

CHAPTER 23

SUBDIVISIONS

23.01 APPROVALS, INTERPRETATIONS, EXCEPTIONS AND JURISDICTION

(a) No land shall be subdivided nor any street laid out nor any improvements be made until the plan or plans of the subdivision or streets or improvements shall have been submitted to the Plan Commission for recommendation to the City Council.

(b) All administrative interpretations of these rules and regulations are reserved to the Plan Commission.

(c) The Plan Commission may vary and except from the dimensional standards and improvement requirements as set forth below in instances where there is sufficient evidence in its opinion of hardship, where topography indicates, or where any other reasonable deterrents prevail.

23.02 SUBDIVISION REGULATIONS ADOPTED

The regulations set forth in Sections 23.03 through 23.11 apply to land subdivisions.

23.03 STREETS

(a) All rights of way shall conform to the following minimum dimensions:

Primary streets (section line)	100 ft.
Secondary streets (1/2 section line)	80 ft.
Minor streets	60 ft.
Cul-de-sac streets	60 ft.
Crosswalkways	15 ft.
Utility basements	10 ft.

(b) Clear visibility, measured along the center line of the street, shall be provided for at least 300 feet on all primary streets, 200 feet on secondary streets and at least 100 feet on all other streets.

(c) It must be evidenced that all street intersections and confluences encourage safe traffic flow. Street intersections shall conform to the following standards:

1. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 60 degrees.

2. Multiple intersections involving junction of more than two streets shall be avoided. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.

3. Clear sight triangles of 30 feet measured along street lot lines from their point of junction shall be provided at all intersections, and no building shall be permitted within such triangles.

4. To the fullest extent possible, intersections with major traffic streets shall be located not less than 800 feet apart, measured from center line to center line.

5. Streets entering opposite side of another street shall be laid out either directly opposite one another or with a minimum offset of 125 feet between their center lines.

6. Minimum curb radii at street intersection shall be 19 feet measured from edge of pavement for intersections involving only minor streets, 25 feet for intersections involving other type streets, or such greater radius as is suited to the specific intersection.

7. Where a subdivision abuts or contains an existing street or inadequate right-of-way width, additional right-of-way width in conformance with the General Plan will be required.

8. Where the grade of any street at the approach to an intersection exceeds 7 percent, a leveling area shall be provided having not greater than 4 percent grades for a distance of 25 feet measured from the nearest right-of-way line of the intersecting street.

(d) Alleys are not permitted.

(e) Unless otherwise shown on the Official Plan Map, the arrangement of streets in a subdivision shall either:

1. Provide for the continuation or appropriate projection of existing primary and secondary streets in the surrounding areas; or

2. Conform to a plan for the neighborhood approved or adopted by the Plan Commission to meet a particular situation where topographic or other conditions make such continuation or projection impracticable.

(f) Where a subdivision abuts or contains an existing proposed primary street, the Plan Commission may require marginal access streets, reverse frontage with screen planting or such other treatment as may be necessary to promote the realization of the Official Plan or to provide for the health, safety, comfort and convenience of the residents of the City of Hickory Hills, and contiguous territory by the protection of residential properties and the separation of through and local traffic.

(g) No street names shall be used which will duplicate or be confused with the names of existing streets. Streets which are continuations of existing streets shall bear the name of the existing street.

(h) Streets shall be logically related to the topography to produce usable lots and reasonable grades.

(i) Wherever a tract to be subdivided borders on existing half or partial street, the other part of the street shall be plotted within such tract.

(j) Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sacs.

23.04 CUL-DE-SACS

(a) The maximum length of a cul-de-sac shall be 400 feet measured by a straight line from the intersection at origin through center of circle to end of right-of-way.

(b) Each cul-de-sac shall have a terminus of nearly circular shape with a minimum diameter of 125 feet (right-of-way).

(c) Each cul-de-sac shall be provided at the closed end with a paved turnaround having a minimum radius to the outer pavement edge of 42.4 feet.

(d) Unless future extension is clearly impractical or undesirable, a turnaround right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract.

23.05 BLOCKS

(a) The maximum length of blocks shall be 600 feet. The use of additional crosswalkways in any instance to provide reasonable access will be specified by the Plan Commission.

(b) No specific rules concerning the shape of blocks is made, but blocks must fit easily into the overall plan and their design must evidence consideration of lot planning, traffic flow and public areas.

(c) Blocks intended for commercial and industrial use must be designated as such, and the plan must show adequate off-street areas in order to provide for parking, loading and moving docks and such other facilities that may be required to accommodate vehicular traffic.

(d) Residential blocks shall be of sufficient depth to accommodate two tiers of lots, except where reverse frontage lots bordering a major traffic street are used.

(e) Pedestrian crosswalkways may be required where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a width of not less than 10 feet and a paved walk of not less than 5 feet.

23.06 LOTS

Lots of subdivisions shall conform to the following regulations:

(a) Subdivisions containing family dwellings: For minimum dimensions and yard requirements, refer to Zoning Ordinance of the City of Hickory Hills.

(b) Subdivisions containing two family dwellings: For minimum dimensions and yard requirements, refer to Zoning Ordinance of the City of Hickory Hills.

(c) Subdivision containing multiple family dwellings: For minimum dimensions and yard requirements, refer to Zoning Ordinance of the City of Hickory Hills.

(d) Access from private streets shall be deemed acceptable only if such streets are designed and improved in accordance with these regulations.

(e) Side lot lines shall be substantially at right angles or radial to street lines.

(f) If remnants of land exist after subdividing, they shall be incorporated in existing or proposed lots, or dedicated to public use if acceptable to the municipality.

(g) Double frontage lots are prohibited, except where employed to prevent vehicular access to major traffic streets.

(h) Depth and width of parcels laid out or reversed for non-residential use shall be sufficient to provide satisfactory space for off-street parking and unloading as required by the provisions of the Zoning Ordinance.

(i) Lots shall be laid out and graded to provide positive drainage away from buildings.

(j) Driveway grades between the street and the setback shall not exceed 10 percent.

23.07 EASEMENTS

(a) Easements with a minimum width of 10 feet plus the width of any required pipe or other improvement shall be provided as necessary for utilities.

(b) To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.

(c) Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.

23.08 DRAINAGE AND FLOODPLAIN PROVISIONS

(a) Every proposed subdivision shall make provision for surface drainage and flooding. The provisions shall be based upon a study prepared by the subdivider's engineer of the entire area tributary to streams, channels, or drainage ways in the subdivision. This study, upon which design of the storm sewer and drainage system will be based, shall consist of at least the following:

1. Analysis of area tributary to subdivision, including area, topography, drainage, rainfall intensity and frequency, run-off, and flooding;
2. A topographic map of the subdivision, indicating any areas subject to flooding and showing the surface run-off which will occur in the subdivision after extreme rainstorms;
3. A report of the basis of the design of the proposed sewers, open channels, and detention basins proposed for the subdivision.

(b) The proposed drainage system and outlet of the subdivision shall be designed so that it will not fail to function when the receiving stream or channel is in full flood. Streets shall be designed where possible to act as open channels, with positive drainage toward the major watercourse or channel in the area.

(c) Each river or stream which borders or traverses the proposed subdivision shall be provided with a storm water easement or right-of-way conforming substantially with the lines of the watercourse and of such further width as will be adequate to accommodate observed, computed, or anticipated flood flows and heights and will provide access along the channel for operation of channel operation and maintenance equipment.

(d) Each minor drainageway, channel, or watercourse which borders or traverses the proposed subdivision shall be maintained as open channels with a storm water easement or right-of-way of adequate width to accommodate observed, computed, or anticipated run-off and flood flows. Upon indication of adequacy of design, as evidenced by the studies of subsection (a) the upper reaches of such drainageways may be enclosed as a part of a storm sewer system.

(e) Where the drainage for a proposed subdivision requires rear or side lot drainage easements, such easements shall be centered on the lot lines and shall be a minimum of 10 feet in width. With the exception of utility poles, Commonwealth Edison and Bell Telephone transformers, no structures shall be placed in these drainage easements.

(f) The elevation of the finished surface of any street proposed in an area of a subdivision subject to flooding shall be not less than one foot above the observed, computed, or anticipated flood level.

(g) When a subdivision drainage plan proposes use of retention basins or ponds, which are to be dedicated for public use, provision shall be made that a public access be possible through extension of a street stub to connect the facility to a public street.

23.09 RECREATION AREAS, OPEN SPACES, AND NATURAL FEATURES

(a) Where a proposed park, playground or open space shown on the General Plan is located in whole or in part in a subdivision, the Commission shall require that such area or areas be shown on the Plat in accordance with the requirements specified in subsection (b) below. Such area or areas may be dedicated to the city by the subdivider if the City Council approves such dedication.

(b) The Plan Commission shall require that the Plat show sites of a character, extent, and location suitable for the development of a park, playground, or other recreation purpose. The Plan Commission may require that the developer satisfactorily grade any such recreation areas shown on the Plat.

The Plan Commission shall require that not less than 3 acres of recreation space be provided per 100 dwelling units shown on the Plat. However, in no case shall the amount be more than 10 percent of the total area of the subdivision. Such area or areas may be dedicated to the city by the subdivider if the City Council approves such dedication.

(c) In the event that an area to be used for a park or playground is required to be so shown, the subdivider shall submit, prior to final approval, to the Plan Commission 3 prints (one on cloth) drawn in ink showing, at a scale of not less than 30 feet to the inch, such area and the following features thereof:

1. The boundaries of the said area, giving lengths and bearings of all straight lines; radii, lengths, central angles and tangent distances of all curves.
2. Existing features such as streams, ponds, clusters of trees, and structures.
3. Existing and, if applicable, proposed changes in grade and contours of the said area and of area immediately adjacent.

(d) Reserve strips of land which might be used to control access from the proposed subdivision to any neighboring property or to any land within the subdivision itself shall be prohibited.

(e) The Plan Commission shall, wherever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, watercourses and falls, beaches, historic spots, vistas and similar irreplaceable assets. No trees with a diameter of 8 inches or more as measured 3 feet above the base of the trunk shall be removed unless such tree is within the right-of-way of a street as shown on the final Subdivision Plat. Removal of additional trees shall be subject to the approval of the Plan Commission. In no case, however, shall a tree with a diameter of 8 inches or more as measured 3 feet above the base of the trunk be removed without prior approval by the Plan Commission.

23.10 IMPROVEMENTS

(a) Plans, profiles, and specifications for all required improvements shall be in accordance with the standards and specifications herein in this section set forth. No improvements shall be made, installed or constructed unless and until all such plans, profiles and specifications shall have been submitted to and approved by the city engineer, and such county, state and other public officials as may be concerned or have jurisdiction therein. All construction shall comply with design specifications approved by the Illinois Department of Transportation and the Metropolitan Water Reclamation District of Greater Chicago.

(b) The following improvements shall be required:

1. **Storm Drainage.** A system of storm water drainage shall be constructed and installed, consisting of pipes, tiles, manholes, inlets and other necessary facilities which will drain the subdivision and protect roadway pavements. In all drainage improvements provision

must be made for carrying off storm water which will eventually find its natural way to or through the area being developed. Such provision shall be designed to take water at the anticipated rate of run-off which will result when a population density of approximately 13 persons per gross acre shall reside upstream. Such facilities shall remove storm water to flood areas adjacent to the subdivision. The design capacity shall be such that the drainage system will provide for the removal of storm water resulting from rainfall with an intensity rate of 2 inches per hour. All storm sewers shall be shown in plan and profile on both preliminary and final plans.

If as the result of special studies, the city shall find that certain areas may require additional consideration because of the inherently poor conditions of drainage, the following shall apply to those areas. Special curbs and gutters may be required in order to store portions of the storm water for short periods; certain minimum house elevations and street grades may be specified where studies indicate that removal of water may not be accomplished for prolonged periods; reservation of certain areas may be required for impoundments of run-off in excess of what the natural channels area capable of removing; storm water either in conduits or in ditches.

In the event that any of the conditions above may apply, and that special structures may be required, it shall be the burden of the builder to construct these insofar as they benefit his development, and to make adequate provisions for future construction by others where such provision is called for.

2. **Sewage Disposal.** The subdivider shall provide the subdivision with a complete sanitary sewer system which shall connect all lots and tracts within the subdivision with the public sanitary sewer system.

3. **Water Supply.** The subdivider shall provide the subdivision with a complete water main supply system which shall be connected to the public water supply system. Fire hydrants shall be installed throughout the entire subdivision when served by a public water supply system. Water mains should be not less than 6 inches in diameter, and shall include installation of shut-off valves and fire hydrants. Fire hydrants shall be installed at intervals of not to exceed 300 feet.

4. **House Services.** House services shall be constructed to connection with the utility service mains constructed within any street to serve each adjoining lot, tract or building site; such house services shall extend from the main to a point of at least 8 feet beyond the outside curb lines of the proposed roadway pavement in the street. Plans shall indicate the location of all such house services connected with utility mains constructed within any street or thoroughfare. The minimum size of sanitary house service pipes shall be 6 inches internal diameter.

5. **Streets.** All streets within the subdivision shall be graded and improved with a durable hard surface roadway. Before the base course of the roadway pavement is laid, all of the underground work, such as sewer, water and gas mains, house service connections therewith, and any underground conduits for electric and telephone lines, shall be complete and installed in place and approved.

6. **Curbs and Gutters.** The dimensions and materials of curb and gutter shall conform to the specifications of the city engineer.

7. **Sidewalks and Crosswalks.** Sidewalks shall be constructed in the street right-of-way and not more than one foot from the abutting property line.

8. **Street Trees.** One hardwood tree having a diameter of not less than 2 inches shall be planted at a location approved by the Building Commissioner in the parkway in front of each lot, except that a lot with frontage in excess of 74 feet shall require two hardwood trees.

9. **Street Lighting.** Street lighting shall be provided by the subdivision throughout the subdivision at all street intersections and at intervals of not more than 300 feet between intersections. Specific street light locations shall be approved by the city engineer.

10. **Street Signs.** An appropriate street sign shall be erected at each street intersection within the subdivision. The type of sign and the location thereof shall be subject to the approval and direction of the Director of Public Works.

(c) All utility distribution lines for telephone and electric service to be installed shall be placed underground within easements or dedicated public ways. The installation of such facilities shall be made in compliance with applicable orders, rules and regulations of the Illinois Commerce Commission now or hereafter effective, and the owner or subdivider of any property to be served from such underground installations shall be responsible for compliance with the rules and regulations, now or hereafter effective and filed with said Commission pursuant to the Illinois Public Utilities Act, of any public utility whose services will be required with respect to the provision of such underground facilities.

(d) No approval of a final Plat will be made until improvements as required by the Plan Commission are made, or until the Plan Commission has been provided proper guarantee of performance.

(e) The following procedure for the required public improvements shall be followed:

1. In all cases, the subdivider shall be responsible for the installation of all required improvements under supervision of the city engineer.

2. No Final Plat shall be recorded until provision has been made for the proper installation of required improvements. The subdivider must post with the City Clerk a cashiers check, certified check or letter of credit made out to the city in an amount equal to 110% of the amount required to install the required public improvements as determined by the city engineer. The form of the letter of credit shall be approved by the city attorney and shall provide for a one-year guarantee after acceptance of the public improvements.

3. The subdivider shall guarantee maintenance and repair of all public improvements for one year after the construction thereof has been approved by the city engineer.

23.11 GENERAL PRINCIPLES

(a) All street lot layouts shall conform to the existing layout of the city or of adjacent areas under its jurisdiction and shall constitute reasonable extension of these, and shall not violate any part of the Master Plan of the city.

(b) It is the duty of the subdivider to furnish evidence that any proposed subdivision is in the best interest of the public.

(c) The Commission will assure the preservation of space and areas appropriate and required for public use.

(d) The Commission will judge as to whether sufficient regard for natural features and historic sites is evidenced by the subdivider, and whether adequate provision for planting strips are made.

(e) Where railroads are involved, provision of grade separations, buffer strips and other protective treatment shall be required to the extent and type as may be practicable.

23.12 THE PRELIMINARY PLAT

(a) **Filing.** Upon application for approval of the Preliminary Plat, three copies of each of the following shall be submitted to the Plan Commission:

1. Preliminary Plat of the proposed subdivision.
2. Key map.
3. Maps shall be on 8-1/2" x 11", 12" x 18", or 24" x 36" sheets, minimum size 8-1/2" x 11".
4. Written statement of the intent of the developer with respect to land use and proposed public improvements on and adjacent to the subdivision tract.

(b) **Contents.** The Preliminary Plat shall contain the following:

1. Identification and description.
2. Proposed name of the subdivision.
3. Location by township, section, town and range, or by other legal description.
4. Names and addresses of developer and surveyor who made the plat.
5. Scale of plat, 1 inch to 100 feet.
6. Date.
7. Delineation of existing conditions.
8. Boundary line of proposed subdivision indicated by solid heavy line and the total approximate acreage encompassed thereby.
9. Location, widths and names of all existing and prior platted streets or other public ways, railroad and utility right-of-ways, parks and other public open spaces, permanent buildings and structures, houses or permanent easements, and section and corporation lines within or adjacent to the tract.
10. Existing sewers, water mains, culverts or other underground facilities within the tract indicating pipe sizes, grades and exact location.
11. Boundary lines of adjacent tracts of unsubdivided or subdivided land, showing owners where possible.
12. Existing zoning of proposed subdivision and adjacent tracts in zoned areas.
13. Contours at one-foot intervals.
14. Delineation of proposed conditions.
15. Prints should be easily readable and discernible.
16. Layout of streets and widths and also the widths of crosswalkways and easements.
17. Layout, numbers and dimensions of lots.

18. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.

19. Building setback lines, showing dimensions.

(c) **Key Map.** The Key Map shall consist of a print of the appropriate base map or its equivalent, at a scale of not less than 1 inch to 200 feet, with the boundaries of the proposed subdivision indicated thereon and covering the area within a half-mile radius thereof.

(d) **Approval.** The following qualifications shall govern approval of the Preliminary Plat:

1. The approval of the Preliminary Plat by the Plan Commission is strictly tentative, involving merely the general acceptability of the layout and proposals as submitted.

2. The Plan Commission may introduce such changes or revisions as are deemed necessary to the interests and needs of the community.

3. Subsequent approval by the city engineer will be required of the engineering proposals for improvements. However, in order that a determination may be had of the general feasibility of such proposals, the Plan Commission or city engineer shall require profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the subdivision, typical cross sections of proposed grading, preliminary plan of proposed storm and sanitary sewers with grades and sizes indicated, and such other information as may be reasonably necessary.

4. Tentative approval shall be effective for a maximum period of 12 months unless, upon application of the developer, the Plan Commission grants an extension. If the Final Plat has not been recorded within this time limit, the Preliminary Plat must again be submitted to the Plan Commission for approval.

23.13 THE FINAL PLAT

(a) **Filing.** After approval of the Preliminary Plat by the Plan Commission, and the fulfillments of the requirements of these regulations, application may be made for Plan Commission approval of the Final Plat. Application for approval of the Final Plat shall be accompanied by the following supplementary information:

1. One original tracing drawn with India ink on tracing cloth, a reproduced or vandyke negative, and four prints of the Final Plat drawn to scale of 1 inch to 100 feet.

2. Size of sheets shall be 8-1/2" x 11" (minimum), 12" x 18" or 24" x 36". More than one sheet to be bound at one end.

3. Certificates signed by the city engineer stating that the plans, profiles and specifications for improvements have been approved by him.

Action must be taken by the Commission by the first Wednesday of the second month after submission of the plat.

When applicable, submittal of the Final Plat shall be accompanied by written statements from county, state, Metropolitan Water Reclamation District of Greater Chicago, or other public officials as may be concerned, indicating that proposals for storm drainage, sewage disposal and water supply meet minimum requirements for such installations.

(b) **Contents.** The Final Plat shall contain the following:

1. Identification and description.

A. Name of subdivision.

B. Location by township, section, town and range, or by other legal description.

C. Names of owners and surveyor.

D. Scale of 1" to 100' shown graphically.

E. Date.

F. Northpoint.

2. Delineation.

A. Boundary of plat, based on an accurate traverse with angular and lineal dimensions.

B. Exact location, width and name of all streets within and adjoining the plat, and the exact location and widths of all crosswalks. Proposed street names shall be checked with proper city officials.

C. True angles and distances to the nearest established street lines or official monuments (not less than three) which shall be accurately described in the plat.

D. Municipal, township, county or section lines accurately tied to the lines of the subdivision by distances and angles.

E. Radii, internal angles, points of curvature, tangent bearings and lengths of all arcs.

F. All easements for right of ways provided for public services and utilities.

G. All lot numbers and lines, with accurate dimensions in feet and hundredths.

H. Accurate location of all monuments, which shall be concrete 6" x 30" with iron pipe case in center. Permanent stone or concrete monuments shall be set at each corner or angle on the outside boundary. Pipes or other physical markers shall be placed at each intersection of street center lines. All U.S., state, county, or other official bench - markers, monuments, or triangulation stations in or adjacent to the property shall be retained and preserved in precise position.

I. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed covenant for common uses of all property owners.

J. Building setback lines accurately shown with dimension.

3. Attendant Items.

A. Protective covenants shall be recorded with the Final Plat.

B. Certification by registered surveyor to the effect that the plat represents a survey made by him and that the monuments and markers shown thereon exist as located and that all dimensional and geodetic details are correct.

C. Notarized certification, by the owner or owners or of any mortgages on record, of the adoption of the plat and the dedication of streets and other public areas.

D. Proper form for the recommendation of the Plan Commission and proper for signatures recording final action of the City Council.

E. Approval by signature of the Plan Commission. This approval of the Final Plat shall not be deemed to constitute or effect an acceptance by the public of the dedication of any street or other proposed public way or space shown on the plat.

23.14 FINAL APPROVAL

(a) Following the final approval by the Plan Commission, the Commission shall present its recommendation to the City Council.

(b) Prior to final approval by the City Council the developer shall present such bonds guaranteeing completion of off-site improvements as shall be required by the City Council.

(c) The subdivider shall pay a deposit of \$200 for each subdivision filed and all charges (including attorneys fees, filing fees, County Clerk fees and duplication fees) will be allocated on a direct billing system to be paid by the subdivider prior to the issuance of any building permits or the return of documents.

23.15 DEFINITIONS

(a) **General Terms.** Unless the context indicates otherwise, the following definitions shall be used in the interpretation and construction of this chapter.

Words used in the present tense include the future; the singular number shall include the plural, and the plural, the singular; the word "building" shall include the word "structure" and shall be construed as if followed by the phrase "or part thereof"; the word "street" includes avenue, boulevard, court, expressway, highway, lane, arterial, and road; the word "watercourse" includes channel, creek, ditch, drain, dry run, spring and stream; the word "shall" is mandatory and not permissive; the word "abut" shall include "directly across from"; and the word "lot" includes the words "plot", "tract", and "parcel".

(b) **Specific Terms.** The following terms mean as follows:

1. **Alley.** A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.

2. **Block.** A tract of land bounded by streets.

3. **Building Line.** A line within a lot or other parcel of land, so designated on the plat of the proposed subdivision, between which and the adjacent boundary of the street upon which the lot abuts, the erection of an enclosed structure or portion thereof is to be prohibited.

4. **Clear Sight Triangle.** An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of street right-of-way lines.

5. **Crosswalkways.** An area, dedicated to public use, which cuts across a block to provide pedestrians access to adjacent areas.

6. **Cul-de-sac.** A street having one open end and being permanently terminated by a vehicle turnabout.
7. **Dedication.** The deliberate appropriation of land by its owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.
8. **Easement.** A grant by a property owner of the use of a strip of land by the general public, a corporation or a certain person or persons, for a specified purposes or purposes.
9. **Lot.** A portion of a subdivision or other parcel of land intended for transfer of ownership or for building development.
10. **Lot, corner.** A lot abutting upon two or more streets at their intersection.
11. **Lot, double frontage.** A lot having a pair of opposite lot lines along two substantially parallel streets.
12. **Lot, reverse frontage.** A lot extending between and having frontage on a major traffic street and a minor street, and with vehicular access solely from the latter.
13. **Plat, final.** Means a drawing, in final form, showing a proposed subdivision containing all information or detail required by law and by these regulations to be presented to the Plan Commission for approval, and which if approved by the City Council, is to be duly filed or recorded by the City Clerk in the office of the County Recorder within 3 months.
14. **Plat, preliminary.** Means a drawing or drawing clearly marked "Preliminary Plat" showing the salient feature of a proposed subdivision, submitted to the Plan Commission for purposes of consideration prior to submission of the plat in final form and of sufficient detail to apprise the Plan Commission of the layout of the proposed subdivision.
15. **Right-of-way.** A strip of land occupied or intended to be occupied by a road, walkway, crosswalkway, railroad, electric transmission line, or another special use. Every right-of-way established under this chapter and shown on the Final Plat is separate and distinct from the lots and is adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.
16. **Sight distance.** The maximum extent of unobstructed vision (in a horizontal or vertical plane) along a street from a vehicle located at any given point on the street.
17. **Street.** A street is an area which serves or is intended to serve as a vehicular and pedestrian access to abutting lands or to other streets.
18. **Street, half.** A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for satisfactory improvement and use.
19. **Street, minor.** A street intended primarily as access to abutting properties.
20. **Street, primary.** A street of considerable continuity which serves or is intended to serve as a major traffic artery connecting large areas.
21. **Street, public.** All primary, secondary, and minor streets which are shown on the plat and are dedicatable.

22. **Street, secondary.** A street supplementary to the primary street system providing access between this system and smaller areas and streets.

23. **Street Width.** The shortest distances between lines of lots delineating the street.

24. **Subdivider.** The owner, or authorized agent of the owner, of a subdivision.

25. **Subdivision.** A subdivision is the division of a lot, tract, or parcel of land into two or more lots or other divisions of land, for the purpose, whether immediate or future, of changes in street or lot lines; provided, however, that division of land for agricultural purposes, in parcels of more than 10 acres not involving any new street or easement of access, shall be exempted.

23.16 ENGINEERING FEES

To defray the engineering expenses incurred by the city in checking of the preliminary and final cost estimates, working drawings, specifications, in checking the Final Plat, the subdivider shall be required to reimburse the city in the following manner:

The subdivider shall apply in writing to the City Clerk making a request that all drawings, specifications and estimates be checked by the city engineer. The application shall be accompanied by two sets of construction prints, specifications and estimates. The City Clerk shall inform the subdivider of the amount of the charge for this service and the charge will be based upon practices recommended by the Manual of Professional Practice for Civil Engineers. Checking shall proceed after the subdivider has paid for rechecking of drawings, specifications and estimates arising from revisions made by or required of the subdivider. There shall be no refund of fees if the project is abandoned by the subdivider for any reason whatsoever. The aforementioned engineering fee does not include inspection.

23.17 CONDOMINIUMS

(a) **Applicability.** This section shall apply to all divisions of land or property into residential and commercial condominium units.

(b) **Definitions.** The terms and words used shall have the definitions set forth in the Condominium Property Act of Illinois.

(c) **Subdivision Plat of Condominiums.** A subdivision plat of any conversion into or construction of condominium units shall require a public hearing using the procedures set forth in the Chapter 23 for subdivisions.

(d) **Condominium Plat Approval; Recording.** No condominium plat shall be recorded without the prior approval of the city, nor permits issued for the construction or conversion of the same without said approval. No plat of condominium shall be recorded without complying with the requirements of this section.

(e) **New Condominium Construction Requirements.** All newly constructed condominiums shall comply with the Condominium Property Act and shall meet the following requirements:

1. No unit in any condominium may be sold or transferred unless a condominium declaration with a plat has been approved by the Building Commissioner and recorded.

2. All condominium buildings shall comply with the current regulations, including open space and parking requirements for the land use zone in which they are located.

3. A separate gas, electric, and water meter and shut-off valve shall provided for each unit. In a residential condominium, a common water meter may be provided for each building. Each unit shall have a separate hot water heater, furnace, and if provided, air conditioning system.

4. All wall, ceiling, and floors separating units shall be soundproof.

5. Common garbage and trash disposal containers shall be provided in a location screened from view in an area to avoid a minimum of noise and smell. Pickup shall be at least twice weekly for all structures containing 12 or more units.

(f) **Condominium Conversion Requirements.** All buildings converted into condominiums shall comply with the Condominium Property Act and shall meet the following requirements:

1. Condominium conversions of existing buildings are favored provided that such conversion improves the interior and exterior of the existing building and does not have a deleterious effect on surrounding properties. Factors to be considered by the City are landscaping improvements, parking lot improvements, floor covering improvements, HVAC facilities, common area provisions, size of units, easements, utility connections, neighboring property uses, and market targeted for purchase.

2. No unit in any condominium may be sold or transferred unless a condominium declaration with a plat has been approved by the Building Commissioner and recorded.

3. No building or land previously granted a variation to any zoning, building, or subdivision ordinance shall be converted into condominiums unless the current requirements of the applicable ordinance are met. Buildings which exist as legal nonconforming uses may be allowed to convert to condominiums provided that such conversion improves the interior and exterior of the existing building and does not have a deleterious effect on surrounding properties.

4. Common garbage and trash disposal containers shall be provided in a location screened from view in an area to avoid a minimum of noise and smell. Pickup shall be at least twice weekly for all structures containing 12 or more units.

5. All buildings shall have an automatic sprinkler system complying with the provisions of NFPA 13R.

(g) **Common Elements.** All condominium associations shall be responsible for traffic and parking control, snow removal, signing, sewers, water lines, and lighting. The city shall have the right of easement to enter such common areas for the purpose of emergency for fire, police, and enforcement of its ordinances and the plat shall so provide. Such common area shall remain the property of the condominium and the city shall not accept a dedication of these elements or the responsibility of maintenance. The association shall maintain the public area and parkway in a clean condition, free of debris, leaves, and trash.

(h) **Certificate of Inspection.** Once a certificate of inspection has been issued, no new certificate of inspection need be secured for the resale of any unit for which a certificate of inspection has been previously issued, or to the sale or resale of any unit which was originally designed and sold under the Condominium Property Act if a certificate of occupancy has been issued with respect thereto, unless one is requested by an owner or the city.

(i) **Fees.** The fees for such inspection shall be paid by the applicant or the owner association, or owner, if the city is compelled to inspect to insure compliance with this section. The fee shall be \$100 plus \$30 for each unit.

(j) **Bond Requirements.** All buildings converted into condominiums shall require that a cash bond in the amount of \$500 per unit be posted to guarantee that the requirements of paragraph (f) are met. The cash bond shall be refunded upon completion of an inspection by the Building Commissioner finding that all of such requirements have been completed.