

## Chapter 70

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## ARTICLE I. IN GENERAL

### Sec. 70-1. Short title.

This chapter shall be known and may be cited as the village subdivision ordinance. (Ord. No. 68-12, pt. I, § B, 6-3-1968)

### Sec. 70-2. Purpose and enacting clause.

The purposes of this chapter are to:

- (1) Promote the public health, safety, comfort, convenience, prosperity, and general welfare; to conserve, protect, and enhance property and property values; to secure the most appropriate use of land; and to facilitate the adequate and economical provision of public improvements;
- (2) Provide for orderly growth and development; to afford adequate facilities for the safe, convenient, and efficient means for the traffic circulation of its population; and to safeguard the public against flood damage;
- (3) Prescribe reasonable rules and regulations governing the development, subdivision, and platting of land; the preparation of plats, the location, width, and course of streets and highways; the installation of utilities, street pavements, and other essential improvements; and the necessary public grounds for schools, parks, playgrounds, and other public open spaces;
- (4) Establish procedures for the submission, approval, and recording of plats; to provide the means for enforcement; and to provide penalties for violations.

(Ord. No. 68-12, pt. I, § A, 6-3-1968)

### Sec. 70-3. Application of regulations, authority and jurisdiction.

The regulations, rules, and provisions contained in this chapter are applicable to all subdivisions, plats, and vacations within the village and within 1½ miles beyond the corporate limits. (Ord. No. 68-12, pt. I, § C, 6-3-1968)

### Sec. 70-4. Definitions.

The following words, terms and phrases when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alley* means a minor way which is used primarily for vehicular access to the back or side of properties abutting upon, and having access to, a street.

*Building setback line* means a building line establishing the minimum allowable distance between a street right-of-way line and any structure.

*Collector* means a street which connects local and arterial, roadways. Not always continuous through a village or city. (See Appendix B for criteria.)

*Cul-de-sac* means a short local street ending in a turnabout designed and intended as a permanent terminus.

*Development* means any construction or any installation of site improvements.

*Engineer* means a professional engineer licensed as such in the state.

*Health officer* means the director of the county health department.

*Inspector* means the authorized representative of the village engineer assigned to make detailed inspections of any or all portions of the work or material thereof.

*Major arterial* means a continuous roadway through a village or city linking it to other villages or cities. (See Appendix B for criteria.)

*Major subdivision* means any subdivision not classified as a minor subdivision or not specifically exempted under the terms of this chapter.

*Minor arterial* means a continuous roadway through a village or city which may extend into other villages or cities. (See Appendix B for criteria.)

*Minor subdivision* means any subdivision containing not more than five lots, and fronting on an existing improved minor street, and not involving

any new street, road, easements of access, or the extension of municipal facilities, and not adversely affecting the development of the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the official plan, zoning ordinance, or this chapter.

*Monument and benchmark system* means the village monument and benchmark system which refers to the horizontal control as state plane coordinates with Second Order Class II (1:20,000) accuracy and the vertical control as United States Geological Survey Elevations with Second Order Class II (1:20,000) accuracy respectively. The control monumentation for the village is contained in the "1992 Village of Gurnee, Illinois Survey Monument and Benchmark Information Guidebook." This guide book may be amended from time to time.

*Official map* means the map depicting existing streets, lots, public lands and such, and designating specific locations for future streets, school sites, parks, and other public facilities on file at village hall.

*Official plan* means the comprehensive plan, or any geographical or functional part thereof, as adopted by the village, indicating the general locations recommended for streets, parks, public buildings, and other community development aspects.

*Owner* means any person having legal and equitable title to the land sought to be subdivided.

*Pedestrian way* means a right-of-way, however designated, across of within a block for use by pedestrian traffic, which shall include but not be limited to sidewalks and crosswalks.

*Person* means any individual, firm, association, syndicate, corporation, trust, or any other legal entity.

*Plat officer* means the person as appointed by the village president and approved by the board of trustees who is designated as the plat officer.

*Regional arterial* means a continuous roadway through metropolitan areas which connects other arterials. (See Appendix B for criteria.)

*Resubdivision* means the relocation of property boundaries, or the reallocation of property in a plat of record. The dissolution of property lines not accompanied by the relocation of new property lines shall not constitute resubdivision.

*Roadway* means the portion of the street right-of-way available for vehicular movement.

*Street* means a way, whether publicly dedicated or private, used for vehicular traffic, no matter if designated as a street, road, avenue, court or any other designation.

*Street, half*, means that portion of the street on either side of a tract boundary when a proposed street has as its centerline, or within its right-of-way, the boundaries of one or more tracts.

*Street, local*, means a street which extends block to block and is not continuous, also known as a minor street.

*Street, marginal access* means a minor street which is approximately parallel to, and adjacent to, an expressway or major thoroughfare, and which provides access to abutting properties and protection from through traffic.

*Street right-of-way* means all property dedicated or intended for streets.

*Street width* means the shortest distance between the lines delineating the right-of-way of a street.

*Subdivider* means any owner or other person proceeding under this chapter to subdivide or develop land.

*Subdivision* means any division of, or redivision of, any tract, parcel, or lot of land, into two or more parts, which shall include resubdivision and, when appropriate to the context shall relate to the process of subdividing or to the land subdivided. A subdivision shall also include the following:

- (1) Any planned unit development;
- (2) Any residential structure or development containing more than five residential dwelling units or structures without regard to whether the building or development is in single ownership or is developed as a condominium or cooperative; and

- (3) Any industrial or commercial building containing more than 10,000 square feet.

*Superintendent of highways* means the superintendent of highways of the county.

*Surveyor* means a land surveyor licensed as such in the state.

*Zoning officer* means the director of community development, or designee, of the village.

*Zoning ordinance* means the zoning ordinance of the village, and all maps pertaining thereto as such maps may be amended from time to time. (Ord. No. 68-12, pt. II, 6-3-1968; Ord. No. 69-1, 2-17-1969; Ord. No. 89-55, 5-1-1989; Ord. No. 91-61, 6-3-1991; Ord. No. 93-09, 1-25-1993; Ord. No. 94-19, 2-28-1994; Ord. No. 2007-17, § I, 3-5-2007)

**Cross reference**—Definitions generally, § 1-2.

#### **Sec. 70-5. Interpretation.**

(a) In interpreting and applying the provisions of this chapter, such provisions shall be held to be the minimum requirements for the promotion and effectuation of the purposes of this chapter.

(b) Nothing in this chapter shall repeal, abrogate, annul, or in any way interfere with, any provisions of law, or any rules or regulations other than subdivision ordinances adopted or issued pursuant to law relating to the subdivision or development of land. Where this chapter imposes greater restriction or requirements than are imposed or required by other provisions of law, rules, regulations, covenants, or agreements, the provisions of the this chapter shall control, but nothing in this chapter shall interfere with, abrogate, or annul any easements, covenants, deed restrictions, or agreements between parties which impose restrictions greater than those imposed by this chapter.

(Ord. No. 68-12, pt. XII, § A, 6-3-1968)

#### **Sec. 70-6. Separability.**

(a) If any court of competent jurisdiction shall adjudge any provision of this chapter to be invalid, such judgment shall not affect any other provision not specifically included in such judgment.

(b) If any court of competent jurisdiction shall adjudge invalid the application of any provision of this chapter to a particular subdivision of land, such judgment shall not affect the application of such provision to any other subdivision of land not specifically included in such judgment. (Ord. No. 68-12, pt. XII, § B, 6-3-1968)

#### **Secs. 70-7—70-30. Reserved.**

### **ARTICLE II. ADMINISTRATION\***

#### **DIVISION 1. GENERALLY**

#### **Sec. 70-31. State, county, village laws.**

All laws of the state and ordinances of the village are made a part hereof the same as if fully set forth in this chapter, and all officers and employees of the village, and specifically those referred to in this chapter, are directed to compel compliance with such laws of the state and all the requirements of the county and the village. (Ord. No. 68-12, pt. X, § A, 6-3-1968)

#### **Sec. 70-32. Utilities permits.**

Public utilities shall obtain permits from the village board for the installation of communication, electric power, gas or other utility services before the installation is started. (Ord. No. 68-12, pt. X, § B, 6-3-1968)

#### **Sec. 70-33. Amendments.**

Any person wishing to propose an amendment to this chapter shall submit his proposal to the plan commission. The plan commission may, without a public hearing, submit the proposed change, or a modification thereof, to the village board for appropriate action.

(Ord. No. 68-12, pt. XI, 6-3-1968)

#### **Sec. 70-34. Variations.**

Variations from these regulations shall not be granted as a right. However, the plan commission may recommend and the village board may grant variations from the regulations contained in this

\***Cross reference**—Administration, ch. 2.

subdivision code in specific cases which do not affect the general plan or the spirit of the subdivision code. Such recommendations shall be communicated to the village board in writing. (Ord. No. 2007-17, § I, 3-5-2007)

**Secs. 70-35—70-50. Reserved.**

DIVISION 2. PLAT OFFICER\*

**Sec. 70-51. Office created; administration of subdivision regulations.**

The office of plat officer is hereby created. The plat officer shall be appointed by the president of the village with the advice and consent of the board of trustees in accordance with the procedures for other appointive offices. The plat officer and the plan commission shall be charged with the administration of this chapter. (Ord. No. 68-12, pt. I, § D, 6-3-1968; Ord. No. 2007-17, § I, 3-5-2007)

**Secs. 70-52—70-70. Reserved.**

DIVISION 3. MODIFICATIONS AND APPEALS

**Sec. 70-71. Hardship.**

(a) When extraordinary hardship or injustice will result from strict compliance with sections 70-211 and 70-212, the terms thereof may vary to the extent deemed necessary and proper to grant the relief, provided that the modification is:

- (1) Due to physical features of the site;
- (2) The least deviation from the subdivision ordinance which will mitigate the hardship;
- (3) Not detrimental to the public interest, and is in keeping with the general spirit and intent of this chapter.

(b) The village board may approve such relief as recommended by the plan commission. (Ord. No. 68-12, pt. VIII, § A, 6-3-1968; Ord. No. 89-55, 5-1-1989)

\*Cross reference—Officers and employees, § 2-91 et seq.

**Sec. 70-72. Planned residential development.**

(a) *Purposes.* The regulations contained in this section, governing the development of certain lands in an optional manner, are established to provide relief from subdivision requirements which are designed for conventional developments but which may cause undue hardship or complication to desirable but unconventional development. These regulations are established for residential areas characterized by a unified building and site development program, and providing adequate public open space for recreation and other community purposes. Such development and open space shall be an integral part of the design of the subdivision lot and street system. It shall meet all applicable regulations of the village zoning ordinance.

(b) *Standards.* The provisions of article IV of this chapter may be waived in subdivisions which are accepted as planned residential development but such provisions shall then be replaced by specific plans which are accepted by the plan commission. The actual amount of land designated for street right-of-way shall not affect the 15 percent of the gross site area used for density calculations under the village zoning ordinance. (Ord. No. 68-12, pt. VIII, § B, 6-3-1968)

**Sec. 70-73. Application for modification.**

Application for such modification shall be made in writing by the subdivider at the time of the sketch plan conference, stated fully and clearly all facts relied upon by the petitioner, and shall be supplemented with maps, plans, or other additional data which may aid the plan commission in the analysis of the proposed project. The plans for such development shall include such covenants, restrictions, or other legal provisions necessary to guarantee the full achievement of the plan. Once the terms of any modification have been agreed upon, the review of the subdivision shall proceed as prescribed in article III of this chapter. (Ord. No. 68-12, pt. VIII, § C, 6-3-1968)

**Sec. 70-74. Hearings before the village board.**

Any person aggrieved by a decision of the plan commission in enforcing the terms of this chapter may request a hearing before the village board. Requests for such hearing shall be made in writ-

ing to the plat officer. Upon notification by the plat officer, the village president shall schedule an appointment for a hearing within 30 days of the receipt of the request. The petitioner shall be notified of the date, time, and location of the hearing at least three days in advance. If, upon hearing the evidence of both the plan commission and the petitioner the board finds that the decision of the plan commission is in error, the village board may require the plan commission to modify its decision. Such modification shall not conflict with this chapter. The decision of the village board shall be made known in writing to the petitioner within ten days after the date of the hearing.

(Ord. No. 68-12, pt. VIII, § D, 6-3-1968)

**Secs. 70-75—70-90. Reserved.**

DIVISION 4. VIOLATIONS AND PENALTIES

**Sec. 70-91. Violations and penalties.**

(a) It is unlawful for any person, firm or corporation to file or attempt to file a plat of subdivision of land within the corporate limits of the village with the Lake County Recorder of Deeds for recordation without first having secured the approval of the village in the manner prescribed by this chapter.

(b) Every person, firm or corporation found by a court of law to have violated any provision of this chapter shall be guilty of a business offense and upon conviction shall be punished by a fine of not less than \$500.00 nor more than \$1,000.00 for each offense; and a separate offense shall be deemed to have been committed on each day during or on which a violation occurs or continues.

(c) Any person aggrieved as a result of a work suspension shall have a right to appeal as stipulated under section 70-74, regarding hearings before the governing board.

(Ord. No. 68-12, pt. IX, 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-92. Fees.**

(a) At the time the preliminary plat of subdivision or final plat of subdivision is recorded, the developer shall pay a review and filing fee to the village in accordance with the following schedule:

One acre or less .....	\$350.00
Over one acre, but not exceeding five acres .....	400.00
Over five acres, but not exceeding ten acres.....	425.00
Over ten acres, but not exceeding 20 acres .....	475.00
Over 20 acres .....	575.00

(b) Such fees shall include recording in the county court house and return of a recorded copy to the developer. Plats of annexation shall pay a review and recording fee of \$375.00.

(Ord. No. 68-12, pt. III, § B, 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 99-137, 12-6-1999; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-93. Recording.**

(1) No plat of any subdivision of land within the corporate limits of the Village of Gurnee shall be entitled to recordation by the Lake County Recorder of Deeds or have any validity until it shall have been approved in the manner prescribed by law and this subdivision code.

(2) Within nine months after the date of final approval of such plat by the village board, and provided that all fees and costs have theretofore been paid, the village shall cause such plat to be recorded in the office of the Recorder of Deeds of Lake County, Illinois, and thereafter shall retain the original plat in and as part of the official records of the village. In the event such final plat of subdivision is not so recorded within said nine-month period from and after the final approval thereof by the village board, the said village board approval thereof shall be deemed null and void, and of no further force and effect; and in such case any subsequent attempt to record such plat shall proceed only upon a new application for subdivision in the manner set forth in this chapter.

(3) Recordation of an approved plat shall constitute acceptance by the village board of ownership of all land shown thereon as provided for or dedicated to public use, unless otherwise indicated.

(4) The final plat shall not be recorded until the guarantees of performance as designated under section 70-377 are complied with.

(Ord. No. 68-12, pt. III, § C, 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 91-61, 6-3-1991; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-94. Building permits and certificates of occupancy.**

(a) Building permits shall not be issued until the zoning officer has been notified by the plat officer that the final plat has been approved and recorded.

(b) Building permits shall not be issued until the engineering department has reviewed and approved the site plan and received a digital copy of the final approved plans in accordance with the Digital Submittal Requirements of the Village of Gurnee. (See Appendix C.)

(c) Certificates of occupancy shall not be issued until the zoning officer has been notified by the plat officer that the required improvements have been completed and approved in general accordance with the approved engineering plans or appropriate security has been posted to complete the improvements.

(d) In the event of a condominium or townhome development the building permit may be issued when the preliminary plat is approved by the village board.

(Ord. No. 68-12, pt. III, § D, 6-3-1968; Ord. No. 91-61, 6-3-1991; Ord. No. 2002-32, § I, 4-15-2002)

**Secs. 70-95—70-120. Reserved.**

**ARTICLE III. PLATS AND REVIEW PROCEDURES**

**DIVISION 1. GENERALLY**

**Sec. 70-121. Stages and specifications.**

All subdivision plats shall be processed in three stages leading to approval for recording, except

that the first and second stages may be waived in the case of minor subdivisions. The three stages are: the sketch plan, the preliminary plat, and the final plat.

(Ord. No. 68-12, pt. III, § A, 6-3-1968; Ord. No. 69-1, 2-17-1969; Ord. No. 89-55, 5-1-1989)

**Secs. 70-122—70-140. Reserved.**

**DIVISION 2. SKETCH PLAN**

**Sec. 70-141. Purpose.**

A sketch plan, submitted by the developer to the plan commission at a conference, is intended to familiarize the developer with the requirements; eliminate, wherever possible, major revisions of the preliminary plat; and to determine the classification of the subdivision as "major" or "minor." Those classified as "minor" subdivisions may proceed directly to the third or final plat stage, if such stage has not been waived by the plan commission as provided in this chapter.

(Ord. No. 68-12, pt. III, § A.1, 6-3-1968)

**Sec. 70-142. Required information.**

A minimum of ten days prior to any meeting of the plan commission the developer shall submit to the plat officer the following:

- (1) *A site sketch plan.* The subdivider's site sketch plan shall show:
  - a. Boundaries and dimensions of the property to be subdivided;
  - b. Land characteristics such as natural drainage, swamp areas, wooded areas, and ridges;
  - c. Development characteristics such as surrounding streets, existing structures, and available utilities;
  - d. Proposed layout of streets, blocks, and lots;
  - e. Proposed location of business, park, and other nonresidential areas;
  - f. Existing easements and covenants affecting the property.
- (2) *A location sketch.* The subdivider's location map shall show the relationship of

the proposed subdivision to traffic arteries, public transportation, municipal utilities, schools, and churches.

(Ord. No. 68-12, pt. III, § A.1, 6-3-1968; Ord. No. 69-1, 2-17-1969)

**Secs. 70-143—70-160. Reserved.**

DIVISION 3. PRELIMINARY PLAT

**Sec. 70-161. Contents; preparation.**

The preliminary plat is a drawing, when necessary accompanied by special engineering drawings, on which final review for adherence to design standards and improvement proposals is based, and from which specified construction work in the subdivision can proceed. This plat shall be prepared by a surveyor, or a surveyor and engineer subsequent to, and in accordance with, the agreements reached in the sketch plan conference.

(Ord. No. 68-12, pt. III, § A.2, 6-3-1968)

**Sec. 70-162. Submission.**

The plat shall be submitted to the plan commission at a regular monthly meeting together with transmittal letter and appropriate fees. To be considered officially filed the plat must be found to be in full compliance with the specifications governing the preparation of plats and plans, with the required procedural steps having been duly taken.

(Ord. No. 68-12, pt. III, § A.2, 6-3-1968)

**Sec. 70-163. Required information.**

The plat shall be submitted in 15 copies and shall be drawn or printed on paper at a scale of one inch to 100 feet, unless a different scale is approved by the plat officer. This plat shall show, or be accompanied by, the following information:

- (1) *Title and certificate.* Name under which the proposed subdivision is to be recorded, location and position by quarter-quarter section, section, township, range, meridian, county, and state; names and addresses of subdividers; graphic scale, and north arrow.

(2) *Description of existing conditions.*

- a. *Boundary lines.* Complete survey data such as angles, bearings, dimensions, curve data, etc., shall be shown for the exterior line of the subdivision. The error of linear closure of such boundary survey shall not be greater than one in 5,000.
- b. *Easements.* Location, width, and purpose of easements and other existing restrictions, reservations, or covenants.
- c. *Streets.* Name, location, right-of-way width; also curbs, gutters, culverts, sidewalks, and building setback lines.
- d. *Utilities.* Location and size of sanitary and storm sewers; fire hydrants, and location and size of water mains. If water mains and sewers are not on, or adjacent to, the tract, indicate the distance and direction to, and the size of, the nearest ones.
- e. *Elevations.* For land that slopes less than two percent, show spot elevations at all breaks in grade, along all drainage channels or swales, and at selected points not more than 100 feet apart in all directions. For land that slopes two percent or more, contours with a vertical interval of not more than two feet shall be shown. Elevations shall be U.S. Geological Survey datum; however, contours shall not be taken from U.S. Geological Survey maps. A benchmark shall be indicated on the plat.
- f. *Physical conditions.* The water elevation at the date of survey of adjoining lakes, watercourses, marshes and bogs, and areas subject to inundation, and a graphic representation and notation of the high water marks of such; wooded areas and trees six inches in diameter at four and one-half feet above ground level.
- g. *Manmade features.* Houses, barns, and other structures; other constructed features.

- h. *Conditions on adjacent land.* All of the requirements of plat preparation shall apply equally to the site being subdivided and to all land within 500 feet of its boundaries, waiving accuracy requirements as to scale of features but not as to boundary lines.
  - i. *Location map.* A drawing, 1,000 feet to 5,000 feet per inch, of the township in which the subdivision is situated, showing the location of the subdivision, and indicating its relationship to traffic arteries, community facilities, railroads, and other nonresidential land uses or adverse influence with a radius of two miles.
  - j. *Proposed public improvements.* Highways or other major improvements planned by public authorities for future construction on or near the tract, according to the information received from the plan commission at the sketch plan conference.
  - k. *Subsurface conditions.* Results of any tests made to ascertain subsurface soil and rock conditions.
  - l. *Percolation tests.* Percolation test data shall be submitted for all subdivisions to be served by individual sewage disposal systems.
- (3) *Proposals of the subdivider.*
- a. *Name of the subdivision.* The subdivision name shall be original and not duplicate, or be substantially similar to, any existing county subdivision.
  - b. *Streets.* Unduplicated names; right-of-way and road-way widths; similar data for alleys if any. Street names shall not be duplicated within the corporate limits, postal district or fire district.
  - c. *Easements.* Location, width, and purpose of easements.
  - d. *Lot lines.* Location and dimensions of lot lines.
  - e. *Sites.* Location and use of any sites to be used for other than single-family residential.
  - f. *Setback.* Minimum building setback lines
  - g. *Site data.* A tabulation of gross area, street area, other dedicated area, net subdivided area, number of lots, and linear feet of street.
  - h. *Elevations.* Proposed contours of the finished subdivision, where different from existing contours, in the same detail used for existing elevations.
- (4) *Engineering plans and drawings*
- a. *Engineer.* Whenever improvements covered by this subsection are required in the development of a subdivision, a licensed engineer in the state shall seal all plans and specifications.
  - b. *Required plans and drawings.* The engineer shall submit to the plat officer duplicate copies of the following plans, specifications, and estimates bearing his signature and seal:
    1. Plans, details, specifications and cost estimates for street construction, including centerline profile of each street with a typical cross section of the roadway. The street plan shall show the location of drainage structures and their sizes. The profile shall be shown to a scale of not less than one inch to 50 feet horizontal and one inch to five feet vertical. Standard federal aid sheets are preferred.
    2. Plans, details, specifications, and cost estimates of proposed storm drainage improvements.
    3. Plans, details, specifications, and cost estimates of proposed water distribution systems and of proposed water supply facilities.

4. Plans, details, specifications, and cost estimates of sewerage systems.
- c. *Supplementary plans and drawings.* When unusual site conditions exist, the plat officer may require such additional plans, specifications, and drawings as he finds necessary for an adequate review of the plat. The plat officer shall request this additional material from the subdivider in writing, stating therein the information required and the particular or unusual site conditions which made this information necessary.

(Ord. No. 68-12, pt. III, § A.2(a)—(e), 6-3-1968; Ord. No. 69-1, 2-17-1969; Ord. No. 89-55, 5-1-1989; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-164. Forward to review agencies; review for compliance; report.**

(a) Immediately upon filing of a preliminary plat, the plat officer shall forward one copy to each of the following:

- (1) Village zoning officer.
- (2) Village engineer.
- (3) Health officer (where applicable).

(b) Each of these officers shall check the plat for compliance with the appropriate portions of this chapter and other applicable regulations. A written report recommending approval or disapproval and giving the reasons therefor shall be sent to the plan commission within 20 days.

(Ord. No. 68-12, pt. III, § A.2(f), 6-3-1968)

**Sec. 70-165. Preliminary approval.**

The plan commission shall review the plat and approve or disapprove the plat, giving written reasons therefor, within 60 days. Failure of the plan commission to approve or disapprove the plat within 60 days of filing shall constitute default; approval shall be automatic, and signing shall be mandatory. Approval of the preliminary plat as returned to the subdivider shall be construed to be an expression of approval of the general layout, and shall authorize the subdivider to proceed with the preparation of the final plat. If

a final plat is not submitted within one year of the date of approval, the preliminary plat shall expire unless approval has been extended. One and only one extension not to exceed six months, may be granted to the preliminary plat by the plan commission.

(Ord. No. 68-12, pt. III, § A(2), 6-3-1968; Ord. No. 69-1, 2-17-1969)

**Secs. 70-166—70-180. Reserved.**

DIVISION 4. FINAL PLAT

**Sec. 70-181. Review; approval or disapproval; recording authorizes issuance of building permits.**

The plan commission shall review the plat and approve or disapprove the plat, giving written reasons therefor. A record of the subdivision as surveyed in the field is the final plat. It shall show property lines and other dimensions important to the subdivider in selling lots, and to the public in keeping records of street lines, easements, and utility locations. Normally, approval will be automatic if the final plat conforms to the approved preliminary plat. Upon determining to his satisfaction that the final plat conforms to the approved preliminary plat, the plat officer shall sign the plat and submit it to the mayor and village board for signature. Countersigning by the mayor and village board shall constitute final approval and authorize the recording of the final plat. Recording of the final plat shall authorize the issuance of building permits.

(Ord. No. 68-12, pt. III, § A.3, 6-3-1968; Ord. No. 89-55, 5-1-1989)

**Sec. 70-182. Conditions for disapproval.**

Disapproval is warranted by, but not limited to, the following conditions:

- (1) The final plat is not in conformance with the preliminary plat.
- (2) More than one year has elapsed since preliminary plat approval.

(Ord. No. 68-12, pt. III, § A.3(a), 6-3-1968)

**Sec. 70-183. Staged development.**

Submission of a final plat covering only a portion of the area covered by a preliminary plat may be permitted after consideration of the effect on the continuity of roads, utilities, and services. Validity of the preliminary plat may be extended to one year from the date of final approval of any portion thereof.

(Ord. No. 68-12, pt. III, § A.3(b), 6-3-1968)

**Sec. 70-184. Plat form and content.**

(a) *Plat form and content.* The final plat shall be drawn or printed on high quality white bond paper, Mylar or equivalent. Seven copies and the original shall be submitted to the plat officer for review, prior to submittal of the plat to the plan commission. The final plat shall also be provided in accordance with the digital submittal requirements of the Village of Gurnee. (See Appendix C.) The digital plat shall be submitted to the village engineer prior to recording by the Lake County Recorder of Deeds. Permitted page sizes shall be as follows: 36 inches by 24 inches. Other sizes will not be accepted without prior approval of the plat officer. Scale shall be one inch to 100 feet or larger. Variation in scale may be allowed when determined by the plat officer to be necessary for a property exhibit of the subdivision. When more than one sheet is used for any plat, they shall be numbered consecutively, and each sheet shall contain a notation showing the whole number of sheets in the plat, and its relation to other sheets (e.g., sheet one of three sheets). Linear dimensions shall be given in feet and decimals thereof. The final plat shall show on the face thereof:

- (1) The name of the subdivision.
- (2) The location and position of the subdivision indicated in each of the following ways:
  - a. By quarter-quarter section, sections, township, range, meridian, village, county, and state.
  - b. By distances and bearings from true north of angles with reference to a corner or corners established in the United States Public Land Survey.

- c. By a written legal description (metes and bounds preferred) of the exterior boundaries of the land as surveyed and divided.
  - d. By tying two corners of the proposed subdivision into the state plane coordinate system, noting the coordinates on the face of the plat.
- (3) The top of the plat to be oriented north, and the plat to contain a north arrow.
  - (4) A graphic scale.
  - (5) The name, address, phone number of surveyor and owner, and the date of preparation.
  - (6) The description and location of all survey monuments.
  - (7) Survey data sufficient to reproduce any line or reestablish any monument in the subdivision.
  - (8) A graphic representation of all streets, alleys, blocks, parcels, and public grounds into which the land is divided and of all easements and rights-of-way.
  - (9) The length and direction of boundary lines of all streets, alleys, blocks, lots, parcels, public grounds, easements, and rights-of-way, or enough information so that the length of these lines can be derived by simple calculation; where a boundary line is an arc of a circle, the radius and length of the arc shall be shown.
  - (10) The width of all streets, alleys, easements, and rights-of-way. Radii at intersections shall not be less than 25 feet.
  - (11) A graphic representation of the minimum building setback lines on all lots and parcels, and a notation of the distance between such lines and the street right-of-way line; in no case shall the setback line be less than that required by the village zoning ordinance.
  - (12) The area of each lot and total area subdivided.
  - (13) Consecutive letters on all blocks and consecutive numbers throughout the plat.

- (14) The name of each street, printed on the graphic representation of each street, and an appropriate label designating all other easements, rights-of-way, setback lines, dedications, and reservations (e.g. "Dedicated for Park Purposes" or "Reserved for Public School Site").
- (15) The abutting street lines of all adjoining subdivisions, shown in their correct location by broken lines.
- (16) The water elevation of adjoining lakes or streams at the date of survey and graphic representation, as well as a notation of, the high water marks of such lakes or streams; if any portion of the land within a subdivision shown on any final plat is subject to inundation or flood hazard by stormwaters, such fact and portion shall be clearly shown on the final plat by a prominent note on each sheet of such plat whereon any such portion shall be shown.
- (17) Covenants and restrictions.
- (18) Location map of sufficient detail to ascertain the position of the plat in the village.
- (b) Submittal of public improvement plans is required when public improvements are required as part of the subdivision.
- (c) The application for approval of the final plat shall be accompanied by the following final plat certificates, duly processed and signed, using ink; exact wording of certificates shall follow forms shown in appendix A to this chapter:
- (1) Owner certificate.
  - (2) Notary certificate.
  - (3) Surveyor certificate.
  - (4) County clerk certificate.
  - (5) Village collector's certificate.
  - (6) Village board certificate.
  - (7) Plan commission certificate.
  - (8) Village engineer and plat officer certificate.
  - (9) Federal emergency management agency insurance statement.
  - (10) County highway signature certificate (when applicable).
  - (11) County health department certificate (when applicable).
  - (12) Plat submittal certificate.
  - (13) Surveyor's permission to record statement.  
(Ord. No. 68-12, pt. III, § A.3(c), 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 91-61, 6-3-1991; Ord. No. 93-09, 1-25-1993; Ord. No. 2002-32, § II, 4-15-2002; Ord. No. 2007-17, § I, 3-5-2007)

**Secs. 70-185—70-210. Reserved.**

**ARTICLE IV. DESIGN STANDARDS**

**DIVISION 1. GENERALLY**

**Sec. 70-211. Conformity to plans.**

All subdivisions shall conform to the village official plan, zoning ordinance, subdivision regulations, and to all other applicable ordinances, resolutions, and plans.

(Ord. No. 68-12, pt. IV, § A.1, 6-3-1968)

**Sec. 70-212. Natural features.**

Each subdivision shall be appropriate to the topography, drainage, and other natural features of the site.

(Ord. No. 68-12, pt. IV, § A.2, 6-3-1968)

**Sec. 70-213. Digital submittal requirements.**

See Appendix C.

(Ord. No. 2002-32, § III, 4-15-2002)

**Secs. 70-214—70-230. Reserved.**

DIVISION 2. STREETS\*

**Sec. 70-231. Layout.**

The layout of streets in a subdivision shall conform to existing regulations and policies and shall be based on thorough consideration of:

- (1) Topography and drainage;
- (2) Public convenience and safety;
- (3) Existing street pattern;
- (4) Future circulation needs of nearby lands;
- (5) Proposed uses of land being subdivided;
- (6) Need for extending streets to the property lines of the tract being subdivided to provide access to abutting properties.

(Ord. No. 68-12, pt. IV, § B.1, 6-3-1968)

**Sec. 70-232. Rights-of-way.**

Street right-of-way widths shall be as designated by the official map of the village. Where no width is indicated, the following table shall apply:

	<i>Feet</i>
State highways .....	120—150
Major county highways <sup>1</sup> .....	100—120
Other county or township highways <sup>1, 2</sup> .....	80
Collector .....	60—80
Regional arterial <sup>2</sup> , minimum .....	150
Minor arterial .....	80—100
Major arterial <sup>2</sup> , minimum .....	100
Local streets <sup>3</sup> .....	60
Marginal access streets .....	40

<sup>1</sup> Master county map on file in the office of the county superintendent of highways.

<sup>2</sup> An additional ten feet shall be required where a parkway is designated on the village's official map.

<sup>3</sup> Where ditch storm drainage is required in local street rights-of-way, such rights-of-way shall be six feet wider. (Ord. No. 68-12, pt. IV, § B.2, 6-3-1968; Ord. No. 91-61, 6-3-1991)

\*Cross reference—Streets, sidewalks and other public places, ch. 66.

**Sec. 70-233. Local streets.**

Local streets shall be so designed as to discourage high speed or through, traffic. (Ord. No. 68-12, pt. IV, § B.3, 6-3-1968)

**Sec. 70-234. Boundary streets.**

Streets shall not be laid out on the boundary of a subdivision. Exceptions to this may be permitted where the plat officer finds that such streets are desirable for further expansion or where such streets will conform to the existing street system. (Ord. No. 68-12, pt. IV, § B.4, 6-3-1968)

**Sec. 70-235. Intersections.**

See appendix B-1 to this chapter for desirable spacing of intersections. Street intersections shall be at right angles. Where unusual conditions exist, the plat officer may permit intersections of less than 90 degrees but not less than 60 degrees. In all cases street intersections and junctions shall be laid out so as to facilitate the safe flow of traffic. In no case shall two junctions be offset less than 125 feet measured from centerline of street to centerline of street.

(Ord. No. 68-12, pt. IV, § B.5, 6-3-1968; Ord. No. 91-61, 6-3-1991)

**Sec. 70-236. Cul-de-sacs.**

Cul-de-sacs shall be not more than 500 feet in length measured along the centerline from the centerline of the street of origin to the center of the turnaround, and each shall have a terminus generally circular in shape, with a diameter of 120 feet and a center on or within 30 feet of the cul-de-sac centerline.

(Ord. No. 68-12, pt. IV, § B.6, 6-3-1968; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-237. Marginal access streets.**

Wherever a subdivision borders on or contains the right-of-way of a limited access highway; a railroad; or a utility right-of-way, a street may be required approximately parallel to, and on either side of, such right-of-way for a distance suitable to service such uses as front thereon.

(Ord. No. 68-12, pt. IV, § B.7, 6-3-1968)

**Sec. 70-238. Half streets.**

Half streets shall not be permitted except to complete an existing half street which is dedicated and accepted, or to conform to the official plan and official map of the village.  
(Ord. No. 68-12, pt. IV, § B.8, 6-3-1968)

**Sec. 70-239. Reserve strips.**

Reserve (spite or devil) strips controlling access to streets shall not be permitted. Streets roughly paralleling the subdivision boundary shall be located either on that boundary or not less than one lot depth from such boundary. All streets shall be extended to the subdivision boundary.  
(Ord. No. 68-12, pt. IV, § B.9, 6-3-1968)

**Secs. 70-240—70-255. Reserved.**

## DIVISION 3. BLOCKS

**Sec. 70-256. Design.**

The length, width, and shape of blocks shall be determined with due regard for the following:

- (1) Provision of adequate building sites suitable to the special needs of the types of use contemplated;
- (2) Zoning requirements as to lot size and dimensions;
- (3) Needs for convenient access, circulation, control, and safety of street traffic;
- (4) Limitations and opportunities of topography.

(Ord. No. 68-12, pt. IV, § C.1, 6-3-1968)

**Sec. 70-257. Length.**

No block shall exceed 1,600 feet in length except where required by unusual topographic conditions, nor shall they be less than 400 feet in length.  
(Ord. No. 68-12, pt. IV, § C.2, 6-3-1968)

**Sec. 70-258. Crosswalks.**

Where blocks exceed 800 feet in length, or where orientation of pedestrian circulation re-

quirements indicate, crosswalks may be required. Such crosswalks shall be not less than ten feet in width.

(Ord. No. 68-12, pt. IV, § C.3, 6-3-1968)

**Secs. 70-259—70-275. Reserved.**

## DIVISION 4. LOTS

**Sec. 70-276. Dimensions.**

Lot dimensions and area shall be not less than the requirements of the village zoning ordinance.  
(Ord. No. 68-12, pt. IV, § D.1, 6-3-1968; Ord. No. 91-61, 6-3-1991)

**Sec. 70-277. Frontage.**

All lots shall front directly on an improved public street. Lots adjoining regional arterial and major arterials shall be provided with marginal access streets or front on an interior street. An indication shall appear on the final plat where access is prohibited. Lots shall have a width at the street right-of-way line and rear lot line not less than twice the sum of the side yards as provided in the village zoning ordinance.  
(Ord. No. 68-12, pt. IV, § D.2, 6-3-1968; Ord. No. 91-61, 6-3-1991)

**Sec. 70-278. Lot lines.**

Side lot lines shall be at right angles or radial to the street line or substantially so.  
(Ord. No. 68-12, pt. IV, § D.3, 6-3-1968; Ord. No. 91-61, 6-3-1991)

**Sec. 70-279. Deep lots.**

Lots abutting a regional arterial, or major arterial, a railroad, utility right-of-way, or other inharmonious use shall have a width or a depth of 40 feet in excess of the typical interior lot in the same subdivision. A planting screen easement, across which there shall be no right of access, may be required on such deep lots.  
(Ord. No. 68-12, pt. IV, § D.4, 6-3-1968; Ord. No. 91-61, pt. IV, § D, 6-3-1991)

**Sec. 70-280. Corner lots.**

Corner lots for residential use shall have 25 percent additional width to permit appropriate building setback from, and orientation to, both streets. This requirement shall not apply to subdivisions fronting public rights-of-way dedicated prior to the adoption of the Gurnee Subdivision Ordinance on June 3, 1968.

(Ord. No. 68-12, pt. IV, § D.5, 6-3-1968; Ord. No. 91-61, 6-3-1991; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-281. Building sites.**

Every lot shall contain a suitable building site. In zones providing for a lot area of 40,000 square feet or more, 25 percent of the lot area therein may consist of uninhabitable lands, marshes, or floodplain. However, where part of a lot may become subject to flooding, minimum floor elevation shall be required.

(Ord. No. 68-12, pt. IV, § D.6, 6-3-1968; Ord. No. 91-61, pt. IV, § D, 6-3-1991)

**Secs. 70-282—70-300. Reserved.**

DIVISION 5. EASEMENTS

**Sec. 70-301. Utility easements.**

(a) Easements shall be provided for utility service. Easements shall be 15 feet wide for any single underground village conduit and 20 feet wide for two underground village conduits and be established where practicable at the rear of each lot and along such other lot lines as to provide continuity of alignment from block to block. Not less than ten feet wide easements are to be provided for any other utility.

(b) All utility distribution lines for telephone and electric service shall be installed underground within easements and dedicated public ways. All transformer boxes shall be located so as not to be unsightly or hazardous to the public. The installation of such facilities shall be made in compliance with applicable orders, rules, and regulations, now or hereafter effective and filed with the plan commission pursuant to the state

public utilities act of any public utility whose services will be required with respect to the provision of such underground facility.

(Ord. No. 68-12, pt. IV, § E.1, 6-3-1968)

**Sec. 70-302. Drainage easements.**

When a subdivision is traversed by an established stream, established drainageway, or channel, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the course of such stream, established drainage way, or channel. The location, width, alignment, and improvement of such easement shall be subject to the approval of the plan commission provided that such easement shall be not less than 20 feet in width. Where ditch drainage is used in lieu of storm sewers, as may be permitted in this chapter, the easement shall be of sufficient width to allow future construction of a storm sewer main adequate to carry the ultimate runoff of the watershed as determined by current hydrological records. The area of any public way immediately adjacent to the ditch shall be taken into consideration.

(Ord. No. 68-12, pt. IV, § E.2, 6-3-1968)

**Sec. 70-303. Cross access easements.**

When a commercial or industrial subdivision has frontage on a collector or higher classification street, the village may require the dedication of cross access easements in order to consolidate existing or future driveway access points, or to provide access to remote portions of the subdivision. The location, width, alignment, and improvement of such easement shall be subject to the approval of the village board.

(Ord. No. 2007-17, § I, 3-5-2007)

**Secs. 70-304—70-320. Reserved.**

DIVISION 6. RESUBDIVISION AND REPLATTING

**Sec. 70-321. Village policy to encourage and facilitate in certain cases.**

The reviewing authority shall, in the performance of its plat-approving function, encourage and facilitate the replatting of prematurely and

inexpertly subdivided areas which are now in sharp contrast with current standards of acceptability. Rehabilitation of these areas shall be implemented through proper design considerations when adjacent unsubdivided land is proposed for development.  
(Ord. No. 68-12, pt. IV, § F, 6-3-1968)

**Secs. 70-322—70-340. Reserved.**

DIVISION 7. EROSION AND  
SEDIMENTATION CONTROL

**Sec. 70-341. Intent.**

This division is intended to govern earthwork or the movement of earth during subdivision improvements or other individual improvements so as to control erosion, sedimentation, or dust problems.  
(Ord. No. 68-12, pt. IV, § G, 6-3-1968)

**Sec. 70-342. Reserved.**

**Editor's note**—Ord. No. 2007-17, adopted March 5, 2007, repealed § 70-342 in its entirety. Former § 70-342 pertained to compliance with certain standards and derived from Ord. No. 66-12, adopted June 3, 1968; and Ord. No. 89-55, adopted May 1, 1989.

**Sec. 70-343. Reserved.**

**Editor's note**—Ord. No. 2007-17, adopted March 5, 2007, repealed § 70-343 in its entirety. Former § 70-343 pertained to prerequisites to plat approval and derived from Ord. No. 66-12, adopted June 3, 1968; and Ord. No. 89-55, adopted May 1, 1989.

**Sec. 70-344. Reserved.**

**Editor's note**—Ord. No. 2007-17, adopted March 5, 2007, repealed § 70-344 in its entirety. Former § 70-344 pertained to minimum erosion and sedimentation control measures and derived from Ord. No. 66-12, adopted June 3, 1968; and Ord. No. 89-55, adopted May 1, 1989.

**Sec. 70-345. Retention of topsoil; seeding and sodding.**

(a) Topsoil should not be removed from residential lots or used as spoil, but be redistributed so as to provide at least four inches of cover on the

lots and at least four inches of cover between sidewalks and curbs, and shall be stabilized by seeding and/or sodding.

(b) All improved areas within the dedicated street areas or other public use areas shall be graded and seeded or sodded and/or planted in an approved manner. Restoration work shall be performed to the satisfaction of the village engineer. All parkways shall be graded smooth and topped with at least four inches of black dirt after compacting and removal of stumps, trees that cannot be saved, boulders and other debris. Such areas shall be seeded or sodded to the satisfaction of the village engineer.

(Ord. No. 68-12, pt. IV, § G, 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 91-61, 6-3-1991)

**Secs. 70-346—70-370. Reserved.**

ARTICLE V. IMPROVEMENTS

DIVISION 1. GENERALLY

**Sec. 70-371. General requirements.**

(a) *Purpose.* It is deemed necessary and essential to require and control the provision and installation of improvements when property is subdivided and developed in order to:

- (1) Ensure conformity to the statutes governing the subdivision of land in the state;
- (2) Cause the installation of utilities and public service facilities necessary to serve the property developed;
- (3) Provide for the current financing of such facilities;
- (4) Spread the costs of required improvements upon the property benefited;
- (5) Prevent the dissipation or the improper use of public funds in providing these improvements or maintaining faulty installation;
- (6) Protect the living standards, public safety, and the common welfare of residents within and without the subdivision.

(b) *Qualifications of contractors.* The developer shall file with the village a list of all contractors and subcontractors who are to participate in the construction of public improvements. Such contractors and subcontractors shall be subject to disqualification by reason of faulty performance of prior construction work done in the village.

(c) *Time of construction.* All improvements required in this article shall be completely installed before submittal of the final plat; or, the subdivider shall post a surety subdivision performance bond, letter of credit or cash bond guaranteeing the installation of these improvements within two years following final plat approval by the village board. Additional time may be allowed if approved by the village board. In no case should the additional allocated time exceed three six-month extensions.

(d) *Sequence of construction.* All underground utilities, sanitary sewers, and storm sewers installed in streets, alleys, service roads, or highways shall be constructed or installed prior to the surfacing of such streets. Service connections to such underground utilities and sewers shall be extended to the property line of each lot so as to alleviate disturbing the surface improvements in such public ways when service connections are later made. Where underground utilities are located in the parkway adjacent to the paved roadway, service connections to properties across such roadway shall only be made by drilling under the pavement in such a way that surfacing is not disturbed or weakened.

(e) *Debris removal.* The subdivider shall clean and maintain all public ways, sewers, and drains free from debris and trash, or other extraneous material, prior to acceptance and at such other times during construction as the village engineer deems necessary to prevent the creation of a public nuisance.

(Ord. No. 68-12, pt. V, § A, 6-3-1968; Ord. No. 93-09, 1-25-1993)

**Sec. 70-372. Modification of design of improvements during construction.**

During the course of inspections, the appropriate public inspector will especially note any cir-

cumstances which entail departures in the "as-built" improvements from the plans and specifications as approved, such as an unforeseen difficulty of drainage, groundwater, poor subsoil, unstable fill material, or unconventional or faulty practices of contractors or subcontractors. Whenever such departures are likely to cause either a lower ultimate level of performance or a higher construction cost than could reasonably have been anticipated, he shall prepare a report on his findings in the situation and promptly forward copies to the president and board of trustees and to the plat officer.

(Ord. No. 68-12, pt. V, § B, 6-3-1968)

**Sec. 70-373. As-built plans.**

After completion of all public improvement and prior to final acceptance of said improvements, the subdivider shall make, or cause to be made, a complete plan set showing the actual location and elevation of all valves, manholes, stubs, sewer and water mains, street lighting, and other improvements. This plan shall be printed on white bond paper and shall bear the seal and signature of the engineer. The as-built plans shall be provided in accordance with the digital submittal requirements of the Village of Gurnee (see Appendix C.) The presentation of this plan shall be a condition of final acceptance of the improvements and release of the surety assuring their completion. This plan set shall become the property of the village.

(Ord. No. 68-12, pt. V, § C, 6-3-1968; Ord. No. 93-09, 1-25-1993; Ord. No. 2002-32, § IV, 4-15-2002; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-374. Policy on sharing cost of oversize improvements.**

Whenever necessary, to conform to an overall plan or otherwise to protect or promote the public interest, oversize improvements may be required of the subdivider; however, the cost to the subdivider shall be no greater than that which would result from the installation of construction of only that size necessitated by his own development. The excess cost resulting from the requirement of an oversize improvement shall be borne by the appropriate public authority.

(Ord. No. 68-12, pt. V, § D, 6-3-1968)

**Sec. 70-375. Monuments.**

(a) *Preservation of existing monuments.* All United States, state, county, or other official bench marks, monuments, or triangulation stations in or adjacent to the subdivision shall be preserved. When a proposed improvement in a subdivision makes necessary the moving of bench marks, monuments, or stations, the authority having jurisdiction shall be notified and given sufficient time to take appropriate action.

(b) *Placement of new monuments.* Permanent monuments shall be erected at all street corners and all points where street lines intersect the exterior lines of the subdivision and at all lot corners, block corners, angles in the lot lines, and points of beginning and ending of curves.

(c) *Monument materials.* Permanent monuments shall be of galvanized iron pipe not less than three-fourths-inch in diameter and not less than 24 inches in length; or pinch top pipe of the same dimensions; or of stone or concrete not less than four inches in diameter and not less than 24 inches in length. In no case shall thin-wall pipe or electrical conduit be permitted.  
(Ord. No. 68-12, pt. V, § E, 6-3-1968)

**Sec. 70-376. Grading.**

Where it is proposed to alter ground elevations more than two feet, proposed, as well as existing, contours shall be shown on the contour map. Where topsoil is removed during the course of grading or construction, it shall be redistributed evenly to a depth of at least four inches. All exposed areas shall be reseeded or sodded to prevent erosion. Seeding and sodding shall conform to the specifications as set forth in article VI of this chapter.  
(Ord. No. 68-12, pt. V, § F, 6-3-1968; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-377. Guarantees of performance.**

(a) *Generally.* In order to provide for the orderly growth of the village and to further provide for the orderly development of land and the installation of all required improvements in newly

developed areas, no plat of a proposed subdivision shall be given final approval until the requirements of this section have been met.

(b) *Performance bond.* Before approval of a final plat, the plat officer must find that all improvements have been installed in accordance with the provisions of this chapter and all other applicable ordinances of the village; provided, however, that a final plat may be approved upon the posting of an irrevocable letter of credit, a performance bond, or other guarantee acceptable to the village and allowed by state statute as provided in this chapter:

- (1) *Amount.* The amount of the performance bond shall be equal to 110 percent of the estimated cost of construction of the required improvements as approved by the village engineer.
- (2) *Time limit.* All performance guarantees shall be payable to the village and shall be enforceable by the village prior to or on a date 12 months from the date of final plat approval or final plat recording.
- (3) *Release.* The village board may reduce performance guarantees when requested in writing by the developer and approved by the village engineer. The village shall retain ten percent of the performance guarantee until such time as the public improvements are completed as certified by the village engineer and accepted for maintenance by ordinance by the village board.

(c) *Other guarantees.* In lieu of the performance bond provided for in this section, the subdivider may post a certified check or checks with the village clerk, each check equal to 110 percent of the estimated cost of construction of the improvements as provided for above.

(d) *Default.* If the improvements are not completed within the required time, the corporate authority of the village may use the performance bond or any portion thereof to complete construction of the improvements, or may appropriate any portion of the certified check for the same purpose.  
(Ord. No. 68-12, pt. V, § H, 6-3-1968; Ord. No. 91-61, 6-3-1991; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-378. Inspection.**

(a) *Required.* All required land improvements to be installed under the provisions of these regulations shall be inspected by the village at the subdivider's expense.

(b) *Notification.* Before starting the construction of any improvements, the subdivider shall ascertain from the village engineer 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. The subdivider, contractor or his authorized representative, shall provide 48-hour advance notification to the village engineering department before starting any work or renotification when work has been suspended for more than three working days.

(c) *Reports.* Any inspection which requires that the health officer be present shall be made by that official or his agent and reported in written form; one copy shall be furnished to the engineer or other agent of the subdivider and one copy to the village.

(d) *Subdivider's responsibility.* Regardless of contracts, agreements, or inspections performed, final responsibility for the installation of all improvements, in accordance with the applicable standards, shall rest with the subdivider.

(e) *Approval and acceptance.*

(1) Prior to final acceptance of the public improvements, the subdivider/developer shall submit a five-percent maintenance bond for the full value of the public improvements as submitted by the subdividers engineer and verified by the village engineer. Such maintenance bond shall be the developer's guarantee against defects of the public improvements and shall terminate two years after acceptance of maintenance of the public improvements by the village board pursuant to subsection 70-377(b)(3).

(2) When street, sanitary, water, and drainage improvements and all appurtenances thereto, based on approved plans, have been constructed or installed and passed all inspections, the corporate authorities

shall provide the developer with a letter of approval, completion, and acceptance by the village in accordance with subsection 70-377(b)(3).

(3) When individual sewage disposal systems, based on approved plans, have been constructed or installed and have passed all inspections, the health officer shall provide the developer with a letter of approval and completion.

(4) When any required sewer or water improvement is not intended for public ownership, the appropriate inspecting agency shall provide the developer and the village with a letter of approval and completion. Such letter shall not constitute acceptance by the public but shall permit the owner to operate and maintain the facility.

(f) *Fees.* The subdivider/developer shall pay to the village such reasonable fees as designated below to defray costs of plan review, inspections, and engineering services required for any subdivision and or development considered within the village.

(1) A plan/development review fee of not less than \$100.00 and a fee of 0.5 percent for public improvements exceeding \$20,000.00.

(2) A construction inspection fee, based on a percentage of the total cost of public improvements pursuant to the following table:

<i>Public Improvement Costs</i>	<i>Percentage</i>
\$1.00—\$500,000.00	3
\$500,001.00—	
\$1,000,000.00	2½
Over \$1,000,000.00	2

The plan/development review fee is due and payable prior to initial review of the plan when a subdivision plat is not to be recorded. When a subdivision plat is to be recorded, a plan/development review fee amounting to 50 percent of the costs as determined in subsection (f)(2) of this section, shall be paid before recording of the final plat. The construction inspection fee, less the

plan/development review fee, shall be paid prior to final acceptance of the public improvements by the village board. Fees paid pursuant to this subsection are exclusive of required traffic studies, soil borings or extensive engineering inspection or testing.

(Ord. No. 68-12, pt. V, § I, 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 91-61, 6-3-1991; Ord. No. 93-09, 1-25-1993; Ord. No. 2007-17, § I, 3-5-2007)

**Secs. 70-379—70-395. Reserved.**

**DIVISION 2. REQUIRED FACILITIES AND LANDSCAPING**

**Sec. 70-396. Engineering plans.**

All engineering plans shall be submitted on 36-inch by 24-inch plan sheets and shall be signed and sealed by a state licensed professional engineer. All engineering plans are required to tie the vertical control of the engineering plans to a minimum of two benchmarks from the village monument and benchmark system.

(Ord. No. 68-12, pt. V § G, 6-3-1968; Ord. No. 93-09, 1-25-1993; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-397. Streets.**

(a) Unless otherwise specified, the type, design, and construction of streets shall be in accordance with the provisions of article VI of this chapter.

(b) Where proposed subdivision lots front on only one side of a public road, the subdivider shall be responsible for both halves of the road to be improved as described in article VI of this chapter. Whenever land adjacent to an existing public street is subdivided with lots facing thereon, and such street is not improved to a standard as high as that required for an interior street of similar character, the subdivider may be required to improve such public street, but in no case shall the required expenditure for such improvement exceed that required for a similar interior street. Any improvement of an existing street shall be subject to the approval of the public authority having jurisdiction.

(c) Street profiles, plans and cross sections for all subdivision streets shall be prepared by an engineer in a accordance with the requirements of article VI of this chapter, and the engineer, as agent for the subdivider, or his contractor, shall be responsible for establishing the proper lines and grades for all earthwork and drainage.

(d) At least one street of full width shall be provided to furnish the subdivision with access to an existing improved public street. Such access street shall be improved by the subdivider in accordance with the standards appropriate to its function, whether or not it lies partly or entirely, outside the subdivision.

(Ord. No. 68-12, pt. V, § G.1, 6-3-1968; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-398. Storm drainage.**

(a) The storm drainage improvements shall conform to the system designed and established by the engineer and approved by the village engineer. Computations may be required for the entire drainage basin of which the subdivision is a part. The design and construction of such improvements shall be in accordance with the specifications of article VI of this chapter.

(b) In residential subdivision containing lots less than 40,000 square feet in area, and in all business and industrial subdivision, underground storm sewer systems shall be constructed and installation shall be completed and approved by the village engineer prior to the placement of any surfacing material.

(c) Special consideration shall be given to the avoidance of problems which may arise from stormwater runoff onto adjacent properties. All storm drainage shall be conducted and/or connected to an approved outfall.

(d) Any building or structure equipped with a sump pump shall provide an underground connection to the village storm sewer when such storm sewer is adjoining to the site.

(Ord. No. 68-12, pt. V, § G.2, 6-3-1968; Ord. No. 89-55, 5-1-1989)

**Sec. 70-399. Culverts and bridges.**

Adequate drainage structures shall be provided. The design, installation, and construction of drainage structures shall comply with specifications in article VI of this chapter. (Ord. No. 68-12, pt. V, § G.3, 6-3-1968)

**Sec. 70-400. Curbs and gutters.**

(a) In all subdivisions where underground storm drainage systems are required or proposed, curbs and gutters shall be provided.

(b) In subdivisions of lots under 40,000 square feet, concrete curbs and gutters shall be provided.

(c) A fee-in-lieu-of curb and gutter fund shall be created. Monetary contributions to this fund shall be required of subdividers when installation of curb and gutter is not feasible or practical, as determined by the village engineer. The village engineer shall set the fee-in-lieu amount, on a lineal foot basis annually, based upon prior year construction costs. (Ord. No. 68-12, pt. V, § G.4, 6-3-1968; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-401. Sidewalks.**

(a) In all subdivisions where lots are less than 40,000 square feet, sidewalks shall be provided along both sides of all streets and cul-de-sacs. The village board of trustees also may require that sidewalks be provided elsewhere than as required above, where considered necessary to public safety due to anticipated concentration of pedestrian traffic.

(b) Sidewalks and pedestrian ways which form part of a system of sidewalks as required above shall be improved in accordance with section 70-456.

(c) A fee-in-lieu-of sidewalk fund shall be created. Monetary contributions to this fund shall be required of subdividers when installation of sidewalk is not feasible or practical, as determined by the village engineer. The village engineer shall

set the fee-in-lieu amount, on a square foot basis annually, based upon prior year construction costs. (Ord. No. 68-12, pt. V, § G.5, 6-3-1968; Ord. No. 2007-17, § I, 3-5-2007)

**Cross reference**—Streets, sidewalks and other public places, ch. 66.

**Sec. 70-402. Street trees.**

(a) *Quantity.* Shade trees shall be provided at the equivalent of not more than 50 feet apart along all frontages of all lots. In the case of a corner lot, one tree shall be provided for the first 100 feet of the longest frontage, then one tree per 50 feet thereafter. In the event of a fraction of a tree required, if the fraction is less than three-quarters, the lower number shall be used. If the fraction is three-quarters or greater, the higher number shall be used. Existing trees that are to be preserved may be used to satisfy the requirements of this provision subject to village approval. Clustering of trees is permitted subject to village approval, and if clustering is permitted, then total frontage may be used to calculate the quantity of trees required rather than the individual lot frontages.

(b) *Location and spacing.* Street trees may be clustered or spaced linearly in the public right-of-way as approved by the village. Such trees may also be placed up to 25 feet inside the property line provided they are within the view of the public. A landscape preservation easement must be provided with all maintenance being provided by the property owners.

(c) *Size.* Street trees shall have a minimum trunk size of 2½-inch caliper; as measured 12 inches above the established ground level.

(d) *Species.* Utilization of a variety of street tree species is specifically encouraged, and is subject to final engineering approval, in order to promote variety in the streetscape and to reduce exposure to disease that may affect any one particular tree species. Street trees shall be selected from the following approved list:

## DECIDUOUS TREES:

Large trees—50 feet and over in height and over 40 feet in spread. Trees planted on parkways to be spaced not more than 50 feet on center.

<i>Common Name</i>	<i>Botanical Name</i>
Norway Maple	<i>Acer platanoides</i>
Emerald Queen Norway Maple	<i>Acer platanoides</i> "Emerald Queen"
Crimson King Maple	<i>Acer platanoides</i> "Crimson King"
Sugar Maple	<i>Acer saccharum</i>
Green Mountain Sugar Maple	<i>Acer saccharum</i> "Green Mountain"
Sycamore Maple	<i>Acer pseudoplatanus</i>
Autumn Blaze Freeman Maple	<i>Acer x freemanii</i> "Autumn Blaze"
Marmo Freeman Maple	<i>Acer x freemanii</i> "Marmo"
Black Maple	<i>Acer Nigrum</i>
Hackberry	<i>Celtis occidentalis</i>
Rosehill White Ash	<i>Fraxinus americana</i> "Rosehill"
Ginkgo (male only)	<i>Ginkgo biloba</i>
Imperial Honeylocust	<i>Gleditsia tricanthos</i> "Imperial"
Shademaster Honeylocust	<i>Gleditsia tricanthos</i> "Shademaster"
Skyline Honeylocust	<i>Gleditsia tricanthos</i> "Skyline"
Kentucky Coffee-tree	<i>Gymnocladus dioicus</i>
Bur Oak	<i>Quercus Macrocarpa</i>
Chickapin Oak	<i>Quercus muehlenbergi</i>
English Oak	<i>Quercus robur</i>
Schumard Oak	<i>Quercus shumardii</i>
Shingle Oak	<i>Quercus imbicaria</i>
Swamp White Oak	<i>Quercus bicolor</i>
Bald Cypress	<i>Taxodium distichum</i>
American Linden	<i>Tilia americana</i>
Redmond Linden	<i>Tilia euchlora</i>
Silver Linden	<i>Tilia tomentosa</i>
Japanese Zelkova	<i>Zelkova serrata</i>
Japanese Larch	<i>Larix kaempferi</i>
Tuliptree	<i>Liriodendron tulipifera</i>
Dawn Redwood	<i>Metasequoia glyptostroboides</i>
Red Oak	<i>Quercus rubra</i>
Valley Forge American Elm	<i>Ulmus americana</i> "Valley Forge"
Pioneer American Elm	<i>Ulmus americana</i> "Pioneer"

Medium trees—30 to 50 feet in height and 25 to 40 feet in spread. Trees planted on parkways to be spaced not more than 35 feet on center.

<i>Common Name</i>	<i>Botanical Name</i>
Miyabe Maple	<i>Acer miyabei</i>
Tartarian Maple	<i>Acer tataricum</i>
Baumann Horsechestnut	<i>Aesculus hippocastanum</i> "Baumanni"
Yellow Buckeye	<i>Aesculus glabra</i>
European Black Alder	<i>Alnus glutinosa</i>
Katsuratree	<i>Cercidiphyllum japonicum</i>

*Common Name*

Yellowwood  
 Turkish Filbert  
 Cucumbertree Magnolia  
 Amur Corktree  
 Chanticleer Callery Pear  
 Japanese Pagoda Tree  
 Peking Lilac  
 Greenspire Linden  
 Lacebark Elm  
 Black Tupelo

*Botanical Name*

Cladras tris lutea  
 Corylus colurna  
 Magnolia acuminata  
 Phellodendron amurense  
 Pyrus calleryana "Chanticleer"  
 Sophora japonica  
 Syrianga pekinensis  
 Tilia cordata "Greenspire"  
 Ulmus parvifolia  
 Nyssa sylvatica

Small trees—13 to 30 feet in height and less than 30 feet in spread. Trees planted on parkways to be spaced not more than 25 feet on center.

*Common Name*

Amur Maple  
 Hedge Maple  
 Columnar Norway Maple  
 Columnar Sugar Maple  
 Red Horsechestnut  
 Red Buckeye  
 Pink Horsechestnut  
 Speckled Alder  
 Downy Service Berry  
 Redbud  
 Adirondack Crabapple  
 Autumn Glory Crabapple  
 Prairifire Crabapple  
 Red Jewel Crabapple  
 Sugar Tyme Crabapple  
 Ironwood (Hophornbeam)  
 Japanese Tree Lilac

*Botanical Name*

Acer ginnala  
 Acer campestre  
 Acer platanoides "Columnar"  
 Acer saccharun "Columnar"  
 Aesculus x carnea  
 Aesculus pavia  
 Aesculus x plantierensis  
 Alnus rugose  
 Amelanchier arborea  
 Cercis canadensis  
 Malus "Adirondack"  
 Malus "Autumn Glory"  
 Malus "Prairifire"  
 Malus "Red Jewel"  
 Malus "Sugar Tyme"  
 Ostrya virginiana  
 Syringa reticulata

Evergreen trees—For use in landscape sites.

*Common Name*

White Fir  
 Chinese Juniper  
 Norway Spruce  
 White Spruce  
 Colorado Spruce  
 Colorado Blue Spruce  
 Serbian Spruce  
 Oriental Spruce  
 Limber Pine  
 Austrian Pine  
 Himalayan Pine  
 Virginia Pine

*Botanical Name*

Abies concolor  
 Juniperus chinensis  
 Picea abies  
 Picea glauca  
 Picea pungens  
 Picea pungens glauca  
 Picea omorika  
 Picea orientalis  
 Pinus flexilis  
 Pinus nigra  
 Pinus wallichiana  
 Pinus virginiana

*Common Name*

Scotch Pine  
 Douglas Fir  
 Oriental Arborvitae  
 White Cedar  
 Mission Arborvitae

*Botanical Name*

*Pinus sylvestris*  
*Pseudotsuga menziesii*  
*Thuja orientalis*  
*Thuja occidentalis*  
*Thuja occidentalis* "Mission"

At the approval of the village board, evergreen trees or ornamental trees may be substituted for the required street trees. Evergreens of a minimum height of six feet may be substituted at a one-to-one exchange rate. Ornamentals of a minimum height of six feet or caliper of one and one-half inches may be substituted at a rate of two ornamentals for each street tree.

(e) *Quality and installation.* Trees of park grade stock are unacceptable. Clay sub-soils shall be amended or replaced with topsoil for backfilling tree holes. All street trees shall be adequately watered upon installation. All street trees shall be guaranteed for one full year from the date of acceptance of the public improvements by the village. All street trees shall be promptly replaced if they fail within the guarantee period with trees of the same variety and size at no cost to the village.

(f) *Cul-de-sac turnaround islands.* Cul-de-sac turnaround islands may be permitted and shall be 20 feet in diameter and may be planted with street trees from the acceptable species list, evergreen trees, or other plant materials approved by the village, provided that a homeowner's association is established to maintain the planted area at no cost to the village.

(g) When required street tree plantings consist of 12 or more trees, no more than 25 percent of such plantings shall be of the same species and shall be dispersed among the other species being planted as approved in the final landscape plans. (Ord. No. 68-12, pt. V, § G.6, 6-3-1968; Ord. No. 88-38, 4-25-1988; Ord. No. 91-61, 6-3-1991; Ord. No. 91-156, 12-16-1991; Ord. No. 2001-51, §§ I, II, 6-18-2001)

**Cross references**—Streets, sidewalks and other public places, ch. 66; vegetation, ch. 86.

**Sec. 70-403. Street signs and pavement markings.**

Signs giving names of streets shall be erected at all street intersections. Signs and pavement markings shall meet the minimum requirements for similar signs and posts as shown and set forth in the Manual of Uniform Traffic Control Devices for Streets and Highways, as prepared and published by the state department of transportation. Street and regulatory signs shall be provided and erected by the village at the developer's expense. Pavement markings shall be installed by the developer at locations designated by the engineer. (Ord. No. 68-12, pt. V, § G.7, 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 91-61, 6-3-1991)

**Sec. 70-404. Street lights.**

In all subdivisions within the corporate limits of the village, street lighting shall be provided throughout the subdivision by the subdivider. Street light standards shall be installed within the street parkways and shall be served by appropriate wiring in testing laboratory listed polyethylene conduit with connections to a power supply of the public electric utility. A standard shall be located at each street intersection, at the turnaround of each cul-de-sac, and elsewhere at intervals of not more than 300 feet alternating on both sides of the roadway. Street light standards, luminaries, lamps, and wiring shall be subject to the approval of the village board of trustees. One pole and one luminaire shall be provided by the developer to the village for each ten lights required to be installed pursuant to this chapter. The developer shall, if requested by the village, provide a monetary amount equivalent to the developer's cost for such street light post and luminaire to the village.

(Ord. No. 68-12, pt. V, § G.8, 6-3-1968; Ord. No. 91-61, 6-3-1991; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-405. Water supply facilities.**

(a) All subdivisions within the corporate limits of the village and all other subdivisions with lots of less than one-half acre in area, shall have an interconnected water distribution system supplying all lots with water from a source approved by the village board of trustees and the state environmental protection agency. Where such a water supply system is not provided in subdivisions with lots of one-half acre or more in area, outside the corporate limits of the village, conclusive evidence shall be presented by the subdivider, on the basis of suitable tests and surveys, that an adequate underground water supply is readily available for development at the individual lots.

(b) Water mains shall be not less than six inches in diameter and shall be arranged so as to avoid dead ends. Shut-off valves shall be provided at each branch main connection, and elsewhere as required, to permit adequate sectionalizing for maintenance purposes. Fire hydrants shall be installed throughout the entire system at intervals not exceeding 400 feet. A house service connection shall be provided at the centerline of each lot, extending to within one foot of the property lines, before roadway pavement is constructed. Materials, system arrangement, and details of design shall be subject to the approval of the village board of trustees.

(c) Where central water systems cannot be provided according to subsection (a) of this section, individual private water systems may be permitted, provided such water systems meet all requirements of the village.

(Ord. No. 68-12, pt. V, § G.9, 6-3-1968; Ord. No. 89-55, 5-1-1989)

**Sec. 70-406. Fire hydrants.**

Every community water supply system shall have adequate pipe sizes, water pressure, supply, and sufficient fire hydrants to provide fire protection to meet local neighborhood needs in accordance with the standards of the village.

(Ord. No. 68-12, pt. V, § G.10, 6-3-1968)

**Sec. 70-407. Sanitary sewage facilities.**

(a) All subdivisions containing lots of less than 40,000 square feet in area shall have a system of sanitary sewers serving each lot, connected to the

village sewage system. All other subdivisions shall also have such sewage disposal facilities where standard seepage tests or other investigations, conducted by the village officials or their representative, indicated that the ground in the subdivision is suitable for individual sewage disposal facilities dependent upon seepage of the effluent into the soil.

(b) Sewer systems and sewage treatment facilities shall meet the requirements set forth by the state environmental protection agency, North Shore Sanitary District and the village. No oxidation ponds, seepage lagoons, or holding lagoons will be permitted. Sanitary and storm sewer systems shall not be combined. Sewer mains with house service stubs to each lot shall be installed prior to the construction of street pavements. Service stubs shall be installed at the centerline of each lot and shall extend to within one foot of the front lot line.

(c) In subdivisions not required to install community sewage collection systems under subsection (a) of this section, individual sewage disposal systems may be permitted.

(d) Regardless of locations, lot size, or number of lots a subdivision shall be disapproved where the health officer finds that the drainage, soil conditions, disposal facilities, or other conditions will tend to produce health problems.

(Ord. No. 68-12, pt. V, § G.11, 6-3-1968)

**Sec. 70-408. Planting screens.**

The subdivider shall plant, install, construct, or otherwise provide, fences, planting strips, or buffers along lot lines which adjoin any existing or planned commercial or industrial area, and shall enclose any hazard which exists or which the plat reviewing authorities find will result from the development of the subdivision.

(Ord. No. 68-12, pt. V, § G.12, 6-3-1968)

**Secs. 70-409—70-430. Reserved.**

**ARTICLE VI. ENGINEERING SPECIFICATIONS**

**DIVISION 1. GENERALLY**

**Sec. 70-431. General requirements.**

The construction of improvements required by this chapter shall be in accordance with and to

the specifications set forth in this article, and unless otherwise specified, all construction work shall be done in accordance with the provisions of the standard specifications for road and bridge construction adopted January 1, 2007, by the state department of transportation, and their revisions and additions as adopted from time to time.

(Ord. No. 68-12, pt. VI, § A, 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 2007-17, § I, 3-5-2007)

**Secs. 70-432—70-450. Reserved.**

DIVISION 2. STREETS\*

**Sec. 70-451. Generally.**

The specifications set out in this division for the design, grading, and surfacing of new and existing streets shall be adhered to.

(Ord. No. 68-12, pt. VI, § B, 6-3-1968)

**Sec. 70-452. Design.**

(a) *Grades of streets.* The maximum grades of minor arterials shall not exceed three percent. The maximum grades for other streets shall not exceed five percent. In no case shall the grade of any street be less than one-half of one percent.

(b) *Horizontal curvature.* The minimum radius of centerline horizontal curvature shall be as follows:

- (1) Minor arterial: 1,000 feet.
- (2) Collector thoroughfares: 300 feet.
- (3) Local streets: 100 feet.
- (4) Angles on the centerline of a street are not permitted.

(c) *Vertical curvature.* Vertical curves shall not be less than 200 feet in length for collector streets and 100 feet for local streets. The vertical curve at a street intersection shall be not less than 50 feet. A vertical curve shall not be required unless the algebraic difference in the street gradient is greater than 2½ percent. The length of the vertical curve

\*Cross reference—Streets, sidewalks and other public places, ch. 66.

shall be 40 feet for each one percent difference in gradient. The length of the vertical curve shall be rounded to the nearest 50-foot increment.

(d) *Stopping sight distance.* Stopping sight distance shall be based on a line of sight, one end of which is three feet nine inches above the pavement and the other end which is six inches above the pavement. Minimum sight distance streets shall be 250 feet except that local streets shall have sight distance of not less than 200 feet.

(e) *Intersection sight distance.* The minimum intersection sight distance is 410 feet for a posted speed limit of 30 miles per hour. AASHTO 1984 edition titled "A Policy on Geometric Design of Highways and Streets" should be consulted for other posted speed limits.

(Ord. No. 68-12, pt. VI, § B.1, 6-3-1968; Ord. No. 91-61, 6-3-1991; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-453. Grading.**

All excavation, embankment, and subgrading work shall conform to the standard specifications for road and bridge construction, as specified in section 70-431.

(Ord. No. 68-12, pt. VI, § B.2, 6-3-1968)

**Sec. 70-454. Surfacing.**

The following types of street surfacing shall be considered the minimum requirements:

- (1) Subdivisions containing lots less than 40,000 square feet in area:
  - a. Minor arterials shall be improved with bituminous pavement and concrete curb, gutter, and median strip. The overall width shall be not less than 52 feet face to face of curb, including a median strip of not less than four feet.
  - b. Collectors shall be improved with a bituminous pavement and concrete curb and gutter. The overall width shall be not less than 36 feet face-to-face of curb.
  - c. Local streets shall be improved with a bituminous pavement and con-

crete curb and gutter. The overall width shall be not less than 30 feet face-to-face of curb.

- (2) Subdivisions containing lots not less than 40,000 square feet in area:
  - a. Minor, arterials and collectors shall be as provided in subsection (1) of this section.
  - b. Local streets shall be improved with a bituminous surface treatment not less than 22 feet in width on a gravel or crushed stone base not less than 24 feet in width, with not less than 30 feet in width from shoulder line to shoulder line.

(Ord. No. 68-12, pt. VI, § B.3, 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 91-61, 6-3-1991)

**Sec. 70-455. Specifications.**

The following specifications shall be considered the minimum requirements:

- (1) All roadway pavements shall be designed in accordance with applicable sections of the design manual as published and amended from time to time by the [State of] Illinois Department of Transportation. The following two specifications may be used on streets classified as local streets:

*Bituminous cross section:*

- a. One and one-half inches hot-mix asphalt surface course, mix "C", N50.
- b. Two inches hot-mix asphalt binder course, IL-19, N50.
- c. Six inches hot-mix asphalt base course.
- d. Four inches of aggregate base course or 12 inches of lime modified soils, as approved by the village engineer.

*Concrete cross section:*

- a. Nonreinforced Portland Cement Concrete (PCC) pavement having a thickness of not less than six inches with the mixture specifications based on [State of] Illinois Department of Transportation design requirements.

- b. Four inches of aggregate base course or 12 inches of lime modified soils, as approved by the village engineer.

- (2) Curb and gutter:

- a. Curbs and gutters shall conform to the Illinois Department of Transportation standard combination concrete curb and gutter, Type B-6.12.
- b. The outside edge of curbs and gutters shall be parallel to street lines, radii at intersections shall not be less than 25 feet.
- c. Curbs and gutters are required in all subdivisions containing lots having an area of 40,000 square feet or less.
- d. Subdivisions containing lots having an area greater than 40,000 square feet may be required to install curbs and gutters as directed by the village board.

- (3) Storm sewers: Whenever curbs and gutters are required, underground storm sewers shall conform to the standard specifications for road and bridge construction and as set forth in the manual of highway standards.

(Ord. No. 68-12, pt. VI, § B.4, 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 2001-20, § 1, 3-5-2001; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-456. Sidewalks.**

(a) Sidewalks shall be located one foot inside the right-of-way line, not more than 12 inches nor less than three inches above the centerline of the street, and shall be not less than four feet in width and four inches in thickness. Construction shall be in accordance of the standard specifications for road and bridge construction and shall comply with the Americans with Disabilities Act. Sidewalks shall be provided five feet wide along all commercial developments. Sidewalks shall be a minimum of six inches thick through driveways.

(b) In all subdivisions where lots are less than 40,000 square feet, sidewalks shall be provided along both sides of all streets except expressways. The village board of trustees also may require that sidewalks be provided elsewhere on both

sides of the street, where considered necessary to public safety due to anticipated concentration of pedestrian traffic. (Ord. No. 68-12, pt. VI, § B.5, 6-3-1968; Ord. No. 89-55, 5-1-1989; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-457. Signs and pavement markings.**

Signs, sign posts, and pavement markings as required, shall meet the minimum requirements for similar signs and posts as shown and set forth in the Manual for Uniform Traffic Control Devices for Streets and Highways as prepared and published by the state department of transportation. Signs, sign posts, and pavement markings shall further meet the standards set forth in the village zoning ordinance. (Ord. No. 68-12, pt. VI, § B.6, 6-3-1968; Ord. No. 91-61, 6-3-1991)

**Sec. 70-458. Minimum standards.**

The specifications contained in this chapter shall not prevent the owner or subdivider from constructing a wider or higher type or better quality improvement. (Ord. No. 68-12, pt. VI, § B.7, 6-3-1968)

**Secs. 70-459—70-475. Reserved.**

DIVISION 3. STORM DRAINAGE

**Sec. 70-476. Facilities required.**

(a) *Stormwater drainage.* Adequate facilities shall be provided in all subdivisions and developments for the proper drainage of stormwater runoff from the ground surface.

(b) *Storm sewers.* Storm sewers shall be constructed throughout the entire subdivision which shall be separate and independent of the sanitary sewer system, and which shall provide an adequate outlet or connection to existing stormwater drainage facilities.

- (1) Storm sewers shall be designed to carry a rate of flow not less than the runoff rate computed by the rational formula modifications of the rational method as follows:

Q = CIA

- where 0 = Runoff rate in cubic feet per second
- A = Tributary drainage area in acres
- I = Rainfall intensity for a ten-year storm frequency in inches per hour
- C = Rainfall - runoff coefficient using the following values:

Surface Type	Coefficient
Roofs and pavements	0.95
Lawns and unimproved land	0.15

- (2) The size of storm sewers shall be determined on the basis of the Kutters formula or the Manning formula using an "n" roughness coefficient of 0.013 for smooth pipe and 0.021 for corrugated pipe.

(c) *Stormwater drainage control regulations.*

- (1) *Definitions.* When used in subsection (c) of this section, the following terms shall have the meaning indicated:

*By-pass channel* means a channel formed in the topography of the earth's surface to carry stormwater runoff through a specific area.

*Control structure* means a structure designed to control the volume of stormwater runoff that passes through it during a specific length of time.

*Dry bottom stormwater storage area* means a facility that is designed to be normally dry and contains water only when excess stormwater runoff occurs.

*Excess stormwater* means that portion of stormwater runoff which exceeds the transportation capacity of storm sewers or natural drainage channels serving a specific watershed.

*Groundwater recharge* means replenishment of existing natural underground water supplies.

*Natural drainage* means channels formed by the existing surface topography of the earth prior to changes made by unnatural causes.

*Positive gravity outlet* means the drainage of an area by means of natural gravity so that it lowers the free water surface to a point below the existing grade or invert of storm drains within the area.

*Recognized agency* means an agency or governmental unit that has statistically and consistently examined local, climatic and geologic conditions and maintained records as they apply to stormwater runoff, e.g., Metropolitan Water Reclamation District of Greater Chicago, U.S. Weather Bureau, University Illinois State Water Survey, etc.

*Safe storm drainage capacity* means the quantity of stormwater runoff that can be transported by a channel or conduit without having the water surface rise above the level of the earth's surface over the conduit, or adjacent to the waterway.

*Stormwater runoff* means water that results from precipitation which is not absorbed by the soil or plant material.

*Stormwater runoff release rate* means the rate at which stormwater runoff is released from dominant to servient land.

*Stormwater storage area* means areas designated to store excess stormwater.

*Tributary watershed* means all of the area that contributes stormwater runoff to a given point.

*Wet bottom stormwater storage area* means a facility that is designed to be maintained as free water surface or pond.

- (2) *Land drainage requirements.* All land developments and improvements within the jurisdiction and control of the village must have an adequate outlet with safe storm drainage capacity for stormwater drainage as determined by the village engineer. If the stormwater drainage outlet is not adequate, then detention facilities for stormwater runoff shall be provided as determined by the village engineer to store the excess stormwater. A combination of on-site excess stormwater storage and con-

trolled release of stormwater runoff shall be provided for all land uses. A monetary contribution in lieu of detention facilities shall be provided for the following land uses:

- a. Commercial, institutional, and industrial building developments of two acres and less in area.
- b. Multiple-family dwelling developments of five acres and less in area.
- c. Single-family dwelling developments of ten acres and less in area.

The amount of monetary contribution shall be \$50,000.00 per acre-foot of live detention/retention storage required pursuant to this chapter. Such contribution shall be made prior to recordation of the final plat or issuance of a building permit.

Land uses which are larger than those indicated in this subsection may make a monetary contribution in lieu of detention/retention facilities when the proposed land use is upstream of a planned regional detention/retention facility of which this parcel will be serviced. The parcel being serviced as a result of the regional facilities, shall provide a safe and adequate drainage route to the regional facility. The village board of trustees shall approve the method and amount of the contribution.

- (d) *Excess stormwater storage.*
- (1) Dry bottom stormwater storage areas shall be designed to serve a secondary purpose for recreation, open space or other types of uses that will not be adversely affected by occasional or intermittent flooding. A method of carrying the low flow through these areas shall be provided in addition to a system of drains, and both shall be provided with a positive gravity outlet to a natural channel or storm sewer.
  - a. The combination of storage of the water from a 100-year storm and the design release rate shall not result in a storage duration in excess of 72 hours.

- b. Maximum depth of planned stormwater storage shall not exceed four feet unless the existing natural ground contours and other conditions lend to greater storage depth, which shall be approved by the village.
  - c. Minimum grades for turf areas shall be two percent and maximum slopes shall be ten percent, ten units horizontally to one unit vertically. Storage area side slopes shall be kept as close to the natural land contours as practical and ten percent slopes or less shall be used wherever possible. If slopes greater than ten percent are necessary to meet storage requirements or area restrictions, approval shall be obtained from the village and suitable erosion control provided in addition to the protection required to insure public health, safety, and welfare.
  - d. Outlet control structures shall be designed as simply as possible and shall require little or no attention for proper operation. Each stormwater storage area shall be provided with a method of emergency overflow in the event that a storm in excess of the 100-year frequency storm occurs. This emergency overflow facility shall be designed to function without attention and shall become part of the natural or surface channel system. Hydraulic calculations shall be submitted to the village engineer to substantiate all design features. Both outlet control structures and emergency overflow facilities shall be designed and constructed to fully protect the public health, safety, and welfare. Stormwater runoff velocities shall be kept at a minimum, and turbulent conditions at an outfall control structure will not be permitted without complete protection for the public safety. The use of restrictive fences shall be kept to a minimum and used only as a last resort when no other method is feasible.
- (2) Wet bottom stormwater storage areas shall be designed in accordance with all the requirements for dry bottom stormwater storage areas except that a low flow conduit and a system of drains with a positive gravity outlet shall be eliminated. However, the following additional conditions shall be complied with:
    - a. Water surface area shall not exceed ten percent of the tributary drainage area.
    - b. Shoreline protection shall be provided to prevent erosion from wave action.
    - c. Minimum normal water depth shall be four feet. If fish are to be used to keep the pond clean, a minimum of 25 percent of the pond area shall have a minimum depth of ten feet.
    - d. Facilities shall be available, if possible, to allow the pond level to be lowered by gravity flow for cleaning purposes and shoreline maintenance.
    - e. Control structures for stormwater release shall be designed to operate at full capacity with only a minor increase in the water surface level. Hydraulic calculations shall be submitted to the village engineer to substantiate all design features.
    - f. Aeration facilities to prevent pond stagnation shall be provided. Design calculations to substantiate the effectiveness of these aeration facilities shall be submitted with final engineering plans. Agreements for the perpetual operation and maintenance of aeration facilities shall be prepared to the satisfaction of the village.
    - g. In the event that the water surface of the pond is to be raised for purposes of storing water for irrigation or in anticipation of the evapotranspiration demands of dry weather, the volume remaining for storage of

excess stormwater runoff shall still be sufficient to contain the 100-year storm runoff.

- (3) Paved surfaces that are to serve as stormwater storage areas shall have minimum grades of one percent and shall be restricted to storage depths of one foot maximum. If a portion of an area within a stormwater storage area is to be paved for parking or recreational purposes, the paved surface shall be placed at the highest elevation within the storage area as possible. Maximum parking lot grades shall not exceed normal design parameters of three percent to five percent.

(e) *Wetland identification.* Wetland delineations and impacts shall be permitted through the Lake County Stormwater Management Commission in accordance with the watershed development ordinance, as amended from time to time.

(f) *Groundwater recharge.* The ability to retain and maximize the groundwater recharge capacity of the area being developed is encouraged. Design of the stormwater runoff control system shall give consideration to providing groundwater recharge to compensate for the reduction in the percolation that occurs when the ground surface is paved and roofed over. Specific design calculations and details shall be provided with the final plans and specifications presented for village approval. The use of natural gravel deposits for the lower portions of storm runoff storage areas, the flattening of drainage slopes and the retention of existing topography are examples of possible recharge. (Ord. No. 68-12, pt. VI, § C.1—6, 6-3-1968; Ord. No. 91-61, 6-3-1991; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-477. Construction of stormwater control facilities.**

The construction of the stormwater control system shall be accomplished as part of the cost of land development. If the amount of storage capacity can be increased to provide benefit to the village, negotiations for public participation in the cost of development may be feasible. (Ord. No. 68-12, pt. VI, § C.7, 6-3-1968; Ord. No. 2007-17, § I, 3-5-2007)

**Sec. 70-478. Submittal of engineering design data.**

Plans, specifications and all calculations for stormwater runoff control as required hereunder shall be submitted to the village engineer for review and approval prior to the village's approval of a final plat in the case of subdivisions and planned unit developments, or issuance of a building permit in the case of commercial or industrial construction.

(Ord. No. 68-12, pt. VI, § C.8, 6-3-1968)

**Secs. 70-479—70-495. Reserved.**

DIVISION 4. WATER SUPPLY FACILITIES

**Sec. 70-496. Individual wells.**

(a) *Location.* Individual private wells shall be located at least 25 feet from property lines, 50 feet from septic tanks, 75 feet from soil absorption fields of trench-type construction, 100 feet from seepage pits, 25 feet from all cast iron sewer lines with mechanical or leaded joints, and 50 feet from cast iron sewer lines with unleaded joints, vertified tile lines with watertight joints or watertight sewers of other approved materials. Wells shall not be located within any area subject to flooding, unless proper protection is provided.

(b) *Construction.* Individual wells shall be constructed in accordance with the minimum requirements of the county health department. (Ord. No. 68-12, pt. VI, § D.1, 6-3-1968)

**Sec. 70-497. Public water supplies and distribution systems.**

(a) All subdivisions within the corporate limits of the village, and all other subdivisions with lots of less than one-half acre in area, shall have an interconnected water distribution system supplying all lots with water from a source approved by the village board of trustees and the state environmental protection agency. Where such a water supply is not provided in subdivisions with lots of one-half acre or more in area, outside the corporate limits of the village, conclusive evidence shall be presented by the subdivider, on the basis of

suitable tests and surveys, that an adequate underground water supply is readily available for development at the individual lots.

(b) Water mains shall be not less than six inches in diameter and shall be arranged so as to avoid dead ends. Shut-off valves shall be provided at each branch main connection and elsewhere as required to permit adequate sectionalizing for maintenance purposes. Fire hydrants shall be installed throughout the entire system at intervals not exceeding 400 feet. A house service connection shall be provided at the centerline of each lot, extending to within one foot of the property line, before roadway pavement is constructed. Materials, system arrangement, and details of design shall be subject to the approval of the village board of trustees.  
(Ord. No. 68-12, pt. VI, § D.2, 6-3-1968; Ord. No. 89-55, 5-1-1989)

**Secs. 70-498—70-515. Reserved.**

#### DIVISION 5. SEWAGE DISPOSAL FACILITIES

**Sec. 70-516. Individual sewage disposal facilities.**

Individual sewage disposal facilities shall be designed and constructed in accordance with the minimum standard as specified in the rules and regulations of the county health department.  
(Ord. No. 68-12, pt. VI, § E.1, 6-3-1968)

**Sec. 70-517. Community sewerage and sewage treatment facilities.**

Community sewerage and sewage treatment facilities shall be designed in accordance with the rules and regulations of the state environmental protection agency and subject to the approval of the village board of trustees and the North Shore Sanitary District. Plans, specifications, and construction work shall be subject to the approval and inspection of the state environmental protection agency, North Shore Sanitary District and the village.  
(Ord. No. 68-12, pt. VI, § E.2, 6-3-1968; Ord. No. 89-55, 5-1-1989)

**Secs. 70-518—70-540. Reserved.**

#### ARTICLE VII. EASEMENTS, RESERVATIONS AND VACATIONS

**Sec. 70-541. Dedications.**

(a) *Areas required to be dedicated.* The following areas are required to be dedicated:

- (1) All new streets created by subdivision and shown on plans/maps submitted for approval and recording shall be dedicated outright to the public.
- (2) Additional street widths shall be dedicated along existing thoroughfares where a width greater than that existing is called for by the comprehensive plan, official map, or by this chapter.
- (3) Crosswalks where required under section 70-258, or wherever else located, shall be dedicated.

(b) *Identification of dedications.* Areas to be dedicated shall be clearly identified on the plat as dedicated to the public.  
(Ord. No. 68-12, pt. VII, § A, 6-3-1968)

**Sec. 70-542. Easements.**

(a) *Areas to be shown as easements.* Areas to be shown as easements shall be as follows:

- (1) Public utilities, stormwater facilities and installations shall be located on suitable easements as required by the village.
- (2) Planting strips or buffers shall be located between reverse frontage lots and a thoroughfare, or between incompatible uses, or wherever required.

(b) *Identification of easements.* Easements shall be clearly identified on all plats; e.g., Drainage easement or utility easement.  
(Ord. No. 68-12, pt. VII, § B, 6-3-1968)

**Sec. 70-543. Reservations.**

(a) *Areas to be reserved.* Whenever the area being subdivided embraces all or part of any lands designated on the official map for a school, park, or other community facility, or any other public

use, all land so designated shall be shown on the preliminary plat as being dedicated or reserved for that proposed use, and it shall be reserved by the subdivider for a period of one year from the date of approval of the preliminary plat, during which time it shall be made available to the public agency concerned at the undeveloped acreage price, as determined by an appraisal acceptable to both parties.

(b) *Reservations and preliminary plats.*

- (1) Areas reserved shall be clearly identified on the preliminary plat as reserved in accordance with this chapter.
- (2) The preliminary plat shall also contain the proposals of the subdivider, as they might otherwise be platted, for the areas under reservation, to be applied in the event the land is not acquired by the public within the period of reservation.
- (3) Upon completion of the one year period of reservation, the preliminary plat shall remain a valid preliminary plat for the formerly reserved areas for a period of one year, subject to restrictions imposed by article III of this chapter.

(c) *Reservations and final plats.*

- (1) Where practicable, final plats shall not include areas reserved. The final plats should affect only that portion of the subdivider's land which is unrestricted by the reservations.
- (2) Where final plats must include areas reserved, such areas shall be clearly identified as reserved in accordance with this chapter and shall not contain any proposals of the developer.
- (3) Final plats may be submitted for reserved land unacquired by the public at the close of the one year period. Such plats will be considered additional units of the subdivisions for which initial final plats were recorded.

(d) *Reversion.* If the appropriate public agency having jurisdiction has not within one year of the approval of the preliminary plat, acquired the site reserved for a public use, the subdivider shall

regain full and unencumbered title to such site, and may use it in any way, and for any purpose, permitted by the applicable regulations then in effect.

(Ord. No. 68-12, pt. VII, § C, 6-3-1968)

**Sec. 70-544. Right of refusal.**

The number, size, and location of dedications and easements shall be subject to approval, and the plan commission shall ascertain that the proposed sites are suitable for the proposed uses. The public retains the right to refuse any and all dedications.

(Ord. No. 68-12, pt. VII, § D, 6-3-1968)

**Sec. 70-545. Vacations.**

(a) Vacation of any plat or part thereof shall not be granted as a right. The village board may grant the vacation of any plat or part thereof by request of the owner of the tract, at any time before the sale of any lot therein, by a written vacation instrument to which a copy of the plat is attached. The vacation instrument shall be approved by the board, the county engineer, the highway commissioner of the appropriate township, the district engineer of the state department of transportation, and the public utilities in the same manner as plats of subdivision. In the case of the platted tracts wherein any lots have been sold, the written vacation instrument must also be signed by all the owners of lots in those tracts. Procedure in all cases, except in cases of consolidation of parcels under section 70-546, the vacation of any plat, or part thereof, or any public right-of-way, easement, or part thereof, shall follow the procedure for the review of plats established in this chapter regulations except that:

- (1) Final action shall be taken by the village board.
- (2) The plat officer shall recommend to the village board a sum to be paid by the owner(s) of abutting properties in consideration of any public property involved in the vacation.

(b) *Standards.* The plat officer and the other administrative officers shall recommend disapproval of any petition for vacation which fails to meet the following standards:

- (1) No vacation shall be approved which creates a condition which would not be per-

mitted under the standards of design set forth in this chapter unless such vacation will at the same time correct a more serious condition which exists contrary to the standards of this chapter.

- (2) No vacation shall be approved which will result in a conflict with the official map of the village.
- (3) No vacation shall be approved which will result in a violation of the village zoning ordinance or other applicable ordinances or regulations, unless such vacation will at the same time correct a more serious condition which exists contrary to such ordinances or regulations.

(c) *Petition form and content.* The sketch and preliminary plat of vacation shall be accompanied by a certified statement of the assessed valuation of all properties surrounding any public right-of-way to be vacated. Final petitions for vacation shall include the following items:

- (1) Three copies of the original plat certified by the recorder to be a true copy of the plat, on which is shown the portion to be vacated outlined in a heavy line and hatched;
- (2) The following deeds, petitions, and certificates, all drafted from models obtainable from the plat officer:
  - a. Deed of vacation.
  - b. Petition, three copies.
  - c. County clerk's certificate.
  - d. Resolution.
  - e. Assessor's certificate.
- (3) The petition as it is presented to the village board to be accompanied by a recommendation from the plat officer.

(d) *Easements.* The vacation of any plat, or part thereof, or right-of-way, easement, or part thereof, shall not be deemed to be a vacation of the rights of any public utility where such public utility has installed its facilities therein. All such vacations shall be made upon the express condition that the abutting property owner grant to all public utilities, their successors and assigns, the

right-of-way or easement to operate, maintain, renew, and reconstruct their facilities, over, or under the public right-of-way or easement vacated and such condition shall be noted on the deed or plat of vacation and in the ordinance or resolution of vacation.

(e) *Bonds.* The village may require the petitioner to furnish bond in an amount sufficient to protect the village, indemnifying it for any suit which may be filed for damages sustained as a result of such vacation.

(f) *Limitation.* Nothing contained in this section, nor any required certificate, shall be deemed in any way to limit the right and authority of the village to vacate any plat or part thereof, or any right-of-way or easement or part thereof where it finds that such vacation will serve the public interest.

(g) *Resubdivision in lieu of vacation.* It shall not be necessary to vacate a plat or part thereof in order to proceed with a resubdivision of such plat or part thereof. Resubdivision according to the procedures and standards for subdivision required by the subdivision regulations shall automatically constitute vacation of a prior plat or part thereof, provided that monetary remuneration shall be paid to the village in consideration of any excess public property vacated over that dedicated in the subdivision.

(h) *Cancellation of bonded contracts.* Bonded contract for the improvement of platted streets or alleys shall be automatically cancelled upon vacation of such platted streets or alleys. (Ord. No. 68-12, pt. VII, § E, 6-3-1968; Ord. No. 2004-18, § I, 4-12-2004; Ord. No. 2007-17, § I, 3-5-2007)

#### **Sec. 70-546. Consolidation of parcels.**

(a) *Consolidation.* There is one required step in the consolidation process: review, approval and execution of a written vacation or covenant instrument, in accordance with subsection (c) below. The community and development director shall be authorized to require the submittal of any information otherwise required for a subdivision process and shall be authorized to impose any

additional requirements of article VII. The community development director shall have the final decision making authority on consolidations.

(b) *Consolidation of parcels.* A consolidation of parcels shall be required in the following instances when it is necessary to use or maintain the use of any contiguous nonconforming recorded parcel(s) held in common ownership:

- (1) For construction of a new principal structure, for construction of an addition to an existing structure, or for construction of an accessory structure on the same parcel on which the principal structure exists that will not meet the setback requirement from the common parcel line.
- (2) For construction of more than one accessory residential building or for construction of an accessory residential building larger than 576 square feet in size or the placement of a new septic system or an addition to an existing septic system.
- (3) For construction of any new nonresidential accessory building.
- (4) For receipt of any required building permits from the village for an activity to take place upon all or a portion of the parcels, except for receipt of maintenance and repair permits.
- (5) Construction of accessory structures such as fences, decks, porches, gazebos, sheds and pools may be exempted from the consolidation requirement. They must meet all other applicable zoning requirements.

(c) *Required method of consolidation.* The following methods shall be used for consolidation under this section 70-546:

- (1) *Partial plat vacation.* A consolidation of parcels through plat vacation refers to any required consolidation within the boundaries of a platted subdivision. A consolidation of parcels through partial plat vacation shall require the recording of a written vacation instrument consistent with sections 6 and 7 of the Illinois Plat Act, 765 ILCS 205/6 and 765 ILCS 205/7. Forms for this instrument are avail-

able from the community development department. Through such recorded vacation instrument, the parcels shall be combined. The community director shall have the authority to approve a consolidation of parcels through plat vacation as contemplated in this section and to execute the written vacation instrument on behalf of the village.

- (2) *Covenant.* A consolidation of parcels through covenant refers to any required consolidation of metes and bounds parcels, not within the boundaries of a platted subdivision, or the consolidation of one or more metes and bounds parcels with a parcel, located within the boundaries of a platted subdivision, that has been vacated through a written vacation instrument in accordance with subsection (1), above. A consolidation by covenant shall be executed through a signed, notarized and recorded covenant on forms available from the community development department. Through such covenant, the applicant shall agree that all parcels comprising the consolidation of parcels shall remain in common ownership in perpetuity, and shall henceforth be considered one zoning lot for development purposes. Such covenant would be binding on the applicant's successors and assigns. The community development director shall have the authority to approve a consolidation through covenant as contemplated in this subsection and to execute the written covenant instrument on behalf of the village.

- (d) *Public and private rights not affected.* Nothing in this section 70-545, shall abridge or destroy any public rights in any streets, alleys, public highways, or public grounds; nor shall anything herein be interpreted as abridging or destroying any covenants, conditions, restrictions, reservations, rights or privileges of the other properties or parties holding any legal interest in, under, or through the terms of the plat.  
(Ord. No. 2004-18, § II, 4-12-2004)

**Sec. 70-547. Fees.**

The community development director shall establish from time-to-time a reasonable and appropriate filing and processing fee schedule which shall be charged each applicant for consolidation by plat or covenant; such fee schedule shall include all costs of recording instruments with the office of the Lake County Recorder. (Ord. No. 2004-18, § III, 4-12-2004)

**APPENDIX A. CERTIFICATES**

To entitle a final plat to be entered in the proper record books in the office of county recorder of deeds, the following properly executed certificates shall accompany it. These certificates shall be lettered or printed legibly with durable ink, or typed on the face of the plat.

**OWNER CERTIFICATE**

STATE OF ILLINOIS)

COUNTY OF LAKE) SS

This is to certify that the undersigned is the owner of the land described in the accompanying plat, and that he has caused the same to be surveyed and subdivided, as indicated thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

I hereby dictate for public use the lands shown on this plat for streets, alleys, and other thoroughfares and hereby also reserve for the AT&T Telephone Company, North Shore Gas Company, and ComEd the easement provisions which are stated on their standard form.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ AD 20 \_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
(address)

**NOTARY CERTIFICATE**

STATE OF ILLINOIS)

COUNTY OF LAKE) SS

I, \_\_\_\_\_, a Notary Public in and for said County, in the state aforesaid, do hereby certify that \_\_\_\_\_ personally known to me to be the same persons whose name are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledged that they signed the plat as their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal,

Dated this \_\_\_\_\_ day of \_\_\_\_\_ AD 20 \_\_\_\_.

(Seal) \_\_\_\_\_  
Notary Public

**SURVEYOR CERTIFICATE**

STATE OF ILLINOIS)

COUNTY OF LAKE) SS

I \_\_\_\_\_, a Registered Illinois Land Surveyor, do hereby certify that I have surveyed, subdivided and staked the premises described in the above caption, that the property hereon shown and described is within the corporate limits of the Village of Gurnee, and that I have monumented the corners of the lots shown hereon and all points of curvature and points of tangency with iron pins, and that the plat hereon drawn is a true and correct representation of the survey and staking. All dimensions shown hereon are in feet and decimals thereof.

Dated at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ AD 20 \_\_\_\_.

(Seal) \_\_\_\_\_  
Registered Illinois Land Surveyor

**COUNTY CLERK CERTIFICATE**

STATE OF ILLINOIS)

COUNTY OF LAKE) SS

I, \_\_\_\_\_, County clerk of Lake County, Illinois, do hereby certify that there are

no delinquent general taxes, no unpaid forfeited taxes and no redeemable tax sales against any of the land included in the annexed plat.

I further certify that I have received all statutory fees in connection with the annexed plat.

Given under my hand and seal of the County Clerk,

Dated this \_\_\_\_\_ day of \_\_\_\_\_ AD 20\_\_.

(Seal) \_\_\_\_\_  
County Clerk

VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) SS

I, \_\_\_\_\_, Village Clerk for the Village of Gurnee, do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have been apportioned against the tract of land included in the annexed plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, AD 20\_\_.

(Seal) \_\_\_\_\_  
Village Clerk Village of Gurnee

VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) SS

Approved by the President and Board of Trustees of the Village of Gurnee, Lake County, Illinois at a meeting,

held this \_\_\_\_\_ day of \_\_\_\_\_ AD 20\_\_.

(Seal) \_\_\_\_\_  
Village President  
\_\_\_\_\_  
Village Clerk

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) SS

Approved by the Plan Commission of the Village of Gurnee, Lake County, Illinois at a meeting.

Held this \_\_\_\_\_ day of \_\_\_\_\_ AD 20\_\_.

Signed \_\_\_\_\_  
Chairman  
Attest \_\_\_\_\_  
Secretary

VILLAGE ENGINEER/PLAT OFFICER CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) SS

I, \_\_\_\_\_, Village Plat Officer/Engineer of the Village of Gurnee, do hereby certify that all provisions pertaining to the Gurnee Subdivision Ordinance, insofar as they pertain to the accompanying plat, have been satisfactorily complied with.

Attested to this \_\_\_ day of \_\_\_\_\_, AD 20\_\_.

\_\_\_\_\_  
Village Plat Officer/Engineer  
Village of Gurnee

FEDERAL EMERGENCY MANAGEMENT AGENCY INSURANCE STATEMENT

I, \_\_\_\_\_ hereby certify that the property shown hereon is (not) in the floodplain as per community panel no. \_\_\_\_\_ dated \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ AD 20\_\_.

\_\_\_\_\_  
Illinois Registered  
Land Surveyor

LAKE COUNTY HIGHWAY SIGNATURE  
CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) SS

This plat is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_ by the County Engineer of Lake County pursuant to Chapter 765, Act 205, Section 2 of the Illinois Compiled Statutes, as amended, as to roadway access to County Highway \_\_\_\_\_ also known as \_\_\_\_\_. Direct access either to or from County Highway \_\_\_\_\_ shall be restricted as shown on this plat and shall be subject to the Lake County Highway Access Regulation Ordinance which requires, in part, that application be made and an access permit be obtained from the County Engineer of Lake County prior to any access installation.

\_\_\_\_\_  
Lake County Superintendent of  
Highways

LAKE COUNTY HEALTH DEPARTMENT  
CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) SS

I, \_\_\_\_\_, hereby certify that the lands described on the above plat of subdivision can be serviced by an individual sewage disposal system.

Approved to this \_\_\_\_\_ day of \_\_\_\_\_, AD 20\_\_.

\_\_\_\_\_  
Director, Lake County Health  
Department

ILLINOIS DEPARTMENT OF  
TRANSPORTATION CERTIFICATE

This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to ILL. Rev. Stat. 1987, ch. 109, par. 2. However, a Highway Permit for access is required by the owner of the property. A plan

that meets requirements contained in the Department's "Policy on Permits for Access Driveways to State Highways" will be required by the Department.

\_\_\_\_\_  
District Engineer

PLAT SUBMITTAL CERTIFICATE

This Plat submitted for recording by:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
(Ord. No. 89-55, 5-1-1989; Ord. No. 2007-17, § I, 3-5-2007)

**APPENDIX B-1. FUNCTIONAL GROUPING OF STREETS AND ROADWAYS**

<i>Classification</i>	<i>Comments</i>
1. <u>Regional Arterial</u> I-94 U.S. 41 IL 120	
2. <u>Major Arterial</u> IL 132 Washington Street IL 21 Delany Road	Frontage Roads near I-94  North of U.S. 41
3. <u>Minor Arterial</u> Hutchings Road Cemetery Road Delany Road Dilley's Road Gages Lake Road Grand Avenue Grandville Avenue Tri-State Parkway Northwestern Avenue O'Plaine Road Stearns School Road Hunt Club Road Sunset Avenue	South of U.S. 41 North of IL 132    U.S. 41 to Northwestern
4. <u>Collector</u> Belle Plaine Blackstone Avenue  First Street Grandville Avenue Greenleaf Street Heather Ridge Drive Kilbourne Road Lawson Boulevard Leonard Drive Manchester Drive Waveland Avenue Southridge Drive Pauly Drive	North of Woodlawn First to Greenleaf (initial) U.S. 41 to O'Plaine (ultimate) IL 132 to Blackstone Waveland to Northwestern South of IL 132  May upgrade to Minor Arterial Limit access near IL 132  IL 132 to Grandville  Lawson to Pinewood
5. <u>Local</u> Not listed above (Ord. No. 91-61, 6-3-1991)	

**APPENDIX C. DIGITAL SUBMITTAL REQUIREMENTS**

**1.0. Purpose.**

The Village of Gurnee digital submission requirements specifies the format of all digital data submitted in accordance with the Village of Gurnee subdivision ordinance which calls for plats and plans submitted for new subdivisions to be compatible with the village's geographic information system (GIS). It is the intent of these requirements to:

- 1) Assist in the implementation of the village's GIS through the inclusion of new developments/subdivisions requiring building permits and other services related to the associated public improvements made to the new subdivision/development.
- 2) To provide data that meets accuracy standards required for new parcels and infrastructure improvements consistent with the village's geodetic control network.
- 3) To provide information necessary to maintain the computer aided dispatch system for emergency 911 calls (future).

**2.0. Geodetic control.**

The Village of Gurnee will make available all Geodetic Control information to be used for survey purposes. All coordinate values for these survey points shall be in Illinois State Plane System using the North American Datum (NAD83), Illinois East Zone 1201. All measurements shall be in US Survey Feet. For more documentation, including station descriptions, of the Village's Geodetic Control network, click on the Survey Monuments link under the Engineering Department section of the Village of Gurnee website (<http://www.gurnee.il.us/engineering/index.html>) or request this report in writing from the Village of Gurnee Engineering Department.

The surveyor or engineer preparing the plans shall tie the boundary into at least two of the above mentioned survey control network. Positional accuracy of any digital submittal should be +/- 3 ft. The basis of bearing for the plans must be in NAD83 coordinate system.

**3.0. Data formats.**

In addition to the final plats, plans, and as-built drawings submitted in hard copy format, a digital data file shall be provided to the Village in one of the following formats:

- DGN (Microstation design file)
- DXF (AutoCAD drawing exchange file)
- DWG (AutoCAD drawing file)

All digital files must be mapped to scale and submitted to the Village on 3.5" floppy disk, CD-ROM, or via e-mail.

**4.0. Data layering requirements.**

In order to evaluate the accuracy and promote the efficient use of the data in the village's GIS, digital file layering has been standardized. The digital data shall use the following layering scheme:

<i>Digital Data Layering Scheme</i>		
<i>Level / Layer Name</i>	<i>Description</i>	<i>Level / Layer</i>
BNDRY	Plat and Condo Boundary Lines	1
ROW	Plat and Condo ROW Lines	2
LOTLNS	Plat and Condo Lot Lines	3
EASMNT	Utility and Drainage Easements	4
SETBCK	Building Setbacks	5
RDNAMES	Road Names	6
DIMNS	Plat and Condo Dimensions	7
CNTERLINE	Street Centerline	8
RDEDGE	Road Edge	9
CRBEDGE	Curb Edge	10
DRVWAY	Driveways	11
SIDEWALK	Sidewalks	12
BLDGS	Building Footprints (theoretical)	13
<i>Water System</i>		
WATMN	Water Mains	14
WVV	Water Valve Vaults	15
WVBX	Water Valve Boxes	16
HYD	Hydrants	17
BBX	Buffalo Boxes	18
WATSVC	Water Services	19
<i>Sanitary Sewer</i>		
SANMN	Sanitary Sewer Mains	20

<i>Digital Data Layering Scheme</i>		
<i>Level / Layer Name</i>	<i>Description</i>	<i>Level / Layer</i>
FORC	Sanitary Force Mains	21
SANMH	Sanitary Man-holes	22
SANS	Sanitary Services	23
<i>Storm Sewer</i>		
STMMN	Storm Sewer Mains	24
STMLAT	Storm Sewer feeder lines	25
STMPOND	Storm water storage facilities	26
STMH	Storm Water manholes	27
STMINL	Storm Water Inlets	28
STMCB	Storm Water Catch Basins	29

- 1) *Annotation.* Annotation submitted digitally must be identical to the annotation submitted on the mylar hardcopy filed with the Village of Gurnee. All other miscellaneous annotation and information, such as north arrow and scale, shall be put on a level greater than 29.
- 2) *Private utilities.* Private utilities such as gas, phone service, electric, etc., will be accepted for any development but shall be clearly labeled and put on a level greater than 29.

**5.0. Adjustments to these requirements.**

The village engineer may waive or adjust requirements specified herein upon a finding that the strict adherence of the requirements does not apply or is contrary to the long-term maintenance of the Geographic Information System of the Village of Gurnee.

(Ord. No. 2002-32, § V, 4-15-2002; Ord. No. 2007-17, § I, 3-5-2007)