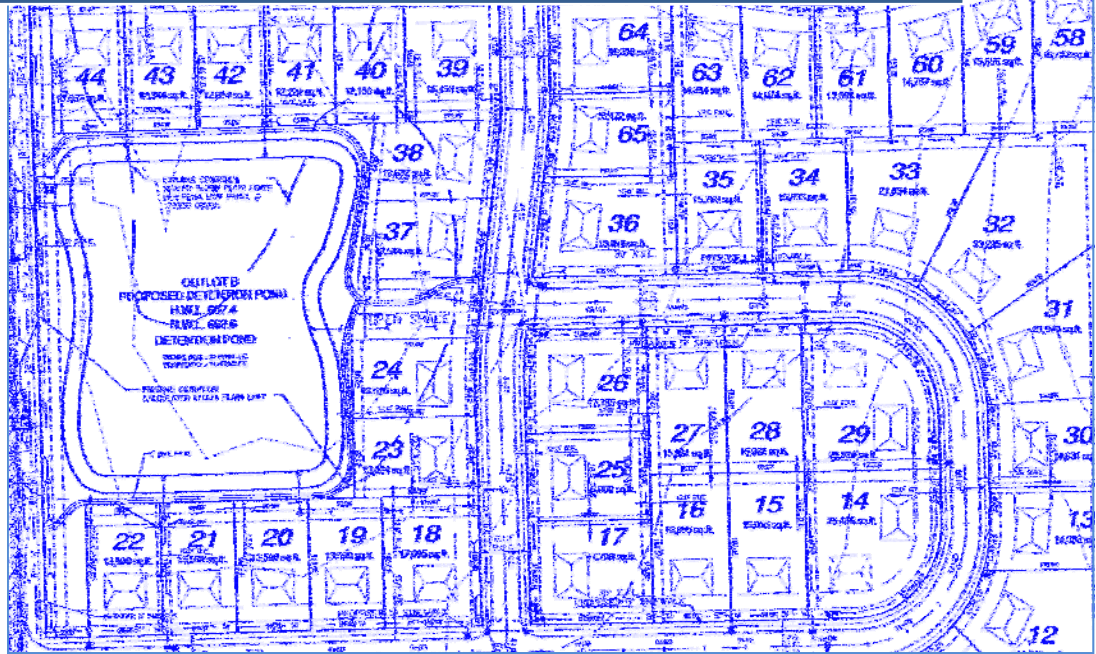


Kankakee County Code *Chapter 117 - Subdivisions*



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Kankakee County

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Chapter 117

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ARTICLE I.

IN GENERAL

Sec. 117-1. 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 dedicated and improved roadway intended to provide supplementary public access to the rear or side of a lot.

Building and zoning department means the county building and zoning division of the county planning department.

Cable television (CATV) company a person, firm or corporation who has obtained a franchise from the appropriate unit of local government to provide television signals for public use via permanently installed coaxial cable.

County means the County of Kankakee, Illinois.

County Board means the elected, legislative body of Kankakee County, Illinois.

County Clerk means the County Clerk of Kankakee County, Illinois.

County engineer means the appointed director of the county highway department.

County Engineering Services means County employed engineering staff charged with reviewing subdivision plans and performing subdivision inspections in accordance with Kankakee County Subdivision Regulations and other applicable regulations.

County recorder means the recorder of deeds of the county.

Developer means any person commencing proceedings under this ordinance for himself or for another.

Easement means a grant by property owner of the specific use of said land to the public generally, or to a person.

Final Engineering Plans and Specifications means the maps, plans, details, and written specifications containing explanation for construction of the proposed subdivision improvements in accordance with standard engineering and/or architectural practices.

Health Department means the county department of health.

Highway commissioner means the elected or appointed head of the local political township road district.

Highway Department means the county highway department.

IDOT means the state department of transportation.

Lot means a portion of a subdivision or other parcel of land intended for transfer or ownership for building development.

Natural Resources Conservation Service means a division of the United States Department of Agriculture which provides technical assistance in soil-related matters to individuals, units of government, etc., through the local Soil and Water Conservation District Office.

Owner means any individual, firm, association, partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this resolution.

Pedestrian way means a right-of-way across or within a block for use by pedestrian traffic, whether designated as a pedestrian way, crosswalk, or otherwise designated.

Planning Department means the county department of planning.

Planning, Zoning, and Agriculture (PZA) Committee means the Planning, Zoning, and Agriculture Committee of the Kankakee County board designated to review and make recommendation on subdivision plats.

Plat Act means an act to revise the law in relation to plats, approved March 21, 1874, as amended (765 ILCS 205/1 et seq.).

Plat, final, means the final map, drawing or chart on which the subdividers' plan of subdivision is presented to the county board for approval and which, if approved, will be submitted to the county recorder of deeds for recording.

Plat officer means the designated plat enforcement officer of the county.

Plat, preliminary means a map or drawing showing the layout and location of a subdivision of land and the boundaries of individual parcels along with any new and/or existing streets, alleys and easements. A preliminary plat shall show the entire subdivision and indicate any phasing or future additions desired by the subdivider.

Protective covenants means contracts entered into between private parties and constitute restrictions of all private property within the subdivision for the benefit of property owners against the lessening of property values.

Regional superintendent of schools means the elected Kankakee/Iroquois Regional Superintendent of Schools.

Registered professional engineer means an engineer who is licensed to practice professional engineering by the state, or who is allowed to practice.

Setback means a minimum required area as specified in the applicable provisions of the respective zoning districts contained in the zoning ordinance, within which no building or parts of buildings shall be erected, altered or maintained.

Severe soil means soil materials that have been disturbed and/or have natural limitations extensive enough to require alternative systems or are perhaps so limited as to preclude the practicality of on-site wastewater treatment.

Sketch plan means a graphic exhibit that shows basic resource features, proposed lot divisions, roadway layout and general drainage features of a proposed subdivision. The purpose of the sketch plan is to explore alternative subdivision arrangements prior to investing time and money on detailed drawings of an arrangement that may not be acceptable.

State's attorney means the elected or appointed state's attorney of the county.

Street means the right-of-way, public or private, which affords primary means of access by pedestrians and vehicles to abutting properties whether designated as a street, avenue, highway, road, boulevard, lane or however otherwise designated.

Street, arterial, means any street whose primary purpose is to carry high volumes of traffic, with trip lengths generally over one mile.

Street, collector (major and minor), means those streets designed for collecting and distributing medium to low volumes of traffic between arterial and local streets. All collector streets are those which are depicted on the most current printing of the U.S. Department of Transportation Five Year Classification Map for Kankakee County, Illinois, as amended.

Street, cul-de-sac, means a minor street with a single common ingress and egress and with a turnaround at the end.

Street, half, means a street bordering one or more property lines of a tract of land in which the developer has allocated herein part of the ultimate right-of-way width in accordance with the requirements as set forth.

Street, local, means those streets whose primary purpose is to provide access to abutting property. All local streets are those depicted on the most current printing of the U.S. Department of Transportation Five Year Classification Map for Kankakee County, Illinois, as amended.

Street, private, means an indicated street that is privately owned and maintained.

Subdivider means any person commencing proceedings under this ordinance for himself or for another.

Subdivision means the division of a parcel of land into two or more parts any of which part is less than five acres for the purpose of transfer of ownership or possession for building development or if a new street is involved, any division of land. The term "subdivision" includes any division of land which attempts to avoid the requirements of this resolution. Where appropriate to the content, the term "subdivision" shall relate to the process of subdivision or to the land subdivided and shall include re-subdivisions.

Subdivision, Conservation Design means that conservation subdivisions are different from conventional residential developments in that they concentrate residences and other development on only a portion of the site, leaving a large area undeveloped, and permanently set aside as parks, open space or farmland. Conservation subdivisions will include the same number of housing units as if the sites were developed as conventional subdivisions. Conservation Design Subdivisions shall avoid marginal areas and preserve natural resources.

Subdivision, country, means any subdivision located outside 1 1/2 miles of the corporate limits of a city or village, other than those defined herein.

Subdivision, design standards, means the guides, principles, and specifications for the preparation of subdivision plans indicating among other things the minimum and maximum dimensions of the various elements set forth in the preliminary plat.

Subdivision, exempt means a division of land which may be ordered or approved by court or affected as may be specifically exempted here from by state statutes now in effect or as hereinafter amended.

Subdivision, minor means a division of a parcel of land, containing not more than four lots, for the purpose of transfer of ownership or possession or building development and not involving any new streets, roads or extensions of municipal facilities and not adversely affecting the development of the remainder of the parcel or the adjoining property and not in conflict with any provisions of the applicable comprehensive plan, zoning ordinance or subdivision control ordinance or regulation, or official map relating thereto.

Subdivision, urban means a subdivision, where any portion of which is within 1-1/2 miles of the corporate limits of a city or village, and subdivisions containing multi-family dwelling units or any subdivision within 1,000 feet of an existing sewer and/or water main.

Suitable soil means undisturbed soil materials as determined by on-site comprehensive soil survey that can support a conventional private sewage disposal system, where at least the lower portion of the soil absorption part of the system can be installed in original, un-

compacted soils. Another term having the same meaning for purposes of this chapter can be "noncritical soils."

Utility company means a person, firm or corporation who owns, controls, operates or manages any equipment, plant or property furnishing telephone, cable, electric, light, heat, power, water, sewerage, gas (by pipeline) or similar service for public use.

Vacation of Plat means the removal or "vacation" of all or part of an approved and recorded subdivision plat.

Variance means permission to depart from the requirements of the subdivision regulations.

Zoning Ordinance means the county zoning ordinance, adopted May 14, 1996, as amended.

(Code 1981, § 17-11; Res. No. 97-4-8-058, exh. A, 4-8-1997; Res. No. 00-05-09-00-080, § I, 5-9-2000)

Sec. 117-2. Short title.

This chapter shall be known and may be cited as the "**Subdivision Rules and Regulations of Kankakee County, Illinois.**"

(Code 1981, § 17-1; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-3. Purpose and intent.

This chapter is adopted for the following purposes:

- (1) To protect and provide for the public health, safety, and general welfare of the county.
- (2) To guide the future growth and development of the county in accordance with the planning and development policies, generalized land use plan of the county, and in accordance with local plans and policies.
- (3) To provide the most beneficial relationship between the uses of land and buildings and the safe circulation of traffic throughout the county, having particular regard to the avoidance of congestion and hazards in the roadways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of roads and building lines.
- (4) To assure the development of land for the highest possible use with all the necessary protection against deterioration and obsolescence which would adversely affect the living environment or tax base.
- (5) To establish reasonable standards of design and procedures for subdivisions and resubdivisions; to further the orderly layout and use of land and to ensure proper legal descriptions and monumenting of subdivided land.

- (6) To encourage development which is compatible with the natural features of a particular site.

(Code 1981, § 17-2; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-4. Authority.

This chapter is adopted pursuant to the authority delegated to the county under 55 ILCS and 765 ILCS.

(Code 1981, § 17-3; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-5. Jurisdiction.

This chapter shall apply to any subdivision of land made within the borders of the county which does not fall within any city, village, or incorporated town, as provided by the state compiled statutes.

(Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-6. Enforcement and penalties.

No owner or agent of the owner of any land located in a proposed subdivision shall transfer, sell, lease or offer for sale or lease any such land before a final plat of such subdivision has been approved in accordance with the provisions of this chapter and recorded. Whoever shall sell or lease, or offer for sale or lease, any lot or block in any subdivision before complying with all of the requirements of these regulations, shall be subject to a fine of \$25.00 for each lot so disposed of or offered. Each day that sales or leasing, or offers to sell or lease, continue in violation of these regulations shall constitute a separate offense, subject to the above penalty.

(Code 1981, § 17-6; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-7. Interpretation.

The provisions of this ordinance shall be interpreted to be the minimum requirements for the promotion and effectuation of the purposes set forth. Nothing herein shall repeal, abrogate, annul or in any way interfere with any provision of law or any rules or regulations other than subdivision regulations adopted or issued pursuant to laws relating to subdivisions or development of land. Where this resolution imposes more restrictive requirements than one imposed or required by provision of laws, rules, regulations, covenants, or agreements, the provisions of this chapter shall control, but nothing herein shall interfere with, abrogate, or annul any easements, covenants, deed restrictions, or agreements between parties which impose more restrictive requirements than those imposed by this chapter.

(Code 1981, § 17-7; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-8. Approval required before recording.

No plat of any subdivision shall be entitled to record in the recorder of deeds office or have any validity until it shall have been approved in the manner prescribed by this ordinance.

(Code 1981, § 17-61; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-9. Construction and inspection.

1. Inspections of the subdivision are required during the course of construction by the Plat Officer or his/her representative and, in the case of right-of-way improvements, the appropriate road authority. Required inspections are as follows:
 - a. An inspection must be performed on any underground improvements prior to backfill and covering. Failure to obtain an inspection may result in the developer being required to re-excavate the improvements so that an inspection can be performed. The cost of any re-excavation work will be the sole responsibility of the developer.
 - b. An inspection must be performed on all drainage improvements prior to final cover.
 - c. An inspection must be performed on all right-of-way and road improvements prior to the final top course of bituminous asphalt.
 - d. A final inspection of the subdivision must be performed prior to the County's release of the Construction Guarantee. When the improvements are complete, the developer shall notify the Plan Officer in writing. The Plat Officers shall schedule a meeting with the developer, County engineer, and Township Road Commissioner (if applicable), at the site to complete a final inspection of the improvements.
2. The Plat Officer and the appropriate road authority shall be notified of the need for an inspection at least seven (7) working days prior to the need for the inspection.
3. Any work without proper inspection will not be accepted. No funds shall be released from the Construction Guarantee unless the improvements covered by the Construction Guarantee have been inspected by representatives of the Plat Officer and the appropriate road authority.
4. Construction of all improvements required by this Ordinance must be completed within two (2) years from the date of approval of the preliminary plat unless good cause can be shown for the granting of an extension. Extensions to the two (2) year building requirement must be granted by the County Board. Phasing of large subdivisions is encouraged so that projects can be completed in two (2) years from the date of preliminary plat approval. When subdivisions are phased, each phase shall be built within two (2) years of the approval of its respective preliminary plat.

5. Building permits for all structures will not be issued until all improvements are completed and operable or a construction guarantee has been submitted to the County (See Section 117-71), with the exception of the final top course of bituminous asphalt if a two (2) layer construction is used. This final top course must be completed prior to acceptance of the subdivision.
6. The subdivider shall be required to maintain all improvements, keep all public ways, sewers, and drains free from debris and trash, install and maintain appropriate erosion control measures, and provide for snow removal on all roadways within the subdivision until final acceptance of said improvements by the appropriated authority.
7. The subdivider is required to provide snow removal on all roadways within the subdivision until acceptance of improvements by the appropriate road authority. However, if the subdivider does not promptly remove snow, the road authority may remove the snow itself or hire a local snow removal company to clear the snow. All costs associated with this provision shall be submitted to the developer for payment. If the subdivider chooses not to pay this invoice, the Construction Guarantee may be utilized to pay this invoice. Snow removal performed by the road authority or private vendors on its behalf shall not constitute acceptance of the roadway or its improvements in any way.
8. The final lift of bituminous shall be installed in the same construction season as the bituminous binder course.

Sec. 117-10 – Dedication of School Site (Impact Fee)

The development must comply with all regulations contained in Chapter 113, Article II, Dedication of School Sites or Payment of Impact Fee in Lieu Thereof, and Chapter 113, Article III, School Facilities Fee for New Final Plats of Subdivision, Planned Unit Developments, Single-family Residences, and Conditional Use Permits of the Kankakee County Code.

Sec. 117-11 Notice to Adjoining Property Owners

Notice shall be given to all adjoining property owners for all new subdivisions, extensions of existing subdivisions and the vacation of any plat or part of a plat outlined as follows:

The applicant shall give due notice by personal service or by certified mail, return receipt requested, within 10 days of the official filing of the preliminary plat to the property owners, as appear on the tax records of Kankakee County, of all property adjacent to, or across from, in each direction of the location for which the application is requested and to such property owners as may be designated by the Plat Officer. Public roads, streets, alleys and other public ways shall be excluded in determining whether property is adjacent to or across from the subject property. Railroads shall be considered public ways for purposes of this section. Notice need not be sent to property owners across State and county boundary lines. Notice does need to be sent to owners across a river from the subject premises. Such notice shall state the name and address of the subdivider, the name and address of the owner of the property, and a brief statement describing the proposed subdivision or vacation of plat.

A complete verified list of property owners required to be served shall accompany the application for preliminary plat. Proof of mailings or service must be received by the Plat Officer prior to any action being taken by the Planning, Zoning and Agriculture Committee. The subdivider shall be responsible for paying the cost of the certified mailings or personal service per Section 17-5 of this Ordinance. A sample notice can be found as Appendix 8 of this ordinance.

(Code 1981, § 17-56; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Secs. 117-12 -117-36. Reserved.

ARTICLE II.

ADMINISTRATION

Sec. 117-37. Position created; responsibilities.

- (a) *Plat officer.* There is hereby created the position of plat officer who shall exercise the authority and have the responsibilities provided in this chapter. The planning director, or his designee, may act as the plat officer.
- (b) *Duties.* The plat officer shall administer the provisions of this chapter and in addition thereto and in furtherance of said authority, he/she shall:
 - (1) Maintain permanent and current records of this chapter, including amendments thereto.
 - (2) Receive and file all sketch plans, preliminary plats, final engineering plans and specifications, and final plats, and other submittals as required by this chapter.
 - (3) Forward copies of preliminary plats and engineering plans to other appropriate agencies for their recommendation and report.
 - (4) Receive and review all final plats, and check their compliance with the preliminary plat and this chapter.
 - (5) Make all other determinations required of him/her by the regulations herein.
 - (6) Select the independent engineer for review of subdivisions.
- (c) *County engineer.* The county engineer shall review with the plat officer all preliminary plats and make determinations concerning street and drainage design standards and engineering specifications as stipulated herein.
- (d) *Planning, Zoning, and Agriculture Committee.* This committee is the legislative plat review committee as appointed and designated by the county board.
- (e) *County board.* The county board shall make determination, from recommendations of the plat officer, county engineer, and the Planning, Zoning, and Agriculture committee of the county board having jurisdiction, as to the approval or denial of variances, preliminary plats and, final plats.

(Code 1981, § 17-12; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Secs. 117-38--117-62. Reserved.

ARTICLE III.

APPLICATION PROCESS

Sec. 117-63. Stages of subdivision plats.

All subdivision plats shall be processed in four stages leading to approval for recording except as noted below. The four stages are: pre-application conference; preliminary plat; final engineering plans and specifications; and final plat. In specific instances this process may be modified, i.e., planned unit developments, minor subdivisions.

(Code 1981, § 17-16; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-64. Pre-application conference.

The subdivider shall schedule a pre-application conference with the Plat Officer to review the proposed subdivision and to discuss zoning requirements, zoning variances, subdivision requirements, subdivision variances, storm water, sediment and erosion control issues and other pertinent regulations. The subdivision will be classified by the Plat Officer at this time.

(Code 1981, § 17-17; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-65. Preliminary plat.

- (a) After the pre-application conference the subdivider will submit to the Plat Officer three (3) copies of the preliminary plat, a letter of intent, a completed subdivision application (see Appendix 1), and the applicable fee per Section 17-5 of this Ordinance. See section 117-94 for detail as to the information required on the preliminary plat. Said preliminary plat shall be reviewed by the county for completeness. The Plat Officer shall notify the subdivider within thirty (30) working days of receiving the proposed plat of any necessary information that is not provided. (Res.#2007-01-09-13)

All subdivision variances deemed necessary by the subdivider's design professional must be included in the preliminary plat application at the time. Failure by the subdivider or his design professional to request subdivision variances at this time may delay action by the Board and ultimately delay approval of the subdivision. It is the sole responsibility of the subdivider and his/her design professional to determine if any subdivision variances will be required and to make the appropriate request. The approval of the preliminary plat shall not constitute acceptance of any variances unless said variances were explicitly approved by the County Board.

- (b) The preliminary plat shall be considered as officially filed after it has been examined by the plat officer and found to contain the information essential for proper review by the appropriate agencies and acceptance by the County Board. Lack of such information

shall be deemed cause for refusal of official filing. The plat officer shall notify the subdivider within thirty (30) working days of receiving the proposed plat of any necessary information that is not provided. Notice to adjoining property owners per Section 117-11 of this Ordinance shall be given upon the official filing of the preliminary plat.

- (c) Once the plat is found complete and acceptable by the plat officer, the developer shall submit twelve (12) complete copies of the preliminary plat at 1"=100' scale as outlined in Section 17-27 and one (1) copy at a scale that fits on 11x17 size paper.
- (d) The plat officer shall forward a copy of the preliminary plat by regular U.S. Mail or personal delivery to each of the following agencies within ten (10) working days of the plat's official filing.
 - (1) County highway department;
 - (2) IDOT district office, division of highways (when adjacent to State right-of-way);
 - (3) Township supervisor;
 - (4) Township highway commissioner;
 - (5) Local school district(s);
 - (6) Fire department;
 - (7) Municipalities located within one and a half miles of proposed development;
 - (8) County health department (when well and septic systems are proposed);
 - (9) County soil and water conservation;
 - (10) ETSB 911 coordinator;
 - (11) Kankakee River Valley airport authority;
 - (12) Local park district;
 - (13) County Engineering Services or Independent Illinois Registered Engineer.
 - (14) Any affected drainage district.
- (f) Each of the above named entities shall check the plat for compliance with appropriate provisions of this ordinance and other applicable rules and regulations and shall render

a written report within 45 days of receipt-to the plat officer. If such report is not received within 45 days of receipt, the committee shall assume that the agency charged with rendering the report has no objections or comments.

- (g) At the end of the 45 day review period the Plat Officer shall forward all review comments to the subdivider by mail or, if necessary, call a meeting of the review agencies and the subdivider to discuss comments and corrective actions. Following the meeting and/or the performance of any corrective actions by the subdivider, the Plat Officer shall notify the developer or his/her agent of the date of the Planning, Zoning, and Agriculture Committee meeting at which his plat will be considered. Such meeting shall be held only after all corrective actions required of the subdivider have been completed and all other applicable information has been obtained by the Plat Officer. In the event of a disagreement on the design or layout the final decision shall be rendered by the County Board. (*Note: Approval by the committee at this stage does not constitute acceptance of the subdivision*)
- (h) The developer-may proceed with the completion and submission of the final engineering plans and specifications upon receipt of a favorable decision by the County Board. No lots may be sold until the final plat is approved.
- (i) The County Board shall make the final decision on all preliminary plats and variances.

(Code 1981, § 17-18; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-66. Fees.

The preliminary plat shall be accompanied by a fee which shall be assessed according to section 18-1. These fees will be enforced each time a developer comes in with a preliminary subdivision plat whether it be an original subdivision or an addition to an existing subdivision.

(Code 1981, § 17-29; Res. No. 97-4-8-058, exh. A, 4-8-1997)

- (a) The fees for the subdivision process shall be as follows:
 - (1) Application for Minor Subdivision (Preliminary and Final Plat) - \$500 base fee plus \$40 per lot.
 - (2) Any Subdivision not minor or exempt - \$1200 plus \$40 per lot.
 - (3) Vacation of a plat or any part thereof - \$250.
- (b) Review of Plats and Final Engineering Plans and Specifications:

(Res. #2007-01-09-13)

The subdivider shall pay the County any and all reasonable engineering fees, costs, and expenses incurred by the County as a result of or in conjunction with reviewing the subdivider's project. Fees may be charged from the date the application is filed to the date of the project's completion and acceptance of all public improvements by the County and/or applicable entity.

Fees shall include, but are not limited to, all time associated with reviews, analysis, discussions, meetings, inspections, planning and other work or services performed on behalf of the County in conjunction with the project. The County's independent Illinois licensed engineer's fees shall be billed to the County. The County will then bill the subdivider for the independent Illinois licensed engineer's fees. Until all fees have been paid in full, no action shall be taken on any application or plat. No fee shall be refunded in any event or if the application is denied.

In the event the County does not have in-house engineering services, the Plat Officer shall select an independent Illinois licensed engineer, that has been pre-approved by the Planning Department, for the purpose of reviewing the plans, drawings and calculations for the subdivision, as well as, performing periodic site visits and field inspections to ensure compliance with approved plans and regulation.

These fees will be enforced each time a developer comes in with a preliminary subdivision plat whether it is an original subdivision or an addition to an existing subdivision.

Sec. 117-67. Final Engineering Plans and Specifications

- (a) Upon approval of the Preliminary Plat by the County Board, the developer may then submit the final engineering plans and specifications to the Plat Officer for review. These plans do not require further legislative action. The review and approval of these plans are administrative and will be reviewed by the County Planning Department, the County's engineering staff, the County Engineer, the appropriate Township Highway Commissioner and the appropriate municipal authority, if applicable. The County Plat Officer shall have final approval authority for all final engineering plans and specifications.
- (b) The initial review will be for a period not to exceed forty-five (45) days. Any discrepancies or deficiencies in the content or calculations of these plans must be addressed prior to final engineering plan and specifications approval. Any subsequent reviews necessitated by discrepancies or deficiencies will be performed on an as needed basis and within an appropriate time frame. Once the final plans and specifications are approved, the developer may proceed with construction of the planned improvements subject to securing all other required permits and approvals.
- (c) Any and all cost incurred by the County as a result of actions taken during this review period will be the responsibility of the developer / subdivider and the County will bill accordingly. This includes, but is not limited to, the expenses for an independent engineer's review.

Sec. 117-68. Final plat.

- (a) Approval of the preliminary plat by the County Board and the approval of the final engineering plans and specifications by the Plat Offices shall entitle the subdivider to final approval of the layout shown by such plat if the final plat:
 - (1) Conforms substantially to said plan;
 - (2) Meets all conditions of approval; and
 - (3) Complies with all applicable county ordinances and resolutions.
- (b) Upon completion of all improvements or the posting of a Construction Guarantee (see Section 17-24 of this Ordinance for Construction Guarantee requirements), payable to the county, in the amount of 110 percent of the cost to complete the improvements, the subdivider shall submit to the plat officer, within two (2) years of approval of the preliminary plat, three copies of the final plat.
- (c) The plat officer or his/her designee shall review the final plat to assure conformity with:
 - (1) The preliminary plat, as approved by the County Board and final engineering plans and specifications as approved by the County's engineering staff;
 - (2) The provisions of all pertinent laws, rules and regulations and particularly;
 - (3) The technical requirements of this resolution;
- (d) Where the plat has been found not to conform to the above, notice of the reasons for nonconformity shall be given the subdivider by the plat officer within 30 days of filing.
- (e) The subdivider shall have the final plat recorded with the county recorder of deeds within 60 days of its final approval by the county board, or approval shall be considered null and void unless extension is requested and granted.
- (f) Resubmission of the final plat may be required if:
 - (1) There are developments which materially effect a change or intent from the preliminary plat either physically or practically; or
 - (2) More than the allotted time has elapsed since the preliminary plat approval.
- (g) The planning, zoning, and agriculture committee may waive failure of the subdivider to comply with the submission of the final plat within the allotted time if there is a mutual agreement between the subdivider and the committee to extend this period of time.

- (h) Submission of the final plat covering only a portion of the area covered by the preliminary plat may be permitted after consideration of the effect of the continuity of roads, utilities and services.

(Code 1981, § 17-19; Res. No. 97-4-8-058, exh. A, 4-8-1997)

- (i) The developer, upon recording of the final plat, shall also submit the Final Plat to the Kankakee County GIS Department in a digital format within the following guidelines;

- (1) Geodetic Control:

All plans must be tied to at least two monuments in the Kankakee County Geodetic control network. The County will make geodetic control information available for survey purposes. All coordinate values for these survey points shall be in the Illinois State Plane system using the North American Datum (NAD83), Illinois East Zone 1201. The units of measurement shall be US Survey Feet.

If County control points are unavailable and cannot be provided to the surveyor or engineer, the above requirement shall be waived.

- (2) Acceptable Data Formats:

DWG (AutoCAD)
DXF (Drawing Exchange File)
DGN (Microstation Design)
SHP (ESRI Shapefile)
ESRI Personal Geodatabase

- (3) Layers/Levels:

Documentation clearly describing the contents of each layer or level shall accompany all submissions.

- (4) Annotation:

All annotation shall be identical to that submitted on the hardcopy filed with the Kankakee County Recorder of Deeds.

- (5) Modifications and Waivers:

The County reserves the right to waive or modify the requirements specified herein at any time with no advance notice if it is determined that the requirements are not applicable, or if it is determined that such waivers or

modifications would be in the best interests of the County.

Sec. 117-69 - Variances

- (a) When situations arise which involve practical difficulties or particular hardships in the way of carrying out such regulations relating to the administration, application process, specifications for plans and plats, and general design standards of this chapter. The approval or denial of variance for this chapter is the sole responsibility of the County Board after review and recommendation by the Planning, Zoning, and Agriculture Committee.
- (b) The subdivider or his/her representative shall complete a subdivision variance application form provided by the Plat Officer (see Appendix 8) at the same time that the preliminary plat application is received. All variances must be approved by the County Board prior to the submission of the final plans and specifications. Variances found during the preliminary plat process must be addressed before the County Board can approve a preliminary plat. All variances shall be listed on the preliminary plat. Failure of the subdivider or his design professional to request subdivision variances may delay action by the Board and ultimately delay approval of the subdivision. It is the sole responsibility of the subdivider and his/her design professional to determine if any subdivision variances will be required and to make the appropriate requests. In the event additional variances are found to be needed during the final plans and specification stage, those variances shall be addressed before the Planning, Zoning, and Agriculture Committee and acted on by the County Board before the final plans and specification are approved. Failure to request variances prior to or during the preliminary plat process may cause delays in the approval of the subdivision.
- (c) In all cases, subdivision variances shall be granted by the County Board by ordinance or resolution after considering the findings and recommendations of the Planning, Zoning, and Agriculture Committee.
- (d) A written statement regarding how each deficiency/request meets the variance criteria shall be attached to the application.
- (e) Criteria which may be considered by the County Board for the granting of a variance.
 - (1) Exceptional topographic or other conditions unique to this particular parcel of land that creates a hardship to the subdivider, verses a mere inconvenience or in order to satisfy the County's defined conservation design principals.
 - (2) The granting of the variance would not endanger the public health or safety or be detrimental to the public welfare.
 - (3) The request is unique to the property in question and not generally applicable to

other property in the County.

- (4) The benefit of the variance far outweighs any detriment.
- (5) The granting of the request would not substantially impair the intent of the subdivision regulations as listed in Section 17-2.
- (f) Failure to meet any of the criteria may be grounds for denial of subdivision variances.
- (g) All variances will be reviewed by the appropriate agencies during the preliminary plat process.
- (h) The granting of a variance to this code is within the complete discretion of the County Board.

Sec. 117-70 – Vacation of Plats

- (a) Situations may arise where a plat or part of a plat is no longer needed or valid. This section of the ordinance describes the process for removing (vacating) plats or portions of plats. Nothing in this section shall be construed to super cede any provisions provided in the Illinois State Compiled Statutes as amended as they pertain to the vacation of plats.
- (b) The vacation requestor or his/her representative shall complete a vacation request application form provided by the Plat Officer (see Appendix 7) and submit it along with a plat of vacation showing the plat or partial plat to be vacated. Vacations of plats or parts of plats thereof shall then follow the same procedure as set fourth in the preliminary plat process and requirements sections of this ordinance with the following exception. Vacations of plats or parts of plats require the submittal of a petition signed by two-thirds of the property owners within the boundaries of the plat.
- (c) A plat or part of a plat thereof shall be considered vacated once approved by the County Board.
- (d) Once approved by the County Board, the Plat of Vacation must be recorded at the Kankakee County Recorder of Deeds office within 60 days.

Sec. 117-71 – Construction Guarantee

- (a) The subdivider shall post with the Plat Officer, a construction Guarantee in the form of a performance bond or irrevocable letter of credit, payable to the County of Kankakee and the appropriate road authority, sufficient to cover the full cost plus ten percent (10%), of the said improvements as estimated by the subdivider's design professional. The Construction Guarantee shall be posted prior to the approval of the final plat. Said

Construction Guarantee shall then be conveyed by the Plat Officer to the County Clerk for holding. Minor subdivisions are exempt from the requirements of a Construction Guarantee.

- (b) The Construction Guarantee shall be based on the subdivider's design professionals estimate of cost of improvements to be constructed within the subdivision, and shall include, but not be limited to, the cost of right-of-way improvements, storm sewer system, grading of overflow swales through the subdivision, stormwater detention facilities, the cost of protection and repair of existing field tiles, sanitary sewer and/or water main extensions, erosion control, stake-out of all lots with iron pipe at all lot corners, and the cost of required offsite improvements.
- (c) Said Construction Guarantee shall be valid for the entire period of construction, as determined by the developers design professional, and shall only be released by resolution of the County Board upon receipt of:
 - (1) A letter from the appropriate road authority as to the final acceptance of the right-of-way improvements and their inclusion into the township system of streets and drainage facilities.
 - (2) A letter of acceptance by the appropriate utility agencies operating the sanitary sewer and water distribution facilities.
 - (3) Two (2) sets of "as-built" drawings of the subdivision improvements, certified by the subdivider's design professional.
 - (4) A letter of acceptance of improvements on other lands by the owner of such property.
 - (5) A letter from the subdivider's design professional stating that they have inspected the subdivision and all improvements are complete per plans and specifications.
 - (6) A favorable final inspection performed by the Plat Officer and the appropriate road authority.
- (c) Said Construction Guarantee may be amended to reflect a reduced amount, provided the partial improvements are acknowledged by the Plat Officer, appropriate road authority, and appropriate utility agency, and a revised current estimate of the cost to complete the work is submitted by the subdivider's engineer to the Plat Officer and road authority. The revised estimate shall show all the original estimated items with the appropriate items reduced or showing a zero balance. Twenty-five percent (25%) of the original cost estimate shall be added to the revised estimate to determine the amount of the amended Construction Guarantee. The Construction Guarantee shall never be reduced below twenty-five percent (25%) of the original estimated cost of improvements or the cost of uncompleted work plus twenty-five percent (25%) as

determined by the Plat Officer. If, in the opinion of the Plat Officer, the current amount of the Construction Guarantee is not adequate to cover the cost of the uncompleted work, the Construction Guarantee shall be amended to reflect an increased amount. The revised estimate shall be accompanied by a letter from the subdivider's design professional stating that they have inspected the subdivision and all improvements being reduced or showing a zero balance are installed per the plans and specifications. Reduction of Construction Guarantee does not imply acceptance of those improvements included in the reduction; acceptance of improvements does not occur until all improvements are complete and a final inspection is performed by the Plat Officer and the road authority.

- (e) **As-Built Plans:** After completion of all public improvements and prior to the final acceptance of the subdivision, the subdivider shall make, or cause to be made, a map showing the actual location and elevation of all valves, manholes, stubs, sewer and water mains, storm sewer with rim & invert elevations, elevation of overflow routes in critical locations, street lights and wiring, storm sewers, centerline of roadways, ditches, overflow routes, detention/retention basins, and other such facilities as the Plat Officer requires. This map shall be in black ink on mylar, or equal material, and shall bear the signature and seal of an Illinois Registered Professional Engineer. The presentation of this map shall be a condition of final acceptance of the improvements and release of the Construction Guarantee assuring their completion. Minor subdivisions are exempt from the requirement of as-built plans.

- (f) **Acceptance of Dedication, Improvements:**
 - (1) The subdivider shall be responsible for the maintenance and upkeep of all public areas and improvements until final acceptance by the Plat Officer and road authority.
 - (2) Final acceptance of the dedication of an open space or other public area, including right-of ways, shall be after any and all improvements are acknowledged and accepted by the Plat Officer and road authority.
 - (3) Approval of the Final Plat shall be contingent on presentation of proof of responsibility for the maintenance of all community improvements.
 - (4) A subdivision warranty shall be provided in exchange for the final acceptance, at which time the Construction Guarantee shall be released upon written notice by the Plat Officer to the County Clerk.
 - (5) Final acceptance of the dedication of property to school districts shall only occur after its acceptance in writing by the respective district(s) and filing with the County Recorder's Office.

Sec. 117-72 – Subdivision Warranty

- (a) The subdivider shall post a Subdivision Warranty in the form of a performance bond or irrevocable letter of credit, payable to the County of Kankakee and the appropriate road authority, with the County Clerk after final acceptance of the public improvements in the amount of twenty-five percent (25%) of the accepted improvements. The Subdivision Warranty shall be for a period of two (2) years. Such Subdivision Warranty shall not require any performance or additional improvements not contained in and specified under the provisions of the original Construction Guarantee.
- (b) The Subdivision Warranty shall be used to replace any faulty materials or workmanship and warrant the integrity of the improvements and infrastructure, including roads and transportation structures, and stormwater systems, for two (2) years following final acceptance of the subdivision.
- (c) The subdivider shall request an inspection of the improvements by the road authority eighteen (18) months after final acceptance. The subdivider shall then proceed to perform any warranted work prior to the two (2) year expiration date of the Subdivision Warranty.

Secs. 117- 73--117-92. Reserved.

ARTICLE IV.**SPECIFICATIONS FOR PLANS AND PLATS****Sec. 117-93. Preliminary plat requirements.**

- (a) Purpose and intent: Preliminary applications for land divisions shall consist of a map drawn to scale, together with written data in such form that when the maps and written data are considered together, they shall fully and clearly represent the proposed land division. The purpose of the preliminary plat is to graphically portray the size, layout and location of the subdivision, its lots and various infrastructure in a manner in which the approving authority (County Board) has adequate information to render a decision.
- (b) The preliminary plat shall be a scaled drawing at a scale of 100 feet to one inch unless other scale is approved by the plat officer. The scale shall be shown on its face. The following shall be included on the preliminary plat:
 - (1) Date, scale, and north arrow.
 - (2) The proposed subdivision name which shall not duplicate the name of any plat previously recorded in the county.
 - (3) The name and address of the owner, the subdivider and the engineer, surveyor or planner preparing the plat.
 - (4) A legal description of the boundary of the land proposed to be subdivided shown by a recorded document or signed purchase agreement.
 - (5) The tax numbers of the parcel to be subdivided and the adjoining parcels.
 - (6) Location and names of adjacent subdivisions and owners of adjoining parcels of un-subdivided land.
 - (7) Zoning on and contiguous to the subdivision.
 - (8) Layout, width, and approximate grades of all new streets and rights-of-way, such as alleys, highways, and easements. Layout and alignment of sewers, water mains, drainage ways and other utilities. Approximate grades for utilities are not needed on the preliminary plat.
 - (9) Direction, size of, and distance to nearest water and sewer mains.
 - (10) Dimensions and areas of lots in square feet.

- (11) Proposed building setback lines.
 - (12) Approximate location and area of property proposed to be dedicated for public use or to be reserved by deed covenant for use of all property owners in the subdivision with the conditions, if any, of such dedication or reservation.
 - (13) Contours at vertical intervals of not more than two feet with reference to USGS datum, or at more frequent intervals, if required by the plat officer, for land with unusual topography.
 - (14) Locations, width, and names of all existing and proposed streets shall be indicated. Names shall not duplicate the names of any other streets in the county unless it is an extension thereof in which it shall bear the same name. Street names shall be reviewed and approved by the ETSB 911 Coordinator.
 - (15) A plot of survey of the area to be sub-divided.
 - (16) Site location or vicinity map.
 - (17) Typical cross sections of all proposed roads and roads to be improved.
 - (18) Approximate dimensions and depth of all proposed storm water detention facilities and proposed storm water detention grades.
 - (19) The following supplemental information:
 - Preliminary storm water detention calculations.
 - Copy of FEMA – FIRM showing location of site.
 - Preliminary storm water calculations for all tributaries impacting the project with a drainage areas exceeding 200 acres.
 - Natural resource Inventory (NRI).
 - Wetland delineation if applicable.
 - (20) List of any and all proposed variances, including approved variances to the Kankakee County Zoning Ordinance.
 - (21) Any proposed Phases of the project.
- (c) A letter of intent shall accompany the preliminary plat specifying what improvements are proposed to serve the subdivision with respect to water supply, sewage disposal, drainage facilities, street improvements, curb and gutter, sidewalks, and other similar features with an estimated cost.

(Code 1981, § 17-27; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-94 – Final Engineering Plans and Specifications

- (a) Purpose and intent: It is the purpose of the final engineering plans and specifications to set forth the actual design and construction of the proposed subdivision. These plans shall include all necessary information as listed below to allow a thorough review of the development and the subsequent construction of the subdivision.
- (b) Improvement plans may be furnished for only those improvements necessary to serve that portion of the development that is to be submitted for final plat approval. That portion should generally agree with phasing indicated on the approved preliminary plat. However, the entire area of the proposed subdivision, as well as any additional area necessary to design facilities, shall be the basis for design and so indicated.
- (c) The improvement construction plans shall be prepared, signed, and sealed by an Illinois Registered Professional Engineer on 24" by 36" material of good quality.
- (d) The County, its engineering staff and other appropriate agencies will have 45 days to review and comment on these plans as specified in Section 17-19 of this Chapter.
- (e) The Improvement / Construction Plans shall contain, at a minimum:
 - (1) Title Page.
 - (2) Plat of Subdivision.
 - (3) General layout of drawings of the proposed streets and storm drainage system showing the grade of the center line of the streets, the drainage structures, culverts and such other information as necessary to show the disposition of the surface water.
 - (4) General layout drawings of the proposed water, sanitary sewer and utility systems.
 - (5) Plans and profiles of streets and sewers at recommended scale of 1 inch equals 50 feet horizontal and 1 inch equals five feet vertical.
 - (6) Details of streets, drainage structures, etc.
 - (7) Neighborhood Drainage Plan.
 - (8) Storm Water Pollution Prevention Plan.
 - (9) Compliance with the Kankakee County Stormwater Ordinance and all other ordinances, rules, and laws regulating the proposed construction.

- (10) Cross sections of all proposed roadways at no less than 100 foot stations.

Sec. 117-95 - Final plat.

- (a) Purpose and intent: The final plat is a record of the subdivision as surveyed in the field. It shows shapes and dimensions of the tract being subdivided and the parcels created thereby important to the public benefit to facilitate relocation of roadway lines, easements, building setbacks, open space, etc.
- (b) Upon satisfaction of the conditions of preliminary plat approval, as confirmed by the Plat Officer, and acceptance of the final engineering plans and specifications by the County Planning Department, and the posting of a construction guarantee, the applicant shall cause to be prepared a final plat of subdivision. The final plat may constitute only a portion of the approved preliminary plat if it is determined acceptable by the plat officer after consideration of the effect on the efficient and orderly provision of roads, drainage facilities, utilities and services.
- (c) The final plat shall be accurately and legibly prepared by a state registered land surveyor, who shall certify that he has surveyed, subdivided and platted the land shown and legally described on such final plat. He shall further certify the number of acres being subdivided, and whether or not the tract is within a special flood hazard area designated by the Federal Emergency Management Agency (FEMA), and whether or not the tract is within 1 1/2 miles of corporate limits of a municipality that has adopted an official plan. The final plat shall be prepared in the following manner:
- (1) With a scale of 100 feet to one inch, unless a different scale is more practicable and is approved by the plat officer;
- (2) With waterproof, non-fading black ink on mylar, or equal material, measuring 24 inches by 36 inches or multiples thereof. When more than one sheet is used for any plat, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the plat and showing the relation of that sheet to the other sheets, with a binding margin of 1 1/2 inches on the left side of the 36 inch length and one inch margin on all other sides.
- (d) The final plat shall include the following information:
- (1) Legal description of the land to be subdivided;
- (2) Positions of all lot corner, beginnings and ends of curves and all angle points shall be marked in the field. The material of which all markers are made shall be noted. The applicant shall conform to the following requirements concerning monuments:

- a. All federal, state, county or 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 triangulation stations, the authority having jurisdiction shall be notified and given sufficient time to take appropriate action;
 - b. Permanent monuments shall be set flush with the adjacent ground, shall have a suitable mark in the center of the top, shall be set in such manner that they will not be moved by frost; and shall be either:
 - 1. Iron pipe not less than three-fourths inch in diameter and not less than 22 inches in length;
 - 2. Solid square or round iron bars, five-eighths inch thick and not less than 22 inches in length;
 - c. Permanent monuments shall be erected at all corners or changes in direction of the exterior boundary; at points of curvature or points of tangency; at road intersections and block corners; at all lot corners and angles in lot lines; and in all places and manner as otherwise prescribed by law.
- (3) Roads and Streets.
- (4) Locations, width, and names of all existing and platted streets shall be indicated. Names shall not duplicate the names of any other streets in the county unless it is an extension thereof in which it shall bear the same name. Street names shall be reviewed and approved by the ETSB 911 coordinator.
- (5) Abutting state highway lines and streets of adjoining plat shown in their proper location. The width and names of these streets and highways and plats shall also be given.
- (6) All lands dedicated to public use except for roads and streets shall be clearly marked, "Dedicated To The Public."
- (7) All watercourses, drainage, ditches, retention and detention areas, and other existing features pertinent to the subdivision shall be shown. Where provisions are made for access from any subdivision to any lake or stream, the plat shall show the area over which the access is provided to the lake or stream, together with a small scale drawing clearly indicating the location of the subdivision in relation to the lake or stream and the location of the area over which access is provided. Drainage easements shall be provided for all watercourses within the subdivision, and for access from the subdivision to any drainage outlet. The location and dimensions should be clearly shown.

- (8) Scale and north arrow.
- (9) Certificates and easements as required.
- (10) The exact width and extent of all easements, roads, alleys, and building setbacks created by said subdivision.
- (11) All lots consecutively numbered. In subdivisions that are improved in units or phases, the lot numbering of the next unit or phase shall begin at the next number where the previous unit or phase ended. In country subdivisions, block designations may be omitted.
- (12) If the subdivision borders on a lake or stream, the distances and directions of a meander line established not less than 20 feet back from the average high water mark of the lake or stream, as determined from flood hazard maps or other data, with said distance noted.
- (13) All portions of curvilinear roads shall be tangent to adjoining elements of said roads unless so noted otherwise. Curve data shall include the following dimensions: radius, arc length, tangent length, and central angle.

(Code 1981, § 17-28; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Secs. 117-96 --117-118. Reserved.

ARTICLE V.

GENERAL DESIGN STANDARDS

Sec. 117-119. Conformance to subdivision design plans.

- (a) The design of a subdivision shall conform to the generalized land use plan, the development policies, the official highway map, the zoning ordinance, the stormwater management ordinance, the requirements as stated herein, all ordinances pertaining to the control of land development and to all applicable rules, regulations, plans, specifications, and standards of the county and the state. No deviations from approved plans and specifications shall be made without prior approval of the county.
- (b) In all cases where a subdivision lies within 1 1/2 miles of the corporate limits of an incorporated municipality, the subdivision shall also conform to all applicable ordinances and plans of such municipality. In all instances where a requirement of this chapter, or other applicable ordinances of the county, is similar to, or in conflict with other provisions of the ordinances of such municipality, the most restrictive shall apply and prevail.
- (c) In an urban subdivision, there shall be provided a complete municipal-type sanitary sewage system, including a service connection for each lot and a sewage-treatment plant or disposal facilities, which services the urban subdivision. Further, in an urban subdivision, there shall be provided a complete municipal-type public water supply and distribution system including all appurtenances and stubs to each lot.
- (d) All lots shall front directly upon a road which is presently, or shall be upon completion of the subdivision publicly maintained. The road/street system of the subdivision shall abut directly upon a dedicated road publicly maintained, or road/street which upon completion of the subdivision shall be publicly maintained.
- (d) The design of each subdivision shall take into consideration the preservation, capabilities and limitations of topography, drainage, soils, vegetation and other features and irreplaceable assets of the site. The use of lands unsuited to development because of, but not limited to, flood, inundation and soil characteristics shall not be approved unless the development of said lands shall meet the requirements of the ordinances and regulations of the county.

(Code 1981, § 17-33; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-120. Lots.

- (a) The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography, soils, flooding or other conditions, in securing permits to build

on all lots in compliance with the zoning ordinance. Subdivisions shall contain no left-over pieces, corners, or remnants of land.

- (b) All lots shall meet the minimum depth, width, and area requirements of the applicable district in the zoning ordinance and subdivision regulations.
- (c) Depth and width of properties served or laid for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the application zoning ordinances or subdivision regulations.
- (d) Excessive depth in relation to width shall be avoided. A proportion of four to one shall normally be considered as a desirable maximum for lot widths of 100 feet or more.
- (e) In determining the minimum lot areas to meet the requirements of the zoning ordinance, both of the following conditions must be met:
 - (1) No more than ten percent of the minimum lot area shall include land within a drainage easement along a watercourse made to accommodate observed, computed, or anticipated water drainage through and from the lot; and in any case said drainage course across the lot shall not be obstructed.
 - (2) Eighty percent of any minimum lot area shall be at least one foot above the average seasonal high water table as determined by the Natural Resource conservation service soil characteristic mapping information. Exceptions may include engineering solutions or empirical data.
- (f) Corner lots for residential use shall have ten feet of extra width to permit full building setbacks on both streets as required by applicable provisions of the zoning ordinance.
- (g) Lot widths shall be measured at the building setback line, and may be reduced ten percent at the end of a cul-de-sac, providing the lot area meets with the requirements of the zoning ordinance.
- (h) Double frontage and reversed frontage lots shall be avoided except where necessary to overcome specific disadvantages of topography and orientation and where limited-access highways, railroad rights-of-way, major streets, or similar situation exists, in which case double frontage lots are to be preferred, provided suitable screen-planting contained in a no-access reservation along the property line and the right-of-way is provided.
- (i) These standards are established for the purpose of providing protection for the residential properties and to provide for traffic safety and the efficient use of the street for its intended function of accommodating through traffic.

- (1) Lots at right angles to each other should be avoided wherever possible.
- (2) Side lot lines shall be substantially at right angles or radial to street lines.
- (4) Lots shall be laid out so as to provide positive drainage away from all building sites and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

(Code 1981, § 17-34; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-121. Blocks.

- (a) The length, width, and shape of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block length in residential areas shall not exceed 1,500 feet, nor have less than sufficient width to provide two tiers of lots of appropriate depth between street lines, except that one tier of lots may back onto a limited-access highway, U.S., or Illinois Route, railroad right-of-way, or major street, provided a no-access reservation along the rear property line is screen-planted.
- (b) Pedestrian crosswalks, not less than ten feet wide, may be required by the committee of the county board having jurisdiction within blocks more than 900 feet long, where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

(Code 1981, § 17-35; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-122. Alleys.

- (a) Width of rights-of-way for alleys shall not be less than 24 feet.
- (b) Dead-end alleys are prohibited.

(Code 1981, § 17-36; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-123. Easements.

- (a) Easements shall be provided for utility service, including stormwater drainage, conservation of environmentally sensitive areas, and in lieu of land donation for a greenway or trail designation with approval of the Planning, Zoning, and Agriculture Committee. They shall be ten feet wide and be established where practicable at the rear of each lot and six feet wide along such other lot lines as to provide continuity of alignment from block to block.
A Conservation Easement shall be a minimum of ten feet wide. A Trail Easement shall be a minimum of fifteen feet wide. These easements granted to the appropriate public

authority may be made in lieu of actual land donation with the approval of the Planning, Zoning, and Agriculture Committee

- (b) All utility distribution lines to be installed shall be placed, wherever applicable, underground within easements or dedicated public ways. The installation of such facilities shall be made in compliance with applicable orders, rules and regulations of the state commerce commission now or hereafter effective, and the owner or subdivider of any property to be served from such underground installations shall be responsible for compliance with the rules and regulations, now and hereafter effective and filed with said commission pursuant to the Illinois Public Utilities Act (220 ILCS 5/1-101 et seq.), of any public utility whose services will be required with respect to the provision of such underground facilities.
- (c) Where a subdivision is traversed by a watercourse, drainage-way, channel or stream, or other body of water, appropriate dedications or easement provisions, with adequate width for construction to accommodate observed, computed, or anticipated stormwater drainage through and from the subdivision, shall be made. The width of the easement or dedication shall be dependent on the area of land drained by the watercourse and to allow access for construction and maintenance equipment.
- (d) A screen-planting easement may be required between residential and commercial or industrial lots, or along lot lines to discourage the undesirable development of residential lots fronting on traffic arteries. If such easement is to be used for public utilities, additional width may be required to assure that maintenance of the utilities would not be detrimental to the plantings.
- (e) Temporary turn-around easements shall be reserved for street purposes until the extension of the street is publicly dedicated. The temporary easement shall then be considered automatically vacated for such use and purpose of the land shall revert back to the adjacent property owners.
- (f) No construction of structures, dams, embankments or channels (except as indicated on the improvement plans) and no planting of trees, shrubbery or other vegetation, which hinder the flow of water or otherwise inhibit the intended purposes, shall be allowed within any drainage or stormwater management facility easement.

(Code 1981, § 17-37; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-124. Streets.

- (a) *Generally.* All street and street right-of-way improvements shall be designed in substantial relation to topographic conditions, drainage, public convenience, safety, and the proposed uses of the land to be served by such streets. All street and street right-of-way improvements shall conform to the applicable standards of the state department of

transportation, county highway engineer, and the local township highway commissioner.

- (b) *Variations for private streets.* A public street shall be provided for convenient access to all property and lots within a subdivision. Private streets and easements of access shall not be permitted except when approved by the committee of the county board having jurisdiction and after consultation with the county engineer and the township highway commissioner. All private streets shall be built to county approved specifications and standards with township highway commissioner inspection approval provided during construction.
- (c) *Publicly-planned street.* Streets shall be laid out in conformity to street or highway plans officially adopted by the county board or the state department of transportation. If the subdivision lies within 1 1/2 miles of the corporate limits of a city or village, the streets shall be in conformity with the street or highway plan officially adopted by the corporate authority of that city or village. Wherever such a planned street or highway runs through a proposed subdivision, it shall be provided for in the place, and with the width indicated, on said plan. Any additional right-of-way specified on said plan shall be reserved for circulation purposes by easement provisions to be acquired at a later date by the public agency involved.
- (d) *Alignment and continuation.* Where streets are not a part of the official map or officially adopted street or highway plans, the arrangements of the streets in a subdivision shall either provide for the alignment and continuation or appropriate projection of existing principle streets in surrounding areas, or conform to an approved plan for the neighborhood which meets a particular situation where topography or other conditions make continuation of or conformance to existing streets impractical.
- (e) *Street classifications.*
 - (1) Arterial streets shall be those whose primary purpose is to carry high volumes of traffic, with trip lengths generally over one mile. All marked state and federal routes, and those county and township roads and other roads so designated by the county board shall be considered arterial streets. These routes should provide continuous service at moderate speeds through an urban area and moderate to high speed travel in rural areas. All arterial streets should be explicitly integrated with the existing and proposed system of arterial streets as indicated by official mapping or other governmental planning.
 - (2) Collector streets (major and minor) shall be those designed for collecting and distributing medium to low volumes of traffic between arterial and local streets. Collector streets should be inter-neighborhood streets and particularly related to specific traffic-generating facilities as schools, churches, shopping and employment centers, population densities, and arterial streets. All collector streets are those which are depicted on the most current printing of the United

States Department of Transportation Five Year Classification Map for Kankakee County, Illinois, as amended.

- (3) Local streets shall be those whose primary purpose is to provide access to abutting property. They should be laid out so as to discourage use by through traffic. All local streets are those as depicted on the most current printing of the United States Department of Transportation Five Year Classification Map for Kankakee County, Illinois, as amended.
- (f) *Street right-of-way widths.* Where not otherwise specified by the county engineer, street right-of-way widths shall be as follows:
- (1) Arterial streets shall have a minimum right-of-way width of 140 feet.
 - (2) Collector streets (major and minor) shall have a minimum right-of-way width of 140 feet.
 - (3) Local streets shall have a minimum right-of-way width of 80 feet.
 - (4) Frontage streets and half streets, where permitted, shall have a minimum right-of-way width of 50 feet.

The right-of-way dimensions listed above are minimum requirements. In areas of deep cuts or high fills, slope grading may need to extend beyond the required right-of-way; therefore, more right-of-way may be necessary, as determined by the County Planning Department and/or the County Engineer.

- (g) *Reserve strips and half streets.* Reserve or "spite" strips controlling access to roads shall not be permitted. Half roads shall not be permitted, except to provide rights-of-way for officially adopted, planned streets. Whenever an existing half street is adjacent to a tract to be subdivided, the other half of the road shall be platted within such tract to be subdivided or the existing half road shall be vacated prior to final approval.
- (h) *Cul-de-sac and "T" turnarounds.*
- (1) A cul-de-sac designed to be permanent shall not be longer than 500 feet, measured along the centerline from the road right-of-way to the end of the cul-de-sac, and shall be provided with a turnaround right-of-way not less than 150 feet in diameter at the closed end. Proposal for cul-de-sacs longer than 500 feet shall require special review by the committee of the county board having jurisdiction. Options to not pave the inner area or provide a "T" turnaround in lieu of a cul-de-sac are subject to individual review and approval by the township highway commissioner and county engineer.
 - (2) A "T" turnaround shall be installed at all temporarily ended streets. The final plat

shall provide for a temporary easement to accommodate the installation and use of said "T" turnaround until such time as the street extension is completed and accepted by the appropriate highway authority. At such time the temporary turnaround easement shall be released. The additional right-of-way required for "T" turnarounds shall be 40 feet in width measured perpendicular to the normal right-of-way, and shall be 50 feet in length measured parallel to the normal right-of-way. The pavement for the "cross" of the "T" shall be at right angles to the road, 20 feet in width and paved for a distance of at least 40 feet out on both sides of the road from the pavement edge.

- (i) *Geometric design.* The geometric design for major and collector streets, including horizontal and vertical alignment, surface and shoulder widths, and side slope requirements shall conform to the requirements set forth in the Illinois Department of Transportation Administrative Policies for Local Roads. Design shall be based on anticipated traffic volumes after the completion of proposed development.
- (j) *Local streets conformity.* Local streets shall conform to the following, unless necessitated by exceptional topography or other unusual conditions. Such cases will require the approval of the county engineer:
 - (1) The grade of all roads shall not exceed six percent. The grade of all cul-de-sacs and "T" turnarounds shall not exceed two percent. A combination of steep grades and curves shall be avoided. The minimum grade shall be a minimum of three-tenths of one percent with curb and gutter and a minimum of two-tenths of one percent with grass waterway ditches.
 - (2) A minimum sight distance with clear visibility, measured along the centerline, shall be provided of at least 200 feet on all other streets.
 - (3) All vertical and horizontal alignment shall meet or exceed 30 MPH design speed criteria, based on the "Illinois Department of Transportation Administrative Policies for Local Roads."
 - (4) A tangent of at least 100 feet in length shall be introduced between reverse curves on local streets.
 - (5) The intersection of local roads with major arterial and collector streets shall be designed so that there is no jog in the centerline alignment. The intersection of local roads within a subdivision shall also be designed without a jog.
 - (6) All road intersections shall be at right angles unless unusual topographic or other sight conditions require a lesser angle.
 - (7) Local street geometry shall be determined based on the parcels zoning district and proposed subdivision lot size.

- (a) Local streets in all subdivisions in the A1, R1, R2, and RE zoning districts, where the average lot size is equal to or greater than one acre may have a rural cross section. The rural road shall have a minimum hot mix asphalt surface width of twenty-four (24) feet wide with six (6) feet wide aggregate shoulders. The minor and major drainage system serving the road may be constructed using culverts and roadside ditches located in the public right-of-way. The slope steepness of roadside ditches shall not exceed 3:1, whenever possible, and roadside ditches shall have a minimum depth of 18 inches. All proposed cross road culverts and entrance culverts within the road right-of-way shall be Type 1 pipe culvert of the appropriate class.
- (b) Local streets in all subdivision in the R1 and R2 zoning districts where the average lot size is less than one acre but greater than 15,000 square feet may have a semi-rural cross section. Local streets in Commercial and Industrial zoning districts, where the average lot size is equal to or greater than two acres may have a semi-rural cross section. The semi-rural road shall have a minimum hot mix asphalt width of twenty-eight (28) feet with four (4) foot wide aggregate shoulders. The road shall be marked to indicate a twenty-four (24) foot wide driving surface with two (2) feet wide paved shoulders. The minor storm water conveyance system serving the road shall be constructed and located in the public right-of-way and consist of Storm Sewer, Type 1 of the appropriate class. The major storm water conveyance system serving the road shall be constructed and located in the public right-of-way and consist of a gently sloping grassed swale.
- (c) Local streets in all subdivisions, where the average lot size is less than 15,000 square feet or in Industrial and Commercial zoning districts where lot size is less than two acres, shall have an urban cross section. The urban road shall have a minimum pavement width of thirty feet. The minor and major storm water conveyance system serving the road shall be constructed in the public right-of-way and consist of reinforced concrete curb and gutter and reinforced concrete pipe. Urban roadways in residential subdivisions shall include five feet wide concrete sidewalks on both sides of the road.
- (d) The minor and major roadway drainage system may in some cases be allowed to exist outside of the road right-of-way. This condition shall be allowed only when the topography does not reasonably allow the system to remain fully within the road right-of-way. In these rare cases, adequate easements and easement provisions shall be provided to the public and road authority to protect and maintain the function and integrity of the system. The subdivider shall be required to draft, execute, and record various documents defining and creating a properly funded organization to protect and maintain these easement areas. Preferences shall be shown for placing these easements areas in common areas shared by the residents of the

subdivision.

- (8) Cul-de-sacs shall meet all the requirements for a local street and, in addition, shall provide a turnaround right-of-way 150 feet in diameter, of which 100 feet in diameter shall be paved. In country subdivisions, a "T" may be used, the "cross" of which shall be at right angles to the road, 20 feet in width and paved for a distance of at least 40 feet out on both sides of the road from the pavement edge.
- (k) *Structural design and construction standards.*
- (1) Major and collector streets, or any street in an industrial, commercial or other heavy traffic area, shall have a structural design conforming to state department of transportation design requirements and shall be accompanied by pavement design calculations for review and approval of the county engineer.
- (2) Local streets not included under subsection (k)(1) of this section requirements shall have a minimum twelve (12) inches compacted thickness of aggregate base with a four (4) inch hot mix asphalt surface. The hot mix asphalt surface shall be placed in two lifts of material.
- (3) All construction shall conform to the current version of the Illinois Department of Transportation's Standard Specifications for Road and Bridge Construction and all other supplemental information.
- (4) The sub-grade shall be graded to conform as near as practical to the typical cross section approved by the county board and shall be approved by the township highway commissioner or the county engineer before the base course can be applied. Drainage facilities shall be completed prior to the installation of base course material.
- (5) Prior to the approval of the sub-grade, road base and bituminous surface by the township highway commissioner, the following shall be submitted to the county engineer from a certified testing company (Intervals for compaction tests and core sample should be one per 1,000 feet of roadway):
- a. A report showing satisfactory sub-grade compaction;
 - b. A core report showing satisfactory thickness for the base course;
 - c. Material quantity tickets from the source showing the total amount of base course material and bituminous surfacing placed on the road;

- d. A core report for the bituminous surface showing the thickness and quality.
- (l) *Improvement of existing adjacent roads.*
- (1) When land adjacent to an existing local road or street (as defined in this article); which corresponds to the usage of the existing platted road) is subdivided and the existing road is not improved to a standard as high as that required for proposed subdivision streets, the subdivider shall be required to improve the entire width of the local road or street to the minimum standards prescribed for the subdivision of roads or streets from the point of access to the subdivision to the nearest collector road or street, or to another local road or street already improved to such standard.
 - (2) When land adjacent to an existing collector road or street is subdivided, the subdivider shall improve any existing platted road adjacent to the proposed subdivision. The road may be under the jurisdiction of the county, township, or village. This improvement shall conform to the design specified in these regulations for the class of street, as defined in this article; which corresponds to the usage of the existing platted road. The subdivider will be required to construct these improvements for the half of the road adjacent to the proposed subdivision. The remaining half of the road may be improved by the agency having jurisdiction, or a subdivider adjacent to the road on the opposite side of the road, and these improvements may be constructed at a later date.
 - (3) When warranted by a traffic study, or as determined by the county engineer, turning lanes (consisting of a taper and a full width auxiliary lane) for either right or left turns into an abutting property shall be provided at the developer's expense.
 - (4) When it is determined that any other existing infrastructure is inadequate, then improvements to any one or all of such facilities shall be required.
- (m) *Street lighting.* Installation of streetlights shall be required in accordance with the "Guideline For Selecting Locations For Intersection Lights by the Kankakee County Highway Department" effective August 22, 1985.
- (n) *Sidewalks and pedestrian ways.* Sidewalks shall be concrete material, and at least five inches thick and five feet wide, with a five inch aggregate base course. Sidewalks shall be located one foot off the property line within the right-of-way

or within a pedestrian way easement adjacent to the right-of-way. The materials and surface treatment of pedestrian ways shall meet the approval of the county engineer and the appropriate local authority. Sidewalks shall be constructed by the developer adjacent to all open areas, parks, detention ponds, and waterways where sidewalks are required. They shall be provided according to the following:

- (1) *Commercial and industrial property.* Sidewalks are required on both sides of all major and collector roads and those local roads leading to a park or school. Sidewalks may also be required on one side of other local roads.
 - (2) *Urban subdivisions.* Sidewalks are required on both sides of all roads.
 - (3) *Country subdivisions.* Sidewalks or pedestrian ways may be required in subdivisions with lots of 40,000 square feet or larger along roads leading to parks or schools, in order to provide continuity between systems of sidewalks already installed or provided for in adjacent subdivision, or when the committee of the county board having jurisdiction find that a pedestrian safety hazard exists or will be created as a result of the development of the subdivision.
- (o) *Other roadway improvements.*
- (1) Street signs of the type approved by the township or county highway departments shall be installed on the northeast corner of each intersection and shall indicate the street names as shown on the final plat.
 - (2) Guardrails shall be placed along the shoulder of any street as set forth by the county engineer or the township highway commissioner.
 - (3) All earth surfaces within the right-of-way disturbed by the construction operations shall be graded, fertilized, seeded or sodded, and mulched in accordance with the appropriate highway authority. Provision shall be made to assure the growth of such landscaping.

(Code 1981, § 17-38; Res. No. 97-4-8-058, exh. A, 4-8-1997; Res. No. 5-9-00-080, § II, 5-9-2000)

Sec. 117-125. Parks and open space.

- (a) *General.* Each subdivider or developer shall be required to dedicate land for parks, open space, greenways, trails, and recreational purposes to serve the immediate and future needs of the residents of the development and surrounding community.

- (b) *Criteria.* The number of acres to be reserved shall be determined from the following table, which has been prepared on the basis of providing three acres of recreation area for every 100 dwelling units:

<i>Size of Lots</i>	<i>Percent of Total Land to be Reserved</i>
80,000 square feet and greater	1.5
50,000 square feet	2.5
40,000 square feet	3.0
33,000 square feet	3.5
25,000 square feet	5.0
15,000 square feet and less	8.0

- (c) *Location.* All parks, open space, and recreation areas shall be located in a central location that will serve equally the entire development as most desirable. In large developments, these sites can be located throughout the development as approved by the county board. If the development lies along a recognized “greenway” or trail zone as noted in the Greenways and Trails Plan, the developer shall donate that land first and then make any other donations to fulfill the park and open space requirement.
- (d) *Dedication of parks, open space, and recreation areas.* Said developer or subdivider may dedicate to the applicable public authority said park, open space, or recreation area. If said authority does not wish to accept the dedicated area, the maintenance, supervision, and liability of said park, open space or recreation area shall be regulated in the subdivision's restricted covenants, or by the owner of said park, open space, recreation area, as approved by the Planning, Zoning, and Agriculture Committee. Failure to maintain, supervise and provide liability, in accordance with the restricted covenants or maintenance plan approved by the Planning, Zoning, and Agriculture Committee, will result in maintenance by the County or Township, at the owner's expense. Maintenance, ownership, and liability for a designated trail is that of the applicable public authority or not-for-profit agency and not the owners, unless already regulated by the subdivision's restricted covenants. A designated “greenway” which does not currently have a trail or is not owned by the public authority shall be the responsibility of the owner unless otherwise specified before approval.
- (e) *Retention Requirements.* Land dedication required by the land donation formula or required by the County greenway and trail designation may not include land required for drainage or retention or detention purposes unless prior approval from the Planning, Zoning, and Agriculture Committee is secured.
- (f) *Combining with adjoining developments and satisfying County greenway or trail designations.* Where the subdivision is less than forty acres, park and recreation lands which are to be dedicated should be, where possible, in the best interest of the County and its citizens, combined with dedication from adjoining developments in order to produce usable park lands and thereby minimize the hardship on a particular subdivider

or developer. The connection to adjoining dedications is required if the property is designated as a County greenway or trail.

- (g) Contribution/donation of cash in lieu of land. The developer may in rare cases, in lieu of dedication of land for park, open space, and recreation areas, make a cash donation to the applicable park district with approval of the Planning, Zoning, and Agricultural Committee. The value of the donation shall be based upon the fair market value of the land that was dedicated. This fair market value shall be based upon an appraisal provided by the subdivider, at their expense. The cash in lieu of land option is not applicable for the donation or dedication of greenway or trail designated land that shall take place.

(Code 1981, § 17-39; Res. No. 97-4-8-058, exh. A, 4-8-1997)

Sec. 117-126. Conservation Design Subdivisions

- (a) Purpose/Description.
 - (1) The regulations of this section are intended to encourage subdivision designs that are more efficient and provide more open space and greater natural resource protection than conventional subdivision designs. They can also help preserve aquifer recharge, reduce stormwater runoff, reduce non-point source pollutant loading rates and preserve an area's semi-rural character. Conservation design subdivisions are intended to encourage the provision of open space and recreational amenities for residents and preserve natural, environmentally sensitive and other resources.
 - (2) The conservation design subdivision standards of this section require that at least 50% of each development be set aside and permanently preserved as open space, which can be used to provide recreational opportunities for the subdivision's residents and/or to conserve and protect significant natural resources, in accordance with the regulations contained herein.
- (b) General Design Principles
 - (1) Conservation design subdivisions are subject to all other subdivision design and improvement standards of this subdivision code unless otherwise expressly stated.
 - (2) Lots and development sites within conservation design subdivisions must, to the maximum extent practical, be located outside of areas containing woodlands, grasslands, native prairies, wetlands, surface waters, steep slopes, drainage-ways, rock outcroppings and other natural resource features.

- (3) All plantings must use only native vegetation that is compatible with local natural resource unless otherwise approved by the County Planning Department. This provision applies to common areas and open lands within the subdivision but does not apply to lawn grasses and landscaping on individual lots.
- (4) Impervious areas must be limited and, to the maximum extent practical, be sited and designed to minimize stormwater runoff impact to the watershed’s receiving waters by:
 - (a) minimizing concentrated stormwater flow;
 - (b) breaking up or disconnecting large areas of impervious surface into smaller areas;
 - (c) maximizing the use of sheet flow through vegetated areas;
 - (d) maximizing the flow length through vegetated areas;
 - (e) encouraging groundwater recharge; and,
 - (f) providing natural preserve areas where natural soils will remain undisturbed and soil compaction activities are prohibited.

(c) Maximum Number of Dwelling Units Allowed

- (1) The maximum number of dwelling units allowed within a conservation design subdivision will be determined in accordance with the yield formula provisions of Section 117-126,d.
- (2) Conservation Design Subdivisions are only allowed in the RE-Rural Estate Zoning District. The following Maximum Base Density applies.

Zoning District	Maximum Base Density (units per acre (UPA))
RE – Rural Estate	1.000

(d) Yield Formula

a. STEP 1—DETERMINE BASE SITE AREA

The first step of the yield formula involves calculating the site’s base site area, as follows:

1.	Determine gross site area	? acres
2.	Subtract ROW of existing streets (and ultimate ROW) and easements	— ? acres
3.	Equals BASE SITE AREA	? acres

b. STEP 2—DETERMINE BASE NUMBER OF LOTS

The second step of the yield formula involves calculating the base number of lots, as follows:

1.	Take Base Site Area from Step 1	? acres
2.	Multiply by Maximum Base Density	<u>X MBD</u>
3.	Equals BASE Number of Lots	? lots

C. STEP 3—DETERMINE FINAL NUMBER OF LOTS AND LOT SIZES

The third step of the yield formula involves calculating the final number of lots and lot sizes, as follows:

1.	Take base number of lots	? lots
2.	Add 10% for Conservation Design Bonus	+ 10%
3.	Add 5% for Unique Amenities or Special Features (as determined by Plat Officer)	+ 5%
4.	Equals Final Number of Lots	= ? lots
5.	Take 50% of Base Site Area (buildable area) + any additional protected areas	- ? acres
6.	Divide by Final Number of Lots	<u>÷ ? lots</u>
7.	Equals Final Lot Size	=? acres

(e) Lot area and Dimensional Standards

Conservation design subdivisions are expressly exempt from the lot area, lot width, lot coverage and setback requirements of the Zoning Ordinance. Conservation design lends itself to reduce requirements and increased densities providing that ample open space and amenities are provided. Therefore, these requirements will be determined on a per development basis and between the Developer and his or her representatives and County Officials prior to preliminary plat design. In all situations, the lots must be of size and shape to allow for compliance with applicable building and health codes and to provide for a high-quality living environment for subdivision residents. Lots abutting or within 150 feet of an existing or approved subdivision may be no smaller than 80% of the average lot size within the adjacent subdivision.

(f) Conservation Subdivision Open Space Requirements

- a. At least 50% of the gross site area must be preserved as common open space.
- b. In some instances, more than 50% of the gross site area may be required to be in preserved open space. This would apply if a site had an unusually large amount of wetlands, floodplain or other protected area.

c. Use, Location and Design of Open Space Generally

- (a) Open space provided to meet minimum open space requirements must be in one or more parcels dedicated or otherwise protected as permanent, active or passive open space.

- (b) Open Space must be dedicated or reserved for one or more of the following uses:
- (1) conservation of, and avoidance of development in, any readily identifiable natural hazard areas, i.e., areas that potentially pose a significant hazard to people or property (e.g., floodplains, wetlands, and lands whose slope and/or soils make them particularly susceptible to subsidence or erosion when disturbed by development activities);
 - (2) conservation and protection of any identified significant natural areas (e.g. stream corridors, woodlands, hedge rows, rare plant communities, important wildlife habitat, etc.) , or other environmentally sensitive areas where development might threaten water quality or ecosystems;
 - (3) conservation and protection of any identified significant historic or cultural resources; or
 - (4) provision of active and/or passive outdoor recreation opportunities (e.g., ball fields, playgrounds, tennis courts, swimming pools, basketball courts, golf courses, bikeways, walking trails, equestrian trails, and picnic areas), either for the general public or for the subdivision's residents or employees and their guests.

Commentary: this provision is not intended to preclude a membership requirement or monetary charge for use of recreation facilities such as a golf, swim or tennis club, as long as subdivision residents have an opportunity to join the club or pay to use club facilities.

- (c) Highest priority for the location, design, and use of open space must be given to conserving, and avoiding development in, any natural hazard areas on the subdivision site.
- (d) Roadways and building lots must be located to respect natural features and to maximize exposure of building lots to preserved open space.
- (e) Open space may contain only such buildings, structures and improvements that are integral and accessory to its function (as open space). Examples of features that may qualify under this standard include pedestrian/bicycle paths, pedestrian amenities, driveways that provided necessary access to the open space, shelters and utility-related structures that provide service to the open space area.
- (f) The location, size, character and shape of required open space must be

appropriate for its intended use (e.g., open space proposed to be used for recreation, particularly active recreation, should be located and designed so that it can be accessed conveniently and safely by intended users, and open space to be used for playing fields or other active recreational facilities should be located on land that is relatively flat and dry).

- (g) Open space should be designed to form an interconnected network, with provisions for linkages to existing or potential open space on adjoining properties. Fragmentation of open space into isolated, unconnected pieces should be avoided, except to provide neighborhood parks and commons.
- (h) Pathways within open space and/or sidewalks along roadways should be provided to connect to surrounding pedestrian/bicycle networks.
- (i) Open space should be used as part of an integrated storm water management approach to maintain natural drainage patterns, attenuate water quality impacts, replenish groundwater (e.g., through bio-retention facilities such as infiltration trenches and rain gardens) and incorporate detention facilities as visual and environmental amenities such as ponds.
- (j) Parkland and school sites dedicated in excess of the minimum requirements of the Kankakee County Subdivision Code and the Kankakee County School Site Dedication Ordinance will be counted towards meeting minimum open space requirements in conservation design subdivisions.

(g) Unique Amenities or special features

- (a) At the discretion of the Planning Director, a 5% bonus to the maximum number of lots may be given to a development as an incentive for providing unique amenities or special features. These feature may include but are not limited to, fishing docks, wildlife habitat improvements, gazebos, trails and trail amenities, recreational amenities beyond County requirements, low impact stormwater related best management practices, woodland protection, interpretive centers and signage, and created wetlands. The Planning Director will make the final decision as to whether the bonus will be granted.

(h) Ownership and Management of Open Space

- (a) The applicant must identify the owner of the open space. The designated owner is responsible for maintaining the open space and any associated facilities. If a

home owner's association is the owner, membership in the association is mandatory and automatic for all property owners of the subdivision and their successors. Preference shall be shown for proposals where part or all of the open space is dedicated to a public agency capable of managing and maintaining the open space.

(b) If a property owners association is the owner, the property owners association must have lien authority to ensure collection of dues from all members.

(c) The applicant must submit a management plan for the open space and all common areas. The management plan must:

- (1) allocate responsibility and guidelines for the maintenance and operation of the open space and any associated facilities, including provisions for ongoing maintenance and for long-term capital improvements;
- (2) estimate the costs and staffing requirements needed for maintenance, operation and insurance and outline the means by which necessary funding will be obtained or provided;
- (3) provide that any changes to the management plan be approved by the County Plat Officer; and
- (4) provide for enforcement of the management plan.

(i) Legal Instrument for Permanent Protection

(a) The open space must be protected in perpetuity by a binding legal instrument that is recorded with the deed. The legal instrument must be one of the following:

- (1) A certified land trust or similar conservation-oriented, non-profit organization with legal authority to accept such easements. The organization must be bona fide and in perpetual existence and the conveyance instruments must contain an appropriate provision for transfer in the event the organization becomes unable to carry out its functions; or
- (2) A home owner's association or similar organization with lien authority to ensure funding for maintenance and preservation of the open space; or
- (3) A governmental entity (if the entity accepting the easement is not the county, then a third right of enforcement favoring the county must be included in the easement);

(b) An open space tract protected by a permanent restrictive covenant for

conservation purposes in favor of a governmental entity; or

- (c) An equivalent legal instrument that provides permanent protection, as approved by the state's attorney.
- (d) The instrument for permanent protection must include clear restrictions on the use of the open space. These restrictions must include all restrictions contained in this section, as well as any further restrictions the applicant chooses to place on the open space.

Secs. 117-127--117-148. Reserved.

ARTICLE VI.

REQUIREMENTS FOR DESIGN, CONSTRUCTION AND MAINTENANCE OF STORMWATER CONTROL SYSTEMS

Sec. 117-149. General requirements.

The development must comply with all regulations contained in the Kankakee County Storm Water, Sediment and Erosion Control Ordinance as amended.

ARTICLE VII

APPENDICES

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**APPENDIX 1
COUNTY OF KANKAKEE
PRELIMINARY PLAT APPLICATION FORM**

Subdivision Name: _____

APPLICANT: Name _____ Phone _____

Address _____

OWNER: Name _____ Phone _____

Address _____

CONTACT PERSON:

Name _____ Phone _____

Address _____

Application is hereby made for approval of the preliminary plat. The following documents are made a part of this application:

- Three (3) copies of the preliminary plat
(Fifteen (15) additional copies will be required once the Plat Officer has reviewed plans for completeness. See Section 17-18.3)
- Subdivision Fee
- Letter of Intent
- Description of improvements with estimated cost

A. DESCRIPTION OF PROPERTY

1. Location: Township _____ Section _____

Parcel Number _____

Common Description _____

2. Present zoning _____ Proposed zoning _____

3. Comprehensive Plan Land Use Designation _____

PROPOSED DEVELOPMENT CHARACTERISTICS

- | | | |
|----|--|---------------------|
| 1. | <u>Proposed Land Use</u> | <u>No. of Acres</u> |
| | Single Family | _____ |
| | Multiple Family | _____ |
| | Parks/Recreation/Open Space | _____ |
| | Business/Office | _____ |
| | Industrial | _____ |
| |
Total Acres |
_____ |
| 2. | Lot Data | |
| | Total Number of Lots | _____ |
| | Lot Sizes: (in square feet) | _____ |
| | Average | _____ |
| | Maximum | _____ |
| | Minimum | _____ |
| 3. | Distance to nearest municipal sanitary sewer main and name of owner | |
| | _____ | |
| 4. | Distance to nearest municipal water main and name of owner | |
| | _____ | |
| 5. | Distance to nearest fire station and name of fire district (actual road miles) | |
| | _____ | |
| 6. | Distance to nearest perennial waterway or water impoundment and the name of such | |
| | _____ | |

SUPPLEMENTARY INFORMATION

Are there any proposed variations from the subdivision ordinance? If yes, please explain each proposed variation.

The following are all of the individuals, firms or corporations owning property adjacent to or within 250 feet of the subject property in each direction. (public roads and other public ways excluded), as appear from the tax records of the Kankakee County Assessor’s Office. Attach additional pages if necessary.

	Name	Address	Tax Number
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____

E. FEE

Subdivision fee _____

Minor - \$500 plus \$40 per lot
 Other not minor - \$1200 plus \$40 per lot

 Application Signature

 Date

**APPENDIX 2
COUNTY OF KANKAKEE
SUBDIVISION REVIEW
PRELIMINARY PLAT CHECKLIST**

GENERAL

- PROPER SCALE
- NORTH ARROW AND DATE
- PROPOSED SUBDIVISION NAME
- NAME AND ADDRESS OF OWNER, SUBDIVIDER AND THE ENGINEER, SURVEYOR OR PLANNER PREPARING THE PLAT
- REVIEW FEE
- PRECISE LEGAL DESCRIPTION
- LOCATION AND NAMES OF ADJACENT SUBDIVISION AND OWNERS OR ADJOINING PARCELS OF UNSUBDIVIDED LAND
- TAX NUMBERS OF THE PARCEL AND ADJOINING PARCELS
- ZONING ON AND CONTIGULOUS TO SUBDIVISION
- FLOODPLAIN
- COPY OF FEMA FIRM MAP SHOWING LOCATION OF SITE
- ALL VARIATIONS PROPOSED OR APPROVED (SUBDIVISION, ZONING, ETC.):

- NUMBER OF ACRES
- VICINITY MAP
- CONSISTENCY WITH COMPREHENSIVE PLAN LAND USE
- LETTER OF INTENT

- NATURAL RESOURCE INVENTORY REPORT (NRI)
- ANY PROPOSED PHASES OF PROJECT

EXISTING CONDITIONS

- PHYSICAL CHARACTERISTICS OF THE SITE
- EXISTING BUILDINGS, BRIDGES, OR OTHER PERMANENT STRUCTURES
- AVAILABILITY OF PUBLIC UTILITIES
- APPLICABLE PRIVATE RESTRICTIONS, COVENANTS OR EASEMENTS
- EXISTING RIGHTS-OF-WAY OR EASEMENTS
- TOPOGRAPHY
- DIRECTION, SIZE AND DISTANCE TO NEAREST WATER AND SEWER MAINS
- PLAT OF SURVEY OF AREA TO BE DIVIDED

LOTS

- PROPER LOT SIZE FOR ZONING DISTRICT
- PROPER LOT WIDTH AT BUILDING SETBACK LINE
- PROPER LOT FRONTAGE
- PROPER CORNER LOT SIZE
- PROPOSED BUILDING SETBACK LINES
- NOT MORE THAN 10% OF THE MINIMUM LOT AREA WITHIN A DRAINAGE EASEMENT
- ALL LOTS FRONT OR ABUT ON A DEDICATED PUBLIC STREET

STREETS

- PROPER ROW WIDTH

- PROPER CUL-DE-SAC RADIUS AND LENGTH MAINTAINED
- TYPICAL CROSS SECTIONS FOR ALL ROADWAYS
- STREET NAMES PROVIDED
- STREETS AND ROW ALIGNED WITH EXISTING ONES
- ABUTTING STATE HIGHWAY LINES AND STREETS ADJOINING PLAT INCLUDING NAME AND WIDTH
- PROPER ROW DEDICATED FOR FUTURE STREETS AND STREET WIDENING
- UNDESIRABLE STREET JOGS ELIMINATED
- PROPER STREET LENGTH WITHIN CUL-DE-SAC
- PROVIDE NAMES OR OWNERSHIP OF EXISTING STREETS OR RIGHTS-OF-WAY
- CORRESPONDENCE WITH STATE, COUNTY, AND TOWNSHIP ROAD AUTHORITY

BLOCKS

- PROPER BLOCK LENGTHS
- PEDESTRIAN WALKWAYS PROVIDED

DRAINAGE

- PRELIMINARY CALCULATIONS AND REQUIRED DATA
- PRELIMINARY STORMWATER DETENTION CALCULATIONS
- PRELIMINARY STORMWATER CALCULATIONS FOR ALL TRIBUTARIES IMPACTING THE PROJECT WITH A DRAINAGE AREA EXCEEDING 200 ACRES
- GEOMETRY AND PRELIMINARY GRADES OF DETENTION FACILITIES SHOWN
- STORM SEWER ALIGNMENT (IF APPLICABLE)

WATER COURSES, DRAINAGE, DITCHING SHOWN

WETLAND DELINEATION IF APPLICABLE

DEDICATIONS, PUBLIC, AND SEMI-PUBLIC AREAS

FLOODPLAIN AREAS AND DETENTION FACILITIES (IF APPLICABLE)

OPEN SPACE

PARK RECREATION

NARRATIVE DISCUSSING IMPROVEMENTS, MAINTENANCE AND FINAL OWNERSHIP

UTILITIES

SANITARY SEWER ALIGNMENT (IF APPLICABLE)

WATER MAIN ALIGNMENT (IF APPLICABLE)

CORRESPONDENCES WITH PROPOSED UTILITY PROVIDERS (WATER,
SEWER, ELECTRIC, GAS, COMMUNICATIONS, ETC.)

**APPENDIX 3
COUNTY OF KANKAKEE
SUBDIVISION REVIEW
FINAL ENGINEERING AND SPECIFICATIONS CHECKLIST**

GENERAL

- PROPER SCALE
- NORTH ARROW AND DATE
- PROPOSED SUBDIVISION NAME
- NAME AND ADDRESS OF OWNER, SUBDIVIDER AND THE ENGINEER, SURVEYOR OR PLANNER PREPARING THE PLAT
- PRECISE LEGAL DESCRIPTION
- LOCATION AND NAMES OF ADJACENT SUBDIVISION AND OWNERS OR ADJOINING PARCELS OF UNSUBDIVIDED LAND
- TAX NUMBERS OF THE PARCEL AND ADJOINING PARCELS
- ZONING ON AND CONTIGUOUS TO SUBDIVISION
- FLOODPLAIN
- ALL VARIATIONS PROPOSED OR APPROVED (SUBDIVISION, ZONING, ETC.):

- NUMBER OF ACRES
- VICINITY MAP
- CONSISTENCY WITH APPROVED PRELIMINARY PLAT

EXISTING CONDITIONS

- PHYSICAL CHARACTERISTICS OF THE SITE

- EXISTING BUILDINGS, BRIDGES, OR OTHER PERMANENT STRUCTURES
- PUBLIC UTILITY SERVICE AGREEMENTS
- APPLICABLE PRIVATE RESTRICTIONS, COVENANTS OR EASEMENTS
- EXISTING RIGHTS-OF-WAY OR EASEMENTS
- TOPOGRAPHY

LOTS

- PROPER LOT SIZE FOR ZONING DISTRICT
- PROPER LOT WIDTH AT BUILDING SETBACK LINE
- PROPER LOT FRONTAGE
- PROPER CORNER LOT SIZE
- PROPOSED BUILDING SETBACK LINES
- NOT MORE THAN 10% OF THE MINIMUM LOT AREA WITHIN A DRAINAGE EASEMENT
- ALL LOTS FRONT OR ABUT ON A DEDICATED PUBLIC STREET

STREETS

- PROPER ROW WIDTH
- PROPER CUL-DE-SAC RADIUS MAINTAINED
- STREET NAMES PROVIDED
- STREETS AND ROW ALIGNED WITH EXISTING ONES
- ABUTTING STATE HIGHWAY LINES AND STREETS ADJOINING PLAT INCLUDING NAME AND WIDTH
- PROPER ROW DEDICATED FOR FUTURE STREETS AND STREET WIDENING
- UNDESIRABLE STREET JOGS ELIMINATED

- PROPER PAVEMENT WIDTH
- PROPER STREET LENGTH WITHIN CUL-DE-SAC
- PROVIDE NAMES OR OWNERSHIP OF EXISTING STREETS OR RIGHTS-OF-WAY
- PROPER REGULATORY SIGNING PROVIDED FOR
- STREET LIGHTING INCLUDING REQUIRED EASEMENTS
- STREET SIGNS
- GUARD RAILS
- LANDSCAPING
- FIRE HYDRANTS
- VEHICULAR ACCESS POINT INTERVALS
- GRADES OF CENTERLINES OF STREETS
- PLANS AND PROFILES OF STREETS

BLOCKS

- PROPER BLOCK LENGTHS
- PEDESTRIAN WALKWAYS PROVIDED

DRAINAGE

- GEOMETRY AND DETAILED GRADES OF DETENTION FACILITIES SHOWN
- DETENTION OUTLET CONTROL DETAILS
- STORM SEWER
- WATER COURSE GRADES AND DETAILS
- NEIGHBORHOOD DRAINAGE PLAN

- EROSION CONTROL PLAN
- COMPLIANCE WITH THE KANKAKEE COUNTY STORMWATER ORDINANCE
- FINAL CALCULATIONS & REQUIRED DATA
- FINAL STORMWATER DETENTION CALCULATIONS
- FINAL STORMWATER CALCULATIONS FOR ALL TRIBUTARIES IMPACTING THE PROJECT WITH A DRAINAGE AREA EXCEEDING 200 ACRES

DEDICATIONS

- FLOODPLAIN AREAS AND DETENTION FACILITIES
- OPEN SPACE
- PARK RECREATION

UTILITIES

- LOCATIONS, GRADES AND SIZES OF SANITARY SEWER FACILITIES
- LOCATIONS, GRADES AND SIZES OF PUBLIC WATER FACILITIES
- LOCATIONS, GRADES AND SIZES OF STORM WATER FACILITIES
- PLANS AND PROFILES SHOWING SANITARY SEWERS, WATER MAINS, AND CENTERING OF ROAD GRADES
- ALL OFFSITE EASEMENTS AND IMPROVEMENTS REQUIRED FOR FULL FUNCTION OF PROPOSED UTILITIES

MISCELENEOUS

- THE WATER ELEVATIONS OF ADJOINING LAKES OR STREAMS AT THE DATE OF SURVEY AND THE APPROXIMATE HIGH AND LOW WATER ELEVATIONS OF SUCH LAKES AND STREAMS. INCLUDE THE YEAR OF RECORD.
- REQUIRED DATA AND SUPPORTING DOCUMENTATION

**APPENDIX 4
COUNTY OF KANKAKEE
FINAL PLAT REVIEW CHECKLIST
AND SAMPLE CERTIFICATES**

GENERAL

- PROPER SCALE
- NORTH ARROW AND DATE
- NAME AND ADDRESS OF OWNER, SUBDIVIDER AND THE ENGINEER, SURVEYOR OR PLANNER PREPARING THE PLAT
- PRECISE LEGAL DESCRIPTION

EXISTING CONDITIONS

- APPLICABLE PRIVATE RESTRICTIONS, COVENANTS OR EASEMENTS
- EXISTING RIGHTS-OF-WAY OR EASEMENTS

STREETS

- STREET NAMES PROVIDED
- ABUTTING STATE HIGHWAY LINES AND STREETS ADJOINING PLAT INCLUDING NAME AND WIDTH

DRAINAGE

- WATER COURSES, DRAINAGE, DITCHING SHOWN

DEDICATIONS

- PUBLIC UTILITIES
- OPEN SPACE
- PARK RECREATION

CERTIFICATES (SAMPLES ATTACHED)

- OWNERS
- NOTARY
- SURVEYOR'S
- COUNTY CLERK
- TOWNSHIP HIGHWAY
- COUNTY ENGINEER
- MUNICIPAL
- COUNTY BOARD

FINAL

- ALL MONUMENTS ERECTED, CORNERS AND OTHER POINTS ESTABLISHED IN THE FIELD
- THE EXACT LENGTH AND BEARING OF ALL EXTERIOR BOUNDARY LINES
- THE EXACT WIDTH OF ALL EASEMENTS, STREETS, ALLEYS AND PUBLIC UTILITIES
- ALL LOTS CONSECUTIVELY NUMBERED WITHIN CONSECUTIVELY NUMBERED BLOCKS
- THE NUMBER OF DEGREES, MINUTES AND SECONDS ON ALL LOT ANGLES OTHER THAN 90 DEGREES, EXCEPT THAT WHEN THE LINES IN ANY TIER OF LOTS ARE PARALLEL, IT SHALL BE SUFFICIENT TO MARK ONLY THE OUTER LOT
- WHEN A STREET IS ON A CIRCULAR CURVE, THE MAIN CORD OF THE CENTER LINE SHALL BE DRAWN AS A DOTTED LINE IN ITS PROPER PLACE
- THE WATER ELEVATIONS OF ADJOINING LAKES OR STREAMS AT THE DATE OF SURVEY AND THE APPROXIMATE HIGH AND LOW WATER ELEVATIONS OF SUCH LAKES AND STREAMS. INCLUDE THE YEAR OF RECORD

MISCELLENEOUS

- ACCEPTANCE LETTERS FROM ALL UTILITY PROVIDERS, AND MUNICIPAL AND TOWNSHIP AUTHORITIES.

- EXECUTED CONSTRUCTION GUARANTEE

- REVIEW COSTS PAID IN FULL

- IMPACT FEE RECEIPT (IF APPLICABLE)

SAMPLE CERTIFICATES

a. OWNER CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF KANKAKEE)

This is to certify that the undersigned is the owner of the land described in the annexed 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.

Dated this _____ day of _____, A.D. 20__.

b. NOTARY CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF KANKAKEE)

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 person whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledge that they signed and delivered the annexed plat as their own free and voluntary act for the uses and purpose therein set forth.

Given under my hand and Notarial Seal this _____ day of _____, A.D. 20__, at _____, Illinois.

Notary Public

c. PLANNING, ZONING, AND AGRICULTURE COMMITTEE CERTIFICATE

STATE OF ILLINOIS)

) SS

COUNTY OF KANKAKEE)

Approved this _____ day of _____, A.D., 20____.

Kankakee County Planning, Zoning, and Agriculture Committee

Chairman

d. SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)

) SS

COUNTY OF KANKAKEE)

This is to certify that I, _____, Illinois Land Surveyor No. _____, have surveyed and subdivided the following described property:

(Legal Description)

as shown by the annexed plat which is correct representation of said survey and subdivision. All distances are shown in feet and decimals thereof. I further certify that all regulations enacted by the Kankakee County Board relative to plats and subdivision have been complied within the preparation of this plat.

Given under my hand and seal at _____, Illinois, this _____ day of _____, A.D., 20____.

e. COUNTY CLERK’S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF KANKAKEE)

TO WHOM IT MAY CONCERN:

I, _____, County Clerk of Kankakee County, Illinois, and custodian of the records and files of said office, do hereby certify that I find from such records and files, no delinquent general taxes, no unpaid current general taxes, no delinquent special assessments on file against the tract of land described in the attached plat of _____ and that there are no unpaid deferred installments of special assessments outstanding against the said property of any part thereof.

Dated at _____, Illinois, this _____ day, A.D., 20____.

County Clerk

f. CERTIFICATE OF TOWNSHIP HIGHWAY COMMISSIONER

STATE OF ILLINOIS)
) SS
COUNTY OF KANKAKEE)

I, _____, do hereby certify that all matters pertaining to the highway requirements as prescribed in the regulations governing plats adopted by the Kankakee County Board of Kankakee County insofar as they pertain to the annexed plat, have been complied with.

I further certify that the required bond is posted for the completion of the improvements covering streets, including storm sewers and other public ways not under State or County jurisdiction.

Dated at _____, Illinois, this _____ day of _____, A.D., 20____.

Township Highway Commissioner

g. CERTIFICATE OF COUNTY ENGINEER

i. CERTIFICATE OF MUNICIPALITY

STATE OF ILLINOIS)

) SS

COUNTY OF KANKAKEE)

Approved and accepted this _____ day of _____, A.D., 20_____.

Municipality

APPENDIX 5

GUIDELINE FOR SELECTING LOCATIONS FOR INTERSECTION LIGHTS BY THE KANKAKEE COUNTY HIGHWAY DEPARTMENT

An intersection within Kankakee County may be selected for lighting if the following two conditions are met:

1. The intersection lies in an unincorporated area of the County; and,
2. At least one approach is maintained by the Kankakee County Highway Department and one or more of the following conditions exist:
 3. The ADT > 400 vehicles for least one north or south approach and one east or west approach; or,
 1. The statutory or altered speed limit is > 40 MPH; along the through highway or for at least one north or south approach and one east or west approach; or
 2. Where a seriously after dark accident experience is documented.

Installation of intersection lights throughout Kankakee County are possible through an agreement with the Commonwealth Edison Company. The agreement is that the County will pay a monthly charge per location based on fixture type, lumen rating, and bracket length and Commonwealth Edison will maintain the lights. If no existing pole or transformer is near the vicinity of the intersection then the County will pay for the additional materials required. Placement of the lights is to serve primarily as an orientations point for the intersection. They are not a part of the signing system nor is it the intention that these lights provide lighting for County signs at the intersection. No service record is kept for the lights; however, the department does telephone Commonwealth Edison when aware that a light is out or has been vandalized.

**APPENDIX 6
SUBDIVISION VARIANCE APPLICATION**

Submit required documentation to:
Kankakee County Planning Department
189 East Court Street
Kankakee, IL 60901
Contact the Planning Department at (815) 937-2940 for additional information

SUBDIVISION NAME:

Property Identification Number: _____

Applicant's Name: _____

Engineer's Name: _____

Variance(s) Requested:

- | | |
|----------|--------------|
| 1. _____ | Sec. # _____ |
| 2. _____ | Sec. # _____ |
| 3. _____ | Sec. # _____ |
| 4. _____ | Sec. # _____ |
| 5. _____ | Sec. # _____ |
| 6. _____ | Sec. # _____ |
| 7. _____ | Sec. # _____ |
| 8. _____ | Sec. # _____ |

Justification of Variance(s): On a separate sheet, please attach a statement explaining why the variance(s) from requirements of the subdivision regulations is required, including such items as:

- A. Exceptional topographic or other conditions unique to this particular parcel of land that creates a hardship to the subdivider, verses a mere inconvenience.

- B. The granting of the variance would not endanger the public health or safety or be detrimental to the public welfare.
- C. The request is unique to the property in question and not generally applicable to other property in the County.
- D. The benefit of the variance far outweighs any detriment.
- E. The granting of the request would not substantially impair the intent and purposes of the subdivision regulations (Section 17-2 of the Subdivision Regulations).

I certify that all information contained in this application and its supplements are true and correct.

Name _____ Signature _____ Date _____

(For Official Use Only)

Date Application Received _____ Date of Public Review Deadline _____

Date of County Board Action _____ Approved _____ Disapproved _____

Comments _____

**APPENDIX 7
VACATION OF PLAT APPLICATION FORM**

Subdivision Name _____

APPLICANT: Name _____ Phone _____

Address _____

CONTACT PERSON:

Name _____ Phone _____

Address _____

Application is hereby made for approval of the vacation of a plat or part of a plat. The following documents are made a part of this application:

- Two (2) copies of the plat of vacation
- Vacation Fee
- Letter of Intent
- Description of existing improvements

A. DESCRIPTION OF PROPERTY

1. Location: Township _____ Section _____

Description of Area to be Vacated _____

2. Present zoning _____ Proposed zoning _____

3. Comprehensive Plan Land Use Designation _____

4. Current Use of Area to be Vacated _____

5. Proposed Use of Area to be Vacated _____

B. REASON / PURPOSE FOR VACTAION OF PLAT

C. DESCRIBE IMPROVEMENTS TO AREA TO BE VACATED

D. FEE

Vacation Fee _____

Vacation of plat or part of plat - \$250

Date: _____

Application Signature

**APPENDIX 8
SAMPLE SUBDIVISION NOTICE**

COUNTY SUBDIVISION NOTICE

STATE OF ILLINOIS)
) SS
COUNTY OF KANKAKEE)

PUBLIC NOTICE is hereby given to all concerned in Kankakee County, Illinois, that a preliminary plat application has been received by the Plat Officer for the division of the property legally described below. The preliminary plat and application can be examined at the Kankakee County Administration Building, 189 East Court Street, Room 201, Kankakee, Illinois, The property is legally described as follows:

LEGAL DESCRIPTION:
 <insert legal description>

The property is owned by <insert owners name> and is being subdivided by <insert developers name> into <insert number of lots> lots for <insert residential, commercial or industrial> purposes.

This will be your only notice on this matter. Please contact the Planning Department for meeting dates at 1-815-937-2940.

Contact Information
<insert owners name>
<insert owners address>

<insert subdiviser’s name>
<insert subdivider’s address>

