairman

_____, Secretary

Champaign County, Illinois
Subdivision Ordinance

Section 8.1 PRELIMINARY PLAT Phase--continued

8.1.6 SUBDIVIDER's Rights Upon Approval

- a. Approval of the PRELIMINARY PLAT shall remain in force and the SUBDIVIDER shall be entitled to the rights enumerated in paragraph 8.1.6 b. for a period not to exceed one year from the date of ENVIRONMENT AND LAND USE COMMITTEE action.
- b. Upon approval of the PRELIMINARY PLAT by the ENVIRONMENT AND LAND USE COMMITTEE the SUBDIVIDER may:
 - (1) apply for approval of the engineering drawings for all or part of the area contained within the PRELIMINARY PLAT in conformance with the phasing of construction contained within the PRELIMINARY PLAT; or
 - (2) apply for FINAL PLAT approval for all or part of the area contained within the PRELIMINARY PLAT in conformance with the approved phasing of the PLAT.
- c. Construction of all improvements in the approved PRELIMINARY PLAT shall be subject to the following:
 - (1) No construction, excavation, clearing, grading, or filling on the subject property shall commence until the engineering drawings for such improvements have been approved by the COUNTY ENGINEER and the ENVIRONMENT AND LAND USE COMMITTEE except construction authorized by a Zoning Use Permit issued pursuant to the Champaign COUNTY *Zoning Ordinance*.
 - (2) Upon the approval of the engineering drawings by the ENVIRONMENT AND LAND USE COMMITTEE and for a period not to exceed 12 months from the date of such approval the SUBDIVIDER may undertake excavation, clearing, grading, filling, or construction of improvements without filing a PERFORMANCE GUARANTEE.

Champaign County, Illinois
Subdivision Ordinance

Subsection 8.1.6 SUBDIVIDER's Rights Upon Approval--continued

- (3) The SUBDIVIDER shall apply for FINAL PLAT approval of the areas designated in the approved engineering drawings within 12 months of engineering drawing approval. Such FINAL PLAT application shall include a PERFORMANCE GUARANTEE for any PUBLIC IMPROVEMENTS that have not been completed, approved, and accepted by the relevant authority by the date of the application for FINAL PLAT approval.

Champaign County, Illinois
Subdivision Ordinance

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ARTICLE NINE: FINAL PLAT SUBMISSION

Section 9.1--FINAL PLAT Phase

9.1.1 Purpose:

As required by law, the FINAL PLAT is the document which provides information relative to legal procedure, precise surveying and placement of MONUMENTS, and certification as provided for in the *Illinois Compiled Statutes*. The FINAL PLAT shall be prepared by a SURVEYOR qualified to practice in the State of Illinois as provided in the *Illinois Compiled Statutes*.

9.1.2 Information Required:

Preparation of the FINAL PLAT shall comply with the requirements as set forth in the *Illinois Plat Act* (765 ILCS 205/1 *et. seq.* 1994) and the *Illinois Judicial Plat Act* (765 ILCS 210 *et. seq.* 1994) and the *Illinois Counties Code* (55 ILCS 5/104 and 3/5029, 1994) and as listed below:

- a. The name of the SUBDIVISION.
- b. The location and position of the SUBDIVISION indicated in each of the following ways:
 - (1) By quarter section, section, township, range, meridian, COUNTY and state.
 - (2) By distances and bearings from north and angles with reference to a corner or corners established in the United States Public Land Survey.
 - (3) By a written legal description of the exterior boundaries of the land as surveyed and divided.
- c. A north arrow.
- d. The PLAT shall be presented at a scale of one inch to 100 feet (1" = 100') or larger, except, that a different scale may be used if approved during the PRELIMINARY PLAT phase.
- e. The date of preparation.

Champaign County, Illinois
Subdivision Ordinance

Subsection 9.1.2 Information Required--continued

- f. The description and location of all survey MONUMENTS.
- g. Survey data sufficient to reproduce any line or re-establish any MONUMENT in the SUBDIVISION, and to determine a mathematical closure.
- h. A graphic representation of all HIGHWAYS, STREETS, ALLEYS, PLACES, LOTS, BLOCKS, parcels, and public grounds into which the land is divided and of all EASEMENTS and RIGHTS-OF-WAY.
- i. The length of boundary lines of all HIGHWAYS, STREETS, ALLEYS, PLACES, BLOCKS, LOTS, parcels, public grounds, EASEMENTS, and RIGHTS-OF-WAY, or enough information so that the length of these lines can be derived by a simple calculation. Where a boundary line is an arc of a circle, the radius and the length or the arc shall be shown.
- j. The widths of all HIGHWAYS, STREETS, ALLEYS, PLACES, EASEMENTS and RIGHTS-OF-WAY.
- k. A graphic representation of the minimum SETBACK LINES on all LOTS and parcels, and a notation of the distance between such lines and the STREET line.
- l. Consecutive numbers on all LOTS.
- m. The name of each STREET, printed on the graphic representation of such STREET, and an appropriate label designating all other EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, dedications and reservations.
- n. Abutting STREET LINES of platted, adjoining SUBDIVISIONS shown in their correct location by broken (dashed) lines.
- o. A part of the property covered by this PLAT is (is not) situated within a special flood hazard area as identified by the Federal Emergency Management Agency.

Champaign County, Illinois
Subdivision Ordinance

Subsection 9.1.2 Information Required--continued

- p. A statement from the Champaign COUNTY Clerk which complies with the requirement of the *Illinois Property Tax Code* (35 ILCS 200/9-55, 1994) certifying that there are no delinquent taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments against the tract of land on which the subdivision is proposed.
- q. Percolation test data at a minimum frequency of one test hole for each lot in the approximate area of the proposed absorption field. Such test holes and percolation data shall be so indicated on the face of the FINAL PLAT.
- r. In the event a private septic disposal system is proposed for each LOT, certification by a Registered Professional ENGINEER or Registered Sanitarian indicated on the face of the PLAT that the proposed land use, the proposed LOTS and the known soil characteristics of the area are adequate for such systems.
- s. All covenants, agreements, and deed restrictions which are to be imposed by the SUBDIVIDER on future OWNERS of LOTS within the SUBDIVISION once approved.
- t. All required certificates may be shown on the face of the FINAL PLAT or in a separate document attached to the PLAT.
 - (1) "Owner's Certificate"
(The "OWNER's Certificate" shall state that the OWNER is the sole OWNER of the land described in the attached PLAT, and that he has caused the same to be surveyed, and shall be dated and signed by the OWNER.)
 - (2) "Surveyor's Statement"
(The "SURVEYOR's Statement" shall include the name, signature, number and seal of the Registered Land SURVEYOR, shall be dated, and shall include a legal description of the tract of land subdivided, and further state that the tract of land has been surveyed and the MONUMENTS set as shown on the attached PLAT.)

Champaign County, Illinois
Subdivision Ordinance

Subsection 9.1.2 Information Required--continued

- (3) "County Clerk's Certificate"
I, _____, County Clerk of Champaign County, Illinois, do hereby certify that I have received the required Surety Bonds in connection with attached Plat.

Given under my hand and seal at Urbana, Illinois, this _____ day of _____ A.D. 19__.

_____ County Clerk

- (4) PLATS must contain all approvals which are applicable.
- i) SUBDIVISIONS with new STREETS or with access on COUNTY highways.

I, _____, County Engineer of Champaign County, do hereby certify that the attached plat has been examined by me and found to comply with the highway requirements, as set forth in the regulations governing plats of subdivided land adopted by the County Board of Champaign County, Illinois.

Dated this _____ day of _____ A.D., 19

_____ County Engineer

- ii) SUBDIVISIONS with no new STREETS and with access on Township Roads.

I, _____, Highway Commissioner, of _____ Township do hereby certify that this plat has been reviewed by me and approved with respect to roadway access and other matters under my jurisdiction.

Dated this _____ day of _____ A.D., 19

_____ Township Highway Commissioner

Champaign County, Illinois
Subdivision Ordinance

Subsection 9.1.2 Information Required--continued

iii) Subdivision with access to State Highways.

Statement in such form as required by the Illinois
Department of Transportation.

(5) "County Environment and Land Use Committee"

Approved the ____ day of _____ A.D. 19__.
Champaign County Board

_____ Chairman

Champaign County Environment and Land Use Committee

_____ Chairman

_____ Subdivision Officer

(6) Statements to Appear on the Subsidiary Drainage Plat:

To the best of our knowledge and belief reasonable provisions have
been made for the collection and diversion of surface waters into
public areas, or drains which the Subdivider has the right to use,
and that such surface waters are planned for in accordance with
generally accepted engineering practices so as to reduce the
likelihood of damage to the adjoining property because of the
construction of _____ Subdivision.

Engineer's Signature and Registration Number

Owner's Signature or Attorney

Champaign County, Illinois
Subdivision Ordinance

Subsection 9.1.2 Information Required--continued

- u. PERFORMANCE GUARANTEE shall be on file with the COUNTY Clerk. The PERFORMANCE GUARANTEE shall be 100% of the estimated value of the improvements at the time of approval of the SUBDIVISION, insuring the COUNTY adequate coverage to secure satisfactory construction, installation and dedication of the uncompleted portions of the required improvements. The COUNTY Clerk shall approve such only after a recommendation of approval of the amount of the PERFORMANCE GUARANTEE is received from the COUNTY ENGINEER. See Section 16.4.

9.1.3 Procedures for Submission:

SUBDIVIDERS shall submit:

- a. the original of the FINAL PLAT tracing including all required certificates, signatures and other information in accordance with Section 9.1.2 of the Regulations;
- b. a completed FINAL PLAT application consistent with the provisions of this Ordinance and submitted on approved COUNTY forms available from the SUBDIVISION OFFICER;
- c. five copies of the SUBDIVISION covenants that will apply to the proposed SUBDIVISION;
- d. one copy of all engineering drawings for physical improvements within the proposed SUBDIVISION, unless previously submitted and approved;
- e. five copies of the FINAL PLAT tracing; and
- f. supportive material to the SUBDIVISION OFFICER at least 14 calendar days prior to the ENVIRONMENT AND LAND USE COMMITTEE meeting at which the SUBDIVIDER wishes the plat considered. The SUBDIVISION OFFICER shall not present the FINAL PLAT to the ENVIRONMENT AND LAND USE COMMITTEE unless all required materials have been submitted 14 days prior to a regularly scheduled meeting of the COMMITTEE.

Champaign County, Illinois
Subdivision Ordinance

Section 9.1 FINAL PLAT Phase--continued

9.1.4 Procedures for Review and Approval:

- a. The COUNTY SUBDIVISION OFFICER, shall notify the property OWNER, the surrounding property OWNERS and the SURVEYOR or ENGINEER in writing of the date, time and location that the ENVIRONMENT AND LAND USE COMMITTEE will take final action on a proposed SUBDIVISION. The meeting notice shall be mailed no less than five days prior to the meeting.
- b. The COUNTY ENVIRONMENT AND LAND USE COMMITTEE shall review the FINAL PLAT for compliance with these Regulations and the approved PRELIMINARY PLAT and, if found acceptable and complete, shall determine that no liens for special assessments exist against the land by certificate from the COUNTY Clerk, and that no unpaid taxes on the land exist.
- c. The COUNTY ENVIRONMENT AND LAND USE COMMITTEE shall approve or disapprove the PLAT within 30 days after a complete submission. Final approval of the PLAT shall rest with the COUNTY ENVIRONMENT AND LAND USE COMMITTEE. If the COMMITTEE disapproves or rejects the FINAL PLAT for any reason whatever, the SUBDIVIDER shall be promptly notified in writing of the reasons for disapproval or rejection. Action by the ENVIRONMENT AND LAND USE COMMITTEE shall take the form of a motion that shall enumerate all approved WAIVERS; and the form and date of the COMMITTEE action shall be recorded on the original copy.
- d. If the PLAT is approved by the ENVIRONMENT AND LAND USE COMMITTEE it shall be referred to the next scheduled meeting of the Champaign COUNTY Board. Action by the Champaign COUNTY Board shall take the form of a motion that shall enumerate all approved WAIVERS; and the date of the COUNTY Board action shall be recorded on the original copy.

ARTICLE TEN: MINOR SUBDIVISIONS

Section 10.1---FINAL PLATS for MINOR SUBDIVISION

10.1.1 Developers of MINOR SUBDIVISIONS as defined under these Regulations, may, upon advice of the SUBDIVISION OFFICER at the pre-application conference, submit the PRELIMINARY AND FINAL PLAT together as one PLAT, for final approval.

10.1.2 Intent and Scope:

The special procedure, processing and review of MINOR SUBDIVISIONS shall apply to a limited area as defined in these regulations and shall not involve more than one such division of a larger parcel or tract of land. MINOR SUBDIVISIONS may be exempt from securing approval of a PRELIMINARY PLAT prior to submitting a FINAL PLAT.

10.1.3 MINOR SUBDIVISION Identification:

The SUBDIVISION OFFICER shall consider a SUBDIVISION to be minor if that division of land will not adversely affect the remainder of the parcel or adjoining property and if the proposed MINOR SUBDIVISION does not conflict with any provision or portion of these Regulations, a comprehensive plan, official map or the COUNTY Zoning Ordinance.

10.1.4 Submission:

A PLAT identified as a MINOR SUBDIVISION shall be submitted to the SUBDIVISION OFFICER and shall include:

- a. The original of the FINAL PLAT tracing including all required certificates, signatures and other information as required by Article Nine, Section 9.1.2 and in accordance with applicable provisions of these Regulations.
- b. A FINAL PLAT application consistent with the provisions of this ordinance and submitted on approved COUNTY forms available from the SUBDIVISION OFFICER.
- c. Five copies of the FINAL PLAT.
- d. PLAT fee.
- e. Supportive material.

Champaign County, Illinois
Subdivision Ordinance

Section 10.1 FINAL PLATS for MINOR SUBDIVISION--continued

10.1.5 Processing:

Upon receipt of all required materials, the SUBDIVISION OFFICER shall circulate the PLAT to the COUNTY Highway Department, the ENVIRONMENT AND LAND USE COMMITTEE and any other public agencies

- a. The COUNTY Highway Department shall review MINOR SUBDIVISION FINAL PLATS for determination of any required PUBLIC IMPROVEMENTS.
- b. The ENVIRONMENT AND LAND USE COMMITTEE and the SUBDIVISION OFFICER shall review MINOR SUBDIVISION FINAL PLATS for conformity to these regulations.
- c. The COUNTY Zoning Administrator shall review the PLAT for compliance with the COUNTY Zoning Ordinance.
- d. Any other agencies may review MINOR SUBDIVISION FINAL PLATS in accordance with their interests. The agencies shall report their comments in writing to the SUBDIVISION OFFICER within five working days of the mailing date for the ENVIRONMENT AND LAND USE COMMITTEE. No response or contact shall be deemed as signifying no adverse comments to the SUBDIVIDER within seven working days of the date of FINAL PLAT application. The SUBDIVIDER shall have until six working days prior to the ENVIRONMENT AND LAND USE COMMITTEE meeting to elect to resubmit or withdraw the FINAL PLAT, otherwise the MINOR SUBDIVISION FINAL PLAT shall be placed on the ENVIRONMENT AND LAND USE COMMITTEE's agenda.

10.1.6 ENVIRONMENT AND LAND USE COMMITTEE Review:

- a. The SUBDIVISION OFFICER shall prepare a case file for presentation to the ENVIRONMENT AND LAND USE COMMITTEE, and at the request of the SUBDIVISION OFFICER, place the MINOR SUBDIVISION FINAL PLAT on the ENVIRONMENT AND LAND USE COMMITTEE's agenda.

Subsection 10.1.6 ENVIRONMENT AND LAND USE COMMITTEE Review--continued

- b. The ENVIRONMENT AND LAND USE COMMITTEE shall approve or disapprove the MINOR SUBDIVISION FINAL PLAT within 45 days after its next regular meeting following the date of complete application unless such time is mutually extended by the SUBDIVIDER and the ENVIRONMENT AND LAND USE COMMITTEE.
- c. The ENVIRONMENT AND LAND USE COMMITTEE shall review the PLAT of the MINOR SUBDIVISION for compliance with these Regulations and, if found acceptable and complete, shall determine that no liens for special assessments exist against the land by certificate from the COUNTY Clerk, and that no unpaid taxes on the land exist.
- d. The ENVIRONMENT AND LAND USE COMMITTEE may disapprove a FINAL PLAT of a MINOR SUBDIVISION adopting a Written Statement of Rejection.
- e. The SUBDIVISION OFFICER shall inform the SUBDIVIDER of the ENVIRONMENT AND LAND USE COMMITTEE's action in writing within 10 days of said action.
- f. If the PLAT is approved by the ENVIRONMENT AND LAND USE COMMITTEE it shall be referred to the next scheduled meeting of the Champaign COUNTY BOARD. Action by the Champaign COUNTY BOARD shall take the form of a motion that shall enumerate all approved WAIVERS; and the date of the COUNTY BOARD action shall be recorded on the original copy.

10.1.7 Limitations on MINOR SUBDIVISION FINAL PLAT Approval:

The limitations on MINOR SUBDIVISION FINAL PLAT approval shall be in accordance with applicable provisions of Requirements for FINAL PLATS.

10.1.8 Requirements for MINOR SUBDIVISION PLAT:

Information shown on the MINOR SUBDIVISION FINAL PLAT shall be in accordance with applicable provisions of requirements for FINAL PLATS.

10.1.9 Recording MINOR SUBDIVISION FINAL PLATS:

The procedures for recording MINOR SUBDIVISION FINAL PLATS shall be the same as specified in applicable provisions of Article Eleven.

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ARTICLE ELEVEN: RECORDING SUBDIVISIONS

Section 11.1--Recording Phase

- 11.1.1 Upon approval by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE, the approved FINAL PLAT shall be returned to the SUBDIVIDER within 5 days and shall be recorded within 180 days of the date of final approval, not including Saturdays, Sundays or designated COUNTY Holidays.
- 11.1.2 The Article cost of recording said PLAT shall be paid by the SUBDIVIDER as provided in Article Six of these Regulations. No PLAT shall be recorded until all fees and costs have been paid. The recording of a PLAT shall not be construed to mean the acceptance of the required physical improvements constructed or installed in the SUBDIVISION. The cost of recording FINAL PLATS, documents, or writs are payable in addition to filing fees and are the responsibility of the SUBDIVIDER.

Section 11.2--Limitations of FINAL PLAT Approval

- 11.2.1 The following limitations are placed on the FINAL PLAT approvals:
- a. The endorsement of a FINAL PLAT by the Champaign COUNTY BOARD, ENVIRONMENT AND LAND USE COMMITTEE, and the SUBDIVISION OFFICER shall have full force and effect for 180 days.
 - b. If the FINAL PLAT has not been recorded within the time stipulated above, the ENVIRONMENT AND LAND USE COMMITTEE and SUBDIVISION OFFICER's endorsement shall become null and void.
 - c. Restrictions on Issuance of Permits for Building - No permit shall be issued by any COUNTY official for the construction of any building or structure on any lot within a SUBDIVISION or other land development, which has been approved for platting or replatting, until the PLAT has been recorded.

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ARTICLE TWELVE: PROCEDURES FOR RESUBDIVIDING AND REPLATTING RECORDED LOTS AND FOR VACATION OF PLATS

All regulations, procedures and standards made applicable herein to original subdividing shall also apply to the resubdividing and replatting of a PLAT or parts thereof, as provided by these Regulations.

Section 12.1--Procedure for Resubdivision

12.1.1 For any change in a map of an approved or recorded SUBDIVISION PLAT, if such change affects any STREET layout shown on such map, or area reserved thereon for public use, or any LOT line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling SUBDIVISION, such parcel shall be approved by the ENVIRONMENT AND LAND USE COMMITTEE by the same procedure, rules and regulations as for a SUBDIVISION.

Section 12.2--Procedure for SUBDIVISIONS Where Future Resubdivision is Indicated

12.2.1 Whenever a parcel of land is subdivided and the SUBDIVISION PLAT shows one or more LOTS containing more than one acre of land and there are indications that such LOTS will eventually be resubdivided into small building sites, the ENVIRONMENT AND LAND USE COMMITTEE may require that such parcel of land allow for the future opening of STREETS and the ultimate extension of adjacent STREETS. EASEMENTS providing for the future opening and extension of such STREETS may be made a requirement of the PLAT.

Section 12.3--Vacation of PLATS

12.3.1 Any PLAT or any part of any 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.

12.3.2 Such an instrument shall be approved by the ENVIRONMENT AND LAND USE COMMITTEE in like manner as PLATS of SUBDIVISIONS. The governing body may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, STREETS, or ALLEYS.

Champaign County, Illinois
Subdivision Ordinance

Section 12.3 Vacation of PLATS--continued

12.3.3 Such an instrument shall be executed, acknowledged or approved, and recorded or filed, in 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, ALLEY, and public grounds, and all dedications laid out or described in such PLAT.

12.3.4 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.

***ARTICLE THIRTEEN: SUBDIVISION PLAT
AND RECORDING FEES***

Section 13.1--General Requirements

- 13.1.1 To cover the cost of checking PRELIMINARY and FINAL PLATS and of checking plans and specifications as well as inspecting the installation of required improvements, SUBDIVISION PLAT fees shall be established by the Champaign COUNTY BOARD, in accordance with the *Illinois Counties Code (55 ILCS 5/5-1041, 1994)*.
- 13.1.2 Fees for SUBDIVISION PLAT review shall be paid at the SUBDIVISION OFFICER's office and the SUBDIVISION OFFICER shall notify in writing to the SUBDIVIDER and the ENVIRONMENT AND LAND USE COMMITTEE that all required fees have been paid.
- 13.1.3 Until all application fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.
- 13.1.4 No fee shall be refunded in the event any PRELIMINARY or FINAL PLAT is disapproved.

Section 13.2--Schedule of Fees, Charges and Expenses

- 13.2.1 The schedule of fees shall be posted in the office of the SUBDIVISION OFFICER, and may be altered, or amended as provided in Section 2.9.
- 13.2.2 Fees for PRELIMINARY PLATS:
- a. No application for PRELIMINARY PLAT approval shall be accepted until the total fee specified below shall have been received.
 - b. Fee Calculation
 - (1) Basic Fee:
\$25.00 per LOT for each of the first 40 LOTS and \$5.00 per LOT thereafter but not less than \$100.00
 - (2) Physical Improvement Review Fee, where physical improvements as provided for in Section 16 are required: \$5.00 per LOT but not less than \$250.00

Champaign County, Illinois
Subdivision Ordinance

Subsection 13.2.2 Fees for PRELIMINARY PLATS--continued

- (3) Stormwater Drainage Plan Review Fee, where a Stormwater Drainage Plan is required by the Champaign COUNTY *Interim Stormwater Management Policy* pursuant to Section 8.1.2c(8): \$5.00 per LOT but not less than \$250.00

- c. The PRELIMINARY PLAT fee shall be equal to the total of the Basic Fee and any Physical Improvement Fee and any Stormwater Drainage Plan Review Fee that applies to the proposed SUBDIVISION.

- d. No PRELIMINARY PLAT fee shall be refunded after notice required by Section 8.1.5a has been made.

13.2.3 Fees for FINAL PLATS

No fee shall be required for submission of a FINAL PLAT.

13.2.4 Fees for Recording

The cost of recording FINAL PLATS, documents, or writs are payable by the SUBDIVIDER in addition to filing fees.

ARTICLE FOURTEEN: SUBDIVISION DESIGN STANDARDS

Section 14.1--General Requirements

14.1.1 Every SUBDIVISION PLAT shall be prepared in conformance to:

- a. All applicable codes and ordinances as adopted by the COUNTY Board;
- b. The *Champaign County Subdivision Regulations*;
- c. The Statutes of the State of Illinois;
- d. The *Champaign County Interim Stormwater Management Policy*;
- e. Any applicable Champaign COUNTY plans and policies; or any parts thereof.

14.1.2 Whenever a tract of land, proposed to be subdivided or developed, includes a proposed public STREET or embraces any part of a STREET designated on the COUNTY OFFICIAL ROAD MAP, such STREET shall be shown and dedicated in the location indicated on such map and to the RIGHT-OF-WAY width required by these Regulations.

14.1.3 Every SUBDIVISION PLAT shall be so designed and oriented as far as practical to preserve and enhance the natural features, topography and scenic values of the area proposed for development as well as that of the COUNTY as a whole.

14.1.4 Every SUBDIVISION shall be designed so as to allow adequate mobility to the handicapped in moving from STREET to SIDEWALK or property level. Such adequacy of design shall be determined in consultation with the SUBDIVISION OFFICER and shall conform to Section 14.5 and Section 16.3.3 paragraph (f) and the *Illinois Environmental Barriers Act* (410 ILCS 25/1 et. seq., 1994) and the *Illinois Accessibility Code* (71 Illinois Administrative Code Part 400).

Champaign County, Illinois
Subdivision Ordinance

Section 14.2--STREETS and RIGHTS-OF-WAY

- 14.2.1 The proposed STREET layout within or adjacent to a proposed PLAT shall provide for the continuation of existing connecting STREETS in adjoining SUBDIVISIONS, or shall conform to the AREA GENERAL PLAN approved by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE as provided in these Regulations, except minor streets across a major intervening street where such continuation or extension is not necessary to serve the public need. As required, appropriate STREETS, as designated by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE, shall be extended to the SUBDIVISION boundary to provide for future connection with adjoining unplatted and/or undeveloped land. STREETS extended to adjoining property may have temporary turnarounds, as approved by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE.
- 14.2.2 Proposed STREETS shall be so arranged, in relation to existing and proposed topography, as to produce lots of reasonable utility and STREETS of reasonable gradient.
- 14.2.3 STREET intersections with center line offsets of less than 125 feet between adjacent intersections shall be prohibited.
- 14.2.4 ALLEYS may be provided for all lots or parcels intended for residential, commercial and industrial use areas. No dead-end ALLEYS will be permitted.
- 14.2.5 PARTIAL-STREETS, except where it is absolutely essential to the reasonable development of the tract and in conformity to the principles herein stated, are prohibited. Whenever a half-STREET has previously been platted, abutting the tract boundary line, the remaining half shall be platted and improved within the tract. In cases where the platting of a half-STREET is approved, it shall not be constructed or used for access to any LOT until such time as the adjoining half-street is platted and approved and the entire street is constructed.
- 14.2.6 RIGHT-OF-WAY Widths:
The following are the minimum acceptable widths of RIGHTS-OF-WAY for the various classes of STREETS and HIGHWAYS:
- a. COLLECTOR HIGHWAY (COUNTY System) -- 80 feet
 - b. LAND ACCESS HIGHWAY (Township System) -- 60 feet

Champaign County, Illinois
Subdivision Ordinance

Subsection 14.2.6 RIGHT-OF-WAY Widths--continued

- c. SUBDIVISION STREET -- 60 feet
- d. Special Traffic Ways:
 - (1) BOULEVARD STREET -- 100 feet
 - (2) "U" STREET (where permitted by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE) -- 120 feet, terminating in a turning circle having a diameter of 120 feet.
 - (3) CUL-DE-SAC STREETS -- 60 feet, terminating in a turning circle 120 feet in diameter.
 - (4) MARGINAL ACCESS STREET (where permitted or required by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE) -- 40 feet when abutting a freeway, expressway, area service, COLLECTOR or LAND ACCESS HIGHWAY.
 - (5) ALLEYS (where permitted by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE), the following shall prevail:

The minimum RIGHTS-OF-WAY for ALLEYS shall be 24 feet in business, commercial and industrial use areas; and 20 feet in residential use areas.
 - (6) PLACE (where permitted by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE) -- 120 feet or less, terminating in a turning circle 120 feet in diameter measured from the edge of the intersecting road surface to the back of the turning circle.

14.2.7 Partial RIGHT-OF-WAY Width:

In those instances in which the OWNER or OWNERS of a new SUBDIVISION own land on only one side of an existing STREET, the RIGHT-OF-WAY of which is narrower than that required by these Regulations, the SUBDIVIDER shall dedicate additional RIGHT-OF-WAY of sufficient width to make that portion of the RIGHT-OF-WAY lying between the center line of the existing RIGHT-OF-WAY and the outside edge of the additional RIGHT-OF-WAY at least equal to one-half of the required RIGHT-OF-WAY width.

Champaign County, Illinois
Subdivision Ordinance

Section 14.2 STREETS and RIGHTS-OF-WAY--continued

14.2.8 All STREETS shall be named, and the names of STREETS in proposed PLATS shall be chosen as to avoid confusion or duplication with existing STREET names and shall be approved by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE.

14.2.9 STREET Grades:

- a. Maximum -- all STREETS five percent.
- b. Minimum -- 0.40 percent.

14.2.10 STREET Vertical and Horizontal Alignments:

All STREETS and HIGHWAYS shall be designed to meet horizontal and vertical alignment criteria as established by the *Design Manual*, Bureau of Design, Illinois Department of Transportation, for the particular class of HIGHWAY or STREET being constructed, and as provided in the following items:

- a. Major STREETS shall be designed with curves having a centerline radius of not less than 500 feet and all other STREETS shall be designed with curves having a centerline radius of not less than 250 feet except where a lesser radius is, in the opinion of the COUNTY SUPERINTENDENT OF HIGHWAYS, deemed safe and adequate for anticipated conditions.
- b. STREETS intersecting any STREET or HIGHWAY shall do so at as near a 90 degree angle as possible, but in no event at an angle less than 60 degrees. Intersections shall be designed with 30 foot minimum radius turnouts.
- c. All STREETS intersecting a COLLECTOR or LAND ACCESS HIGHWAY shall have a tangent section of at least 50 feet measured from the RIGHT-OF-WAY line of the HIGHWAY, provided that no such tangent is required when the center line of a minor STREET has a curve radius greater than 1,000 feet when the curve begins or ends on the RIGHT-OF-WAY line of the HIGHWAY.
- d. The intersection of SUBDIVISION STREETS with any existing HIGHWAY shall be designed as specified by the agency having maintenance authority. A permit for such construction is normally required by the State, COUNTY or Township.

Champaign County, Illinois
Subdivision Ordinance

Section 14.2 STREETS and RIGHTS-OF-WAY--continued

14.2.11 CUL-DE-SAC Maximum Length:

- a. The maximum length of any CUL-DE-SAC shall be measured from the center of the turning circle to the centerpoint of the nearest intersection from which two or more distinct routes of travel are available to the nearest fire station.
- b. Residential CUL-DE-SACS shall not exceed 1300 feet in length nor serve more than 20 dwelling units.
- c. The maximum length for a commercial or industrial CUL-DE-SAC shall be 660 feet.

Section 14.3--Block Face

14.3.1 Large LOT SUBDIVISIONS:

In any SUBDIVISION having an average LOT area of 15,000 square feet or more the following maximum dimensions shall apply:

- a. Maximum length of any block face -- 1,200 feet.
- b. Maximum width of any block face -- 500 feet.

14.3.2 Small LOT SUBDIVISIONS:

In any SUBDIVISION having an average LOT area of less than 15,000 square feet the following maximum dimensions shall apply:

- a. Maximum length of any block face -- 960 feet.
- b. Maximum width of any block face -- 400 feet.

Section 14.4--LOTS

- 14.4.1 All LOTS shall conform to the requirements in the *Zoning Ordinance* of Champaign COUNTY, for LOTS in the zoning district to be affected.

Champaign County, Illinois
Subdivision Ordinance

Section 14.4 LOTS--continued

- 14.4.2 The DEPTH to WIDTH ratio of a LOT shall not exceed 3 to 1 unless otherwise provided in this subsection. The DEPTH to WIDTH ratio shall not apply to pie-shaped LOTS located on curves or CUL-DE-SACS. A LOT WIDTH shall not be less than 60 feet except in the case where a pie-shaped LOT fronts on a CUL-DE-SAC. The minimum LOT WIDTH for CUL-DE-SAC LOTS shall not be less than 30 feet, measured along the proposed RIGHT-OF-WAY.
- 14.4.3 Every LOT shall abut upon a public STREET or HIGHWAY, or PLACE.
- 14.4.4 THROUGH OR DOUBLE FRONTAGE LOTS, extending through the BLOCK and having frontage on two parallel STREETS, shall normally not be approved.
- 14.4.5 Side LOT lines shall be at right angles or radial to STREET lines, except when in the opinion of the COUNTY ENVIRONMENT AND LAND USE COMMITTEE, other treatment is justified.
- 14.4.6 Required SETBACK LINES shall be in accordance with the COUNTY *Zoning Ordinance*.
- 14.4.7 The total land area within the boundary of a PLAT shall be an official part of the PLAT and accounted for as either LOTS, tracts, EASEMENTS, dedicated public areas, or dedicated RIGHT-OF-WAY.

Section 14.5--PUBLIC WALKWAYS

- 14.5.1 PUBLIC WALKWAYS with a RIGHT-OF-WAY not less than 10 feet wide, shall be required where deemed by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE to be needed to provide adequate pedestrian circulation, or access to schools, parks, playgrounds, and other community facilities. The WALKWAY shall be paved to a width of not less than five feet and constructed with a thickness of not less than four inches of portland cement concrete or equivalent.
- 14.5.2 The following provisions concerning PUBLIC WALKWAYS shall also apply wherever SIDEWALKS are required or provided.
- a. Walks shall have a longitudinal gradient of no more than one inch rise per 12 inches length unless approved by the COUNTY SUPERINTENDENT OF HIGHWAYS.

Champaign County, Illinois
Subdivision Ordinance

Subsection 14.5.2 Provisions concerning PUBLIC WALKWAYS--continued

- b. Walks shall be on continuing common surface not interrupted by steps or abrupt changes in level.
- c. Wherever walks cross over walks, driveways, or parking LOTS, they shall blend to a common level.

Section 14.6--Dedication of Public Land and Open-Space

- 14.6.1 In the event the SUBDIVIDER dedicates land to the public for public use as for example: a school, park, forest preserve or recreation area, the appropriate public agency shall provide the SUBDIVIDER with a resolution of acceptance, or a letter of intent to accept the dedication.

Section 14.7--EASEMENTS

- 14.7.1 The width and location of EASEMENTS shall conform to the requirements as provided in Article Seventeen of these Regulations.
- 14.7.2 EASEMENTS, of a public or private nature, shall contain no structures and/or accessory buildings in or on the land, except essential public utility structures.

Section 14.8--Drainage and Stormwater Storage Facilities

- 14.8.1 All drainage and stormwater storage facilities shall be designed in conformance to the Champaign COUNTY *Interim Stormwater Management Policy*.

ARTICLE FIFTEEN: NON-RESIDENTIAL SUBDIVISIONS

Section 15.1--General

15.1.1 If a proposed SUBDIVISION includes land that is zoned for commercial or industrial purposes, the layout of the SUBDIVISION with respect to such land shall be subject to all the requirements of these regulations and shall conform to the proposed land use and standards established in the master plan, official map, and *Zoning Ordinance*.

Section 15.2--Standards

15.2.1 In addition to the principles and standards in these regulations, which are appropriate to the planning of all SUBDIVISIONS, the applicant shall demonstrate to the satisfaction of the ENVIRONMENT AND LAND USE COMMITTEE that the STREET, parcel, and BLOCK pattern proposed is specifically adapted to the uses anticipated that takes into account other uses in the vicinity. The following principles and standards shall be observed:

- a. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
- b. STREET RIGHTS-OF-WAY and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- c. Special requirements may be imposed by the local government with respect to STREET, curb, gutter, and SIDEWALK design and construction.
- d. Special requirements may be imposed by the local government with respect to the installation of public utilities, including water, sewer, and storm water drainage.
- e. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial SUBDIVISION including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.

Champaign County, Illinois
Subdivision Ordinance

Subsection 15.2.1 Standards--continued

- f. STREETS carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

Section 15.3--Planned Unit Development

- 15.3.1 The planned unit development approach to development is greatly encouraged. These regulations may be modified by the degree necessary to accomplish the objectives and standards required for the planned unit development of residential, commercial, or industrial SUBDIVISIONS, or a mixture thereof, in accordance with Section 6.3 of the COUNTY *Zoning Ordinance*. Nothing within this section, however, shall exempt the DEVELOPER from the requirements of SUBDIVISION PLAT approval.

ARTICLE SIXTEEN: PHYSICAL IMPROVEMENTS

Section 16.1--General Requirements

16.1.1 The SUBDIVIDER shall provide and install all PUBLIC IMPROVEMENTS, as required by these Regulations. Improvements shall be provided and installed in accordance with the standards and engineering requirements established by these Regulations as well as any and all standards and requirements adopted by other local, state and federal authorities which may have jurisdiction of the area being subdivided.

Section 16.2--Engineering Drawings Required

16.2.1 The SUBDIVIDER shall prepare and file at least three copies of the engineering drawings for the SUBDIVISION, as shall be required by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE.

16.2.2 Approval of Engineering Drawings Required before Start of Construction:

- a. The SUBDIVIDER shall obtain written approval of the engineering drawings from both the COUNTY ENGINEER and the ENVIRONMENT AND LAND USE COMMITTEE before any work is undertaken to construct the physical improvements required by these Regulations.
- b. Approval of the engineering drawings by the ENVIRONMENT AND LAND USE COMMITTEE shall be indicated on the drawings in the following manner; however, such approval and designation thereof does not insure final acceptance of the STREETS and other public ways for dedication nor continuation of zoning requirements for the tract or its environs:

Champaign County, Illinois
Subdivision Ordinance

**Subsection 16.2.2 Approval of Engineering Drawings Required before Start of Construction--
continued**

Approval to Construct

_____ The engineering drawings for this subdivision as shown herein are approved by the Environment and Land Use Committee of the Champaign County Board and approval is hereby granted to construct the physical improvements required for the subdivision. The physical improvements must be constructed as indicated herein and any changes therefrom must be approved by the County Engineer and the County Environment and Land Use Committee as provided for in the *Champaign County Subdivision Regulations*.

DATE: _____, 19____

Champaign County Environment and Land Use Committee

By: _____, Chairman

_____, Secretary

16.2.3 Modification of Physical Improvements During Construction

- a. If the SUBDIVIDER wishes to modify the size, type, quality and/or location of any or all of the required STREET related physical improvements during construction of the SUBDIVISION, he shall first obtain approval of the modifications from the COUNTY ENGINEER before proceeding with the installation of the modified improvements.

- b. If the SUBDIVIDER wishes to substantially modify the size, type, quality and/or location of any or all of the required physical improvements (other than STREET related) during construction of the SUBDIVISION, he shall first obtain approval of the modifications from the ENVIRONMENT AND LAND USE COMMITTEE before proceeding with the installation of the modified improvements.

Champaign County, Illinois
Subdivision Ordinance

Section 16.3--Required Physical Improvements

16.3.1 Installation Required:

The SUBDIVIDER shall be responsible for the adequate installation of all the physical improvements as required by these regulations. Public improvements to be installed by the COUNTY or any corporate municipality or government body shall be withheld until the FINAL PLAT has been approved and recorded, as required by these Regulations.

16.3.2 MONUMENTS:

All LOT CORNERS shall be monumented by at least a 1/2 inch diameter round or 1/2 inch square iron rod or 1/2 inch iron pipe at least 30 inches long set on the LOT CORNER. All LOT CORNERS that may have been disturbed or lost during construction of STREETS and sewers shall be replaced at the expense of the SUBDIVIDER. A minimum of two corners at each BLOCK and a minimum of two corners at each STREET intersection shall be MONUMENTED with a permanent MONUMENT set in a concrete post, the concrete post having a minimum length of 36 inches and a minimum cross-section of a four inch diameter circle. This MONUMENT shall be set flush with or sufficiently below the surface of the ground so as to make their disturbance unlikely.

16.3.3 STREETS:

- a. Large LOT SUBDIVISIONS. In SUBDIVISIONS having an average LOT area of 15,000 square feet or more, the road surface shall be a minimum width of 20 feet edge to edge with a 22 foot base and with a shoulder width of at least seven feet on each side of the road surface.
- b. Small LOT SUBDIVISIONS. In SUBDIVISIONS having a LOT area of less than 15,000 square feet, the road surface shall be a minimum width of 24 feet edge to edge with additional two foot portland cement concrete gutter or P.C.C. curb and gutter on each side of the road surface.
- c. Permanent Turnarounds. The outside diameter of the surfaced area of permanent turnarounds shall not be less than 80 feet.
- d. Construction. Pavement construction for STREETS, HIGHWAYS and ALLEYS shall consist of a minimum base course construction of compacted eight inches aggregate base, type B, with an A-3 bituminous surface treatment. If bituminous concrete is used instead of bituminous surface treatment, it shall have a minimum thickness of 3 inches. All

Champaign County, Illinois
Subdivision Ordinance

Subsection 16.3.3 STREETS--continued

construction shall be done in accordance with the current standard specifications of the Illinois Department of Transportation, in effect at the time of construction.

- e. Curbs and gutters. Gutters, and combination curbs and gutters, shall be portland cement concrete, not less than 24 inches in overall width and not less than six inches thick.
- f. The following additional standards shall also apply:
 - (1) At each crosswalk a ramp with a non-slip surface shall be built into the curb so that the STREET and SIDEWALK (existing or future) blend to a common level.
 - (2) The ramp shall not be less than 36 inches wide nor have a slope greater than one inch rise per 20 inches length and shall conform to the *Illinois Environmental Barriers Act* (410 ILCS 25/1 et. seq., 1994), and the *Illinois Accessibility Code* (71 Illinois Administrative Code Part 400).

16.3.4 Drainage Facilities:

Surface and subsurface drainage shall be designed so as to adequately drain all portions of the SUBDIVISION including STREETS. The drainage facilities proposed to be installed shall make due provision for the maintenance of natural drainage courses and the replacement for continued effective operation of existing known subsurface drainage facilities within the site or adjacent to the site. Any field drainage tile disrupted or damaged by any construction taking place within the site shall be replaced or repaired in such a way as to insure its continued effective operation. Known on-site field drainage tile systems serving areas off the site shall be located in designated easements. When a drainage system is installed, the agency that will have maintenance responsibility of the street system shall be consulted as to acceptance of the drainage system. All drainage and stormwater storage facilities shall be constructed in conformance to the requirements of the Champaign COUNTY *Interim Stormwater Management Policy*.

Champaign County, Illinois
Subdivision Ordinance

Section 16.3--Required Physical Improvements--continued

16.3.5 Culverts, Bridges, Intersections, and Private Entrances:

- a. Entrance culverts where required shall be constructed of the type and size specified by the agency having maintenance jurisdiction, and laid to the flow line grade of the existing ditch and at no time shall such culvert pipe be less than 12 inches diameter or less than 24 feet in length if installed by the developer.
- b. Entrance driveways shall be constructed of hard surface material, not less than an equivalent of crushed stone six inches in depth, and shall be laid so that the finished surface of the driveway shall slope away from the travelled surface of the road at a slope equal to the existing shoulder lines at the location of the driveway.
- c. All entrance driveways shall be flared with a radius of not more than 30 feet and not less than 10 feet, and, in all cases, the entire flare of the entrance shall fall within the RIGHT-OF-WAY of the road or STREET.

16.3.6 Sanitary Sewers:

No PLAT of any new SUBDIVISION shall be approved by the COUNTY ENVIRONMENT AND LAND USE COMMITTEE unless the Subdivider provides for and assures the construction of a sanitary sewer system adequate to serve the needs of the entire SUBDIVISION when the same is fully developed. The location and design of the system shall be approved by the ENVIRONMENT AND LAND USE COMMITTEE, the Illinois Environmental Protection Agency, and the corporate authorities of any sanitary district or community in which such SUBDIVISION or any part thereof may be located. Such approval will also be required when the sewer system connects directly to an interceptor constructed and maintained by such sanitary district or cannot be provided with sanitary sewer service by a sanitary district, public utility, or the COUNTY. If the SUBDIVISION cannot be served by sanitary sewers and treatment then each developed lot shall be of adequate size to accommodate individual sanitary sewage disposal, as required under the *Zoning Ordinance* of Champaign COUNTY. Such disposal shall be in accordance with the latest edition of the *Illinois State Plumbing Code* in the section entitled *Individual Sewage Disposal System*, all as published by the Illinois Department of Public Health. The covenant for the SUBDIVISION shall require the OWNER to comply with the previously mentioned regulations.

Champaign County, Illinois
Subdivision Ordinance

Section 16.3--Required Physical Improvements--continued

16.3.7 ALLEYS:

The minimum widths of improved paved areas of ALLEYS shall be as follows:

- a. ALLEYS to serve business, commercial and industrial use areas--20 feet.
- b. ALLEYS to serve residential use areas--16 feet.

16.3.8 STREET Signs:

All new STREETS shall be named and marked by STREET signs. The SUBDIVIDER shall be responsible for the furnishing and installation of STREET signs at each STREET intersection and said signs shall be constructed and erected prior to the approval of other required physical improvements. All STREET signs and the installation thereof shall meet the approval of the COUNTY ENVIRONMENT AND LAND USE COMMITTEE.

Section 16.4--Guarantee of Performance

16.4.1 Bond Required:

A PERFORMANCE GUARANTEE is required guaranteeing construction of all required PUBLIC IMPROVEMENTS which at the time of FINAL PLAT submission have not been approved by the COUNTY ENGINEER by written notification thereof to the SUBDIVISION OFFICER.

- a. The condition of the PERFORMANCE GUARANTEE shall be that the principal shall, within two years, complete or cause to be completed, in accordance with the approved plans and specifications, and in accordance with the applicable ordinance, resolution, and codes of the COUNTY of Champaign, the improvements required in the SUBDIVISION.
- b. The PERFORMANCE GUARANTEE shall be for the sum on 100% of the estimated cost of construction as determined by the COUNTY ENGINEER.
- c. Performance bonds for required improvements which are a part of the SUBDIVISION shall be secured to the COUNTY by one of the following methods or a combination of the following methods:

Champaign County, Illinois
Subdivision Ordinance

Subsection 16.4.1 Bond Required--continued

- (1) Cash and PERSONAL BOND.
- (2) Corporate surety licensed and authorized to do business in the State of Illinois as a surety.
- (3) Certificates of Deposit payable to Champaign COUNTY and a PERSONAL BOND.
- (4) United States Government Savings Bond payable to Champaign COUNTY and a PERSONAL BOND.
- (5) IRREVOCABLE COMMERCIAL LETTER OF CREDIT payable to Champaign COUNTY, Illinois and a PERSONAL BOND, both approved by the Champaign COUNTY State's Attorney.

16.4.2 Final Bond Release:

Upon approval of all improvements in the foregoing fashion, the cash or SURETY BONDS shall be released by the SUBDIVISION OFFICER, except:

Ten percent of the total amount of such bond shall be retained until official acceptance of the improvements by the appropriate governmental units, or, a maximum period of 90 days has elapsed.

16.4.3 Certificate of Inspection:

A certificate of inspection by a registered professional ENGINEER employed by the SUBDIVIDER shall be filed with the COUNTY ENGINEER, certifying that the required improvements were inspected during actual construction by such registered professional ENGINEER or some competent person acting under his direction and that such improvements have been constructed substantially in accordance with the approved engineering plans and specifications. After all required approvals have been made by the COUNTY ENGINEER he shall forward a copy of all required certificates along with his approval of same to the COUNTY SUBDIVISION OFFICER.

Section 16.5--Inspection of Improvements

16.5.1 Inspection Required:

All required improvements shall be inspected at the SUBDIVIDER'S expense. The SUBDIVIDER shall require that the ENGINEER shall provide an inspector on the job at all times during the process of construction of all improvements required herein. When the work has been completed, the engineer shall certify that the improvements comply in all respects with the approved plans and specifications and with the requirements of these Regulations and shall note any exceptions to that certification. All work shall also be at all times subject to inspection by the COUNTY ENGINEER and other affected agencies.

16.5.2 Notification and Timing of Inspections:

Before starting the construction of any improvements, the SUBDIVIDER shall ascertain from the COUNTY ENGINEER and other affected agencies, what inspections are required and the amount of notification desired in each case, and shall comply with all their rules, regulations, and instructions pertaining to such required inspections.

16.5.3 SUBDIVIDER Responsible for Inspection and Compliance:

Regardless of contracts, agreements, or inspections performed, responsibility for the inspection of the construction and installation of all improvements, in accordance with these Regulations shall also rest with the SUBDIVIDER.

16.5.4 Approval of Improvements:

- a. When STREET and drainage improvements and all appurtenances thereto, based on approved engineering drawings have been constructed or installed and have passed all inspections, and the certifications and as-built drawings required by Section 12.2 of the Champaign COUNTY *Interim Stormwater Management Policy* have been submitted, the COUNTY ENGINEER shall provide the developer with a letter of approval and certification of completion. The STREETS shall then be tendered by the SUBDIVIDER to the ROAD DISTRICT HIGHWAY COMMISSIONER for acceptance.
- b. When any required sewer or water improvement or health facility is intended for public ownership, based on approved engineering drawings, have been constructed or installed and have passed all inspections, the

Champaign County, Illinois
Subdivision Ordinance

Subsection 16.5.4 Approval of Improvements--continued

appropriate public agency shall provide the SUBDIVIDER with a letter of approval and certification of completion.

- c. When any required sewer or water improvement is not intended for public ownership, the appropriate operating agency shall provide the SUBDIVIDER with a letter of approval and certification of completion.

Section 16.6--Acceptance of STREETS

16.6.1 Upon completion of construction of the required physical improvements, and inspection and approval by the COUNTY ENGINEER, the Commissioner of Highways of the ROAD DISTRICT having jurisdiction of the SUBDIVISION shall furnish the SUBDIVIDER a copy of the completed form of acceptance of STREETS, as follows:

_____ Road District

Acceptance of Streets

The Commissioner of Highways of _____ road district hereby agrees to accept the streets in _____ Subdivision the _____ of Section _____ Township _____ North, Range _____ of the _____ P.M., said Subdivision consisting of _____ + miles of Street.

The road district will maintain the streets, including snow removal, surface drainage of the streets as it exists at the time of acceptance, existing culverts, and surfacing of the streets as constructed.

All additional entrance culverts required shall be furnished by others, subject to the approval of the road district highway commissioner as to type and size.

Dated this _____ day of _____, 19__.

Highway Commissioner of
Road District

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ARTICLE SEVENTEEN: EASEMENTS

Section 17.1--Utility EASEMENTS

17.1.1 EASEMENTS to serve the SUBDIVISION shall be provided for any overhead or underground utility service including but not limited to sanitary sewer, storm sewer, water, gas, telephone and electric. Such EASEMENTS shall have a minimum width of 10 feet. Where it is intended that both overhead and underground utilities shall share the same EASEMENT, additional width sufficient to avoid conflict shall be provided. To the extent possible EASEMENTS shall be established along rear LOT lines to provide continuity of alignment throughout the SUBDIVISION to be served.

17.1.2 Drainage EASEMENTS:

When a SUBDIVISION is bordered or traversed by an established stream, established drainage way or channel, there shall be provided a storm water EASEMENT or drainage RIGHT-OF-WAY conforming substantially with the lines of same, and such EASEMENT shall include an additional area of sufficient width to permit maintenance and any improvement or reconstruction of the stream, drainage way or channel in the foreseeable future.

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ARTICLE EIGHTEEN: WAIVERS

Section 18.1--WAIVER and Appeal Procedure:

A. Intent

Where the ENVIRONMENT AND LAND USE COMMITTEE finds that extraordinary hardships or practical difficulties may result from strict compliance with these Regulations, and/or the purposes of these Regulations may be served to a greater extent by an alternative proposal, it may approve WAIVERS to these SUBDIVISION Regulations so that substantial justice may be done and the public interest secured, provided that such WAIVER shall not have the effect of nullifying the intent and purpose of these Regulations. The ENVIRONMENT AND LAND USE COMMITTEE shall not approve WAIVERS unless it shall make findings based upon the evidence presented to it in each specific case that:

1. The granting of the WAIVER will not be detrimental to the public safety, health or welfare or injurious to other property located in the area;
2. The conditions upon which the request for a WAIVER is based are unique to the property for which the WAIVER is sought and are not applicable generally to other property and granting of the WAIVER requested will not confer to the SUBDIVIDER any special privilege that is denied by these Regulations to other SUBDIVIDERS;
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 these Regulations are carried out;
4. Special conditions and circumstances will not result from the actions of the SUBDIVIDER.

B. Conditions

The ENVIRONMENT AND LAND USE COMMITTEE shall not grant any WAIVER of the minimum LOT size requirement in the affected zoning district or any other segment of the COUNTY *Zoning Ordinance* which applies to a proposed SUBDIVISION. The SUBDIVISION OFFICER shall strictly enforce the provisions of these Regulations and shall in no manner grant any WAIVER to the provisions of these Regulations, the Zoning

Champaign County, Illinois
Subdivision Ordinance

Section 18.1 WAIVER and Appeal Procedure--continued

Ordinance or the OFFICIAL ZONING MAP. In approving WAIVERS, the ENVIRONMENT AND LAND USE COMMITTEE may require such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements of these Regulations.

C. Submission and Processing

A petition for any such WAIVER shall be submitted in writing by the SUBDIVIDER at the time when the PRELIMINARY PLAT is filed for the consideration of the ENVIRONMENT AND LAND USE COMMITTEE. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

Any requested WAIVERS shall be submitted in writing to the SUBDIVISION OFFICER. The SUBDIVISION OFFICER shall present requested appeals and WAIVERS to the ENVIRONMENT AND LAND USE COMMITTEE at the next regularly scheduled meeting from receipt of the request.

Champaign County, Illinois
Subdivision Ordinance

APPENDIX: Amendments

The following is a list of the amendments to the text of this ordinance from the time of the original adoption through March 31, 1997. All of these amendments have been incorporated into the text.

1. Ordinance No. 46, August 16, 1977.
 - Article 2 Amend Section 2.6.
2. Ordinance No. 86, November 28, 1978.
 - Section 3.2 Add definitions for BASE FLOOD and BASE FLOOD ELEVATION.
 - Article 7 Add Article Seven in it's entirety.
3. Ordinance No. 88, January 16, 1979 (superseded Ordinance No. 86).
 - Section 3.2 Add definitions for BASE FLOOD and BASE FLOOD ELEVATION.
 - Article 7 Add Article Seven in it's entirety.
4. Ordinance No. 90, March 20, 1979.
 - Ordinances 46, 86, and 88 are adopted and ratified.
 - Section 2.9 Add subsection 2.9.3.
 - Section 3.2 Add a definition for COMMERCIAL LETTER OF CREDIT/ IRREVOCABLE COMMERCIAL LETTER OF CREDIT.
 - Paragraph 9.1.2 w. Add subparagraph (5).
 - Paragraph 16.4.1 c. Add subparagraph (5).
5. Ordinance No. 112, December 18, 1979.
 - Section 9.1.2 Add paragraph s.
 - Paragraph 9.1.2 u. Add subparagraph (2).
 - Paragraph 9.1.2 u. Add subparagraph (6).
6. Ordinance No. 332, January 17, 1989.
 - Paragraph 14.2.10 a. Amend.

Champaign County, Illinois
Subdivision Ordinance

APPENDIX Amendments--continued

7. Ordinance No. 394, December 17, 1991.
 - Paragraph 8.1.2 c Amend paragraph (6).
 - Paragraph 8.1.2 c Add paragraph (8).
 - Paragraph 9.1.2 s Amend.
 - Article 14 Add new section 14.8.
 - Subsection 16.3.4 Amend.
 - Paragraph 16.5.4 a Amend.

8. Ordinance No. 428, March 16, 1993.
 - Subsection 13.1.4 Amend.

9. Ordinance No. 469, Subdivision Case 116-94, May 24, 1994.
 - Subsection 16.3.3b Amend.
 - Subsection 9.1.2v(4). Amend.

10. Ordinance No. 526, Subdivision Case 135-96, February 18, 1997.
 - Revise all references to the *Illinois Compiled Statutes* (and one reference to the *Illinois Revised Statutes*) from the 1992 edition to the 1994 edition throughout the Ordinance.
 - Section 2.8 Revise.
 - Section 3.2 Revise the title "COUNTY SUPERINTENDENT OF HIGHWAYS" to "COUNTY ENGINEER" throughout the Ordinance and revise the definition.
 - Delete references to the Regional Planning COMMISSION staff throughout the Ordinance and, where necessary, replace with SUBDIVISION OFFICER.
 - Section 3.2 Amend the definition of ENGINEER.
 - Section 3.2, Article Eighteen, and throughout the Ordinance, replace the word "VARIANCE" with the word "WAIVER".
 - Section 3.2 Revise the definition of CUL-DE-SAC.
 - Subsection 6.1.3 Revise.
 - Section 7.1 Revise the Section name.
 - Subsection 7.1.1e Revise.
 - Subsection 7.1.2 Delete Section 7.1.2 and revise the introductory sentence of Section 7.1.1.
 - Subsection 8.1.2b Add new subparagraph (9).
 - Section 8.1.2b(3) Delete and renumber accordingly.
 - Subparagraph 8.1.2c(1) Revise.
 - Subsection 8.1.4a(1) Revise.

Champaign County, Illinois
Subdivision Ordinance

APPENDIX Amendments--continued

- Subsection 8.1.4a(4) Revise.
- Renumber the last sentence in paragraph 8.1.4a to make it paragraph 8.1.4b and merge existing paragraph 8.1.4b with paragraph 8.1.5a.
- Subsection 8.1.5 Amend.
- Subsection 8.1.5c Revise.
- Move paragraph 8.1.5d (and renumber paragraph 8.1.5e accordingly) and revise it to become new subsection 8.1.6.
- Subsection 9.1.2o Revise .
- Subsection 9.1.2p Revise.
- Subsection 9.1.2u(3) Revise.
- Subsection 9.1.2u(5) Revise.
- Merge paragraph 9.1.2v with paragraph 9.1.2s, number the new paragraph 8.1.2d and renumber Subsection 9.1.2 accordingly.
- Subsection 9.1.2w Revise.
- Subsection 9.1.3 Renumber and revise paragraph f.
- Subsection 9.1.4 Add new paragraph d.
- Subsection 9.1.4c Revise.
- Subsection 10.1.6 Add new paragraph f.
- Subsection 11.2.1a Revise.
- Article Thirteen Revise.
- Subsection 14.1.1c Revise.
- Subsection 14.1.1e Revise.
- Subsection 14.1.1 Add new paragraph d.
- Subsection 14.1.4 Revise.
- Subsection 14.2 Add new Subsection 14.2.11.
- Subsection 14.2.6d(3)Revise.
- Section 16.2 Revise.
- Subsection 16.3.3d Revise.
- Subsection 16.3.3f(2)Revise.