

9.0 Subdivision Design Standards

9.1 GENERAL PROVISIONS

9.1.1 Recording of Plat

No plat of any subdivision confirmed by this development code shall be entitled to record in the County Clerk's offices, or for any validity until it shall have been approved in the manner prescribed in this development code.

9.1.2 Sale of Land in a Subdivision

- A. No owner or agent of the owner of any land shall transfer or sell any land by reference to, exhibition of, or by the use of the plan or plat of a subdivision before such plan or plat has been approved and recorded in the manner prescribed in this development code. Any sale or transfer contrary to the provisions of this section is voidable within 90 days at the option of the buyer. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of this development code.
- B. No interest in any real property in any subdivision or development shall be assigned, transferred or conveyed by the subdivider or developer to any other person until such time as the sanitary sewer, storm sewer or drainage system, water lines, curb and gutter and road base as required by this appendix is installed in accordance with approved construction plans, excepting assignments, transfers or conveyances for the purpose of obtaining a mortgage or loan on the subdivision or development or to another developer who accepts first developer's obligations.
- C. No final plat of any subdivision shall be accepted by the City of Peoria without the following covenant: "No deed will be delivered or title transferred or sale completed on any lot in this subdivision, except to another developer who accepts first developer's obligations, until such time as the sanitary sewer and storm sewer, if any, curb and gutter, and road base is installed, in accordance with construction plans submitted for this subdivision and approved by the City.

9.1.3 Permits

The Director of Planning and Growth Management shall not issue building or repair permits for any structure on a lot in a subdivision for which a plat has not been approved and recorded in the manner prescribed herein.

9.1.4 Public Improvements

The City hereby defines its policy to be that the City will withhold all public improvements of whatsoever nature, including the maintenance of streets and the furnishing of sewerage facilities and water service from all subdivisions which have not been approved, and from all areas dedicated to the public which have not been accepted by the City Council in the manner prescribed 2.13.

9.1.5 Revision of Plat After Approval

No changes, erasures, modifications or revisions shall be made in any plat of a subdivision after approval has been given by the Planning Commission and City Council, and endorsed in writing on the plat, unless the said plat is first resubmitted to the Planning Commission.

9.1.6 Conformity with Adopted Plans

The proposed subdivision or development shall conform to all applicable adopted plans (see 1.6), including the regulating plans for Form Districts in 6.0. The classification and location of all streets shall conform to all applicable adopted plans and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. Where not shown on all applicable adopted plans, the arrangement and other design standards of streets shall conform to the provisions below.

A. Relation to Adjoining Street System

The arrangement of streets in new subdivisions or development shall make provisions for the continuance of the existing streets in adjoining areas. If the existing streets are dedicated, the streets in new subdivisions or development shall be dedicated if a continuance of development beyond the new subdivision or development is feasible.

B. Projection of Streets

Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions or development shall make provision for proper projection of dedicated streets to the boundaries of the tract proposed to be subdivided or developed.

9.2 DESIGN STANDARDS

All subdivision or development of land subject to these regulations shall conform to the design standards set forth below. In the Form Districts, many standards are specified which replace the standards in this section – see 6.0, Form Districts.

9.2.1 Access

Every subdivision lot shall have frontage on a publicly dedicated street or on an approved private street.

9.2.2 Streets

All streets within a subdivision must meet the following minimum standards:

A. Street Widths and Right-of-Way

The minimum width of a street and right-of-way shall not be less than as follows:

STREET CLASSIFICATION SYSTEM AND DESIGN STANDARDS

Street	R.O.W.	Pavement	Lane Width	Median	Parking	Min Ret. Rad.	Min Rad.	Max Grade	Min Grade	Verti. Curve Alg. Diff ⁽⁴⁾	Structural Coefficient No. ⁽⁴⁾	Soil Survey ⁽⁵⁾
Freeway	200' to 250'	52' to 76'	12'	26'	Prohibited							
Expressway	150' to 200'	52' to 76'	12'	22'	Prohibited							
Primary Arterial	100'	52'	12'	4' to 22' ⁽²⁾	Prohibited if possible							Mandatory
Secondary Arterial	100'	48'	12'	4'	Prohibited if possible	30'	500'	5%	0.5%	25	4.00	Mandatory
Commercial Collectors	80'	44'	11' to 12' ⁽¹⁾	0	Dependent upon conditions	30'	500'	5%	0.5%	25	4.00	Mandatory
Industrial Collectors	80'	44'	11' to 12' ⁽¹⁾	0	Dependent upon conditions	30'	500'	5%	0.5%	25	4.00	Mandatory
Residential Collectors	65'	44'	11' to 12' ⁽¹⁾	0	Dependent upon conditions	25'	300'	7%	0.5%	20	3.00	Mandatory
Local	55'	34'	11'	0	Permitted	20'	100'	9%	0.5%	10	2.00	
Private Street ⁽³⁾	N/A	22'	11'	0	Prohibited	20'	100'	9%	0.5%	10	2.00	Mandatory

(1) 2 to 12' driving lanes and 2 to 10' parking lanes or 4 to 11' driving lanes.

(2) 22' needed for channelization of traffic.

(3) Subject to special design standards at intersections with dedicated streets and where it serves the function of a residential collector street.

(4) Subgrade shall have a minimum CBR of 3 for these structural coefficient numbers.

(5) Refer to soil survey (City of Peoria design standards)

B. Additional Width on Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-way, if necessary, to meet the minimum street standard requirements set forth in this article as follows:

1. The entire additional right-of-way shall be provided, where the subdivision is on both sides of the existing street.
2. When the subdivision is located on only one side of an existing street one-half of the required additional right-of-way shall be provided.

C. Cul-de-Sacs

No cul-de-sacs shall be platted after the effective date of this development code.

D. Reserve Strips

There shall be no reserve strips controlling access to streets within any subdivision.

E. Private Streets

Private streets may be permitted in subdivisions in isolated cases in which there would be no interference with adjoining circulation patterns and would not harm adjacent property owners. All private streets in subdivisions shall meet City standards and will be subject to the City Engineer's approval and on-site inspection. A maintenance agreement must be submitted and approved by the City Council before final approval may be given. Private streets are allowed within an apartment development. The method for maintaining such private streets shall be approved by the City Council before final approval will be given.

F. Street Jogs

Street jogs with centerline offsets of less than 150 feet shall not be allowed.

G. Intersections

Street intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle of less than 80 degrees.

H. Restriction of Access

When a subdivision or portion of a subdivision adjoins a primary or secondary arterial, no lot shall have direct access to the primary or secondary arterial. Such lots shall be provided with frontage on a marginal direct access thereto. Said lots shall be provided with frontage on a marginal access street or street other than primary or secondary arterials.

I. Street Names**1. General**

A proposed street which is in alignment with or joins an existing and named street shall bear the name of the existing street. In no case shall the proposed name of the street duplicate the name of an existing street within the area covered by this development code, subdivision code, zoning code. The use of the suffix "street," "avenue," "boulevard," "drive," "way," "place," or "court" or similar description shall not be distinction sufficient to constitute compliance with this section. The proper name or names of a street shall not be more than ten letter characters and/or letter spaces combined in length.

2. Honorary Street Name Signs

- a. Whenever the City Council decides to honor a person, group or to designate by naming a street or other public way, the street or public way shall retain its official name and its legal status, and a suitable sign or signs may be installed at the location designated by proper ordinance indicating the name in conformity with the provisions of this development code.

- b. Any request for a temporary honorary street name sign shall be approved by the district councilperson of the district in which the name or such other public way is located and shall be submitted to the Director of Public Works for necessary action and standardization.
- c. The cost of placement and maintenance or replacement of such signs, if approved by the district councilperson shall be entirely the responsibility of the requesting individual, who shall be charged for such costs by the Department of Finance. Such charges shall not be subject to waiver.

J. Sidewalks and Walkways

All developments shall have sidewalks as provided below. Alternative sidewalk/walkway systems to the standard system may be considered at the time of development review and approval. It is intended that all residential lots and dwelling units have adjoining access to a walkway. For thoroughfares, in which the City has collected a fee in lieu of sidewalk construction, walkways of extra width may be constructed on one side of the street based upon a City Council approved Comprehensive Walkway Plan.

1. Industrial Zoned Areas

- a. No sidewalks required on local streets. These streets shall be 36 feet in width. Parking may be prohibited along one or both sides of the street.
- b. Sidewalks are required on thoroughfares on both sides.

2. Residential and Commercial Zoned Areas

- a. Sidewalks are required on both sides of local roads and thoroughfares, one foot from the property line.
- b. A payment to the City, in lieu of providing sidewalks along thoroughfares which is equivalent to the standard sidewalk construction cost, may be considered and/or required by the City. The City will install sidewalks in a coordinated manner, which will facilitate linkages to other areas as deemed appropriate at a time to be determined by the City.
- c. Developments on streets within commercially zoned areas that have no residentially zoned parcels fronting on the same street shall comply with the industrial standards listed above.

3. Developed Areas Without Sidewalks

Undeveloped parcels within built-up areas where a majority of the property adjacent to the undeveloped parcel does not have sidewalks along the thoroughfare, as determined by the City, will not be required to provide sidewalks along the thoroughfare at the time of their development or redevelopment.

K. Curb and Gutters

Curb and gutters shall be constructed along all dedicated streets. The applicant shall have an option to construct curbs and gutters along private streets.

9.2.3 Blocks

Sizes of blocks shall be not less than 250 feet or more than 1,000 feet in length measured along the greatest dimension of the enclosed block area. Any block over 700 feet must provide for an improved pedestrian through-walkway (five-foot sidewalk) as close to the center of the block as possible. This walkway must be dedicated to the public use. Blocks in a Form District shall follow those shown on the adopted regulating plan.

9.2.4 Arrangements of Lots

Side lot lines shall be as near as possible at right angles to straight street lines or radial to curved street lines. Double frontage or through lots shall not be permitted, except in case of primary or secondary arterials.

9.2.5 Easements for Utilities

Except where dedicated right-of-way or alleys are provided for this purpose, utility easements shall be shown on the final plat. All utilities will be placed underground except in a designated flood-prone area. Utilities in designated flood prone areas shall be protected from flood damage. No permanent structure or improvements with exception of those constructed to serve the purpose for which the easement was established shall be erected on said easement unless the holder of said easement agrees in writing to allow a structure or improvement to be placed upon such easement provided, further, that the holder may impose such restrictions or requirements as he, she, or it deems necessary to protect the use for which said easement is granted. Any such written agreement shall be filed with the City Engineer and the Recorder of Deeds with regard to the particular parcel involved.

9.2.6 Drainage Easement

Where subdivisions abut or include a creek or tributaries, an easement shall be dedicated to the City for drainage and future improvements of such watercourse. The easement shall have sufficient width as determined by the City Engineer. An easement for access to the creek or tributaries easement shall be provided. No building will be allowed within this easement. The requirements stated in this section or the acceptance of an easement provided for and shall not make the City liable for maintenance of the creek or for damage which may occur due to the presence of the creek.

9.2.7 Drainage Plan

Prior to approval by the City of construction plans for public improvements, the applicant shall prepare a drainage plan of the area covered by the subdivision plat. The drainage plan shall indicate the proposed method of disposing of storm water from said area. This drainage plan may be submitted in conjunction with or as a part of the plat and topographical study required by state statute. A copy of the plan shall be submitted to the City Engineer. The plan shall indicate the manner in which stormwater runoff is to flow from back lot line locations to the proposed pavement or storm sewer system or existing approved watercourse. No structures or hard surface areas in a subdivision shall be built in a manner to interfere with the proper performance of the approved drainage system.

9.2.8 Perpetual Maintenance of Common Property

The perpetual maintenance of any common areas shall be provided for by a legal entity. Prior to the final approval of the development, the Planning Commission must approve the method of perpetual maintenance selected by the developer. No change shall be made in the approved method by the developer until approved by the Planning Commission.

A. Homeowners' Association

If a homeowners' association is formed, the articles must minimally contain the following provisions:

1. Legal description which geographically defines the area controlled by the homeowners' association and the property which is to be owned by the homeowners' association.
2. That all owners of property located within the development shall automatically become members of the homeowners' association. Provision shall be made for the timing of the transfer of control from the developer to the homeowners' association.
3. That no open space within the development shall be converted to other uses.

B. Single Ownership

In the event that the entire development is to remain under a single ownership, the applicant shall then file a deed restriction between the owner and the City of Peoria with the County Recorder of Deeds providing for a legal entity to be responsible for the maintenance of all common property.

C. Trust or Other

In the event a trust or other legal entity is used for the maintenance of the common property, said trust shall be legally bound to maintain common property for the benefit of the residents.

9.3 INSTALLATION OF REQUIRED IMPROVEMENTS

9.3.1 Required Improvements

The subdivider of a proposed subdivision shall install, or provide for the installation of, the following improvements and facilities (City standards and material specifications for required improvements may be found in the City standard specifications manual for the City of Peoria on file in the City Clerk's office. Additional information may be acquired from the Engineering Department):

9.3.2 Streets

A. Grading

All grading within the right-of-way shall be completed to the lines and grades as shown on the grading plan and as approved by the City Engineer.

B. Backfill

All trenches within two feet of the construction area shall be backfilled in accordance with City specifications.

C. Street Surfacing

1. All street pavements shall be surfaced and have a base provided in accordance with pavement design selections as provided in the standard specifications manual.
2. Before any pavement is laid on any streets in the subdivision, all sanitary sewer services and other utilities shall be stubbed in to the property line on all lots having frontage on said streets.

9.3.3 Curb and Gutters

Curb and gutters are to be constructed in accordance with the standard specifications of the City of Peoria.

9.3.4 Sidewalks

Concrete sidewalks of at least five feet in width, four inches thick and six inches thick at driveways shall be constructed on both sides of each street 12 inches from the right-of-way.

- A. Sidewalks shall be installed in accordance with the "Standard Specifications" of the City and shall be installed after a permit has been procured from the City and shall be inspected by the city when installed. Within two years after construction is completed on 80% of the lots in the subdivision, the applicant shall install all required sidewalks.
- B. Alternative sidewalk/walkway systems shall be constructed in accordance with the standards specified and accepted by the City at the time of plat or development approval.

9.3.5 Driveways

Driveway approaches shall be constructed according to the driveway standards of the City of Peoria.

9.3.6 Sanitary Sewers

When located within the service area of a public sanitary sewerage district, sanitary sewers shall be constructed through the entire subdivision in such manner as to adequately serve all lots with connection to such public system in accordance with State law.

- A. Where a lot, platted prior to the date of this ordinance, cannot be connected with a public sewerage system, provisions must be made for sanitary sewerage facilities consisting of a central treatment plant or, in the case of a single-family dwelling only, individual disposal device. Any lot platted within the corporate boundaries or the one and one-half-mile extraterritorial jurisdiction from the date of the adoption of this ordinance must be served with a connection to a public sanitary sewer system.
- B. All proposed sewage disposal systems shall comply with the ordinances of the City of Peoria and the Greater Peoria Sanitary and Sewage District and with the regulations of the State of Illinois and the City.

- C. Before the final plat is approved there shall be a maintenance contract with either the city or sanitary district for the maintenance of treatment facilities and the distribution system.

9.3.7 Surface Water Drainage

Surface water drainage shall be provided by storm sewers or drainage courses adequate to drain surface water from the development and protect roadway pavements. Existing water courses shall be maintained and no development is permitted which would restrict the flow in such a watercourse. All stormwater systems should be designed in accordance with criteria contained in the surface and storm drainage design standards of the City of Peoria.

9.3.8 Water Supply

If the subdivision is to be developed with a public or community water system, water mains shall be installed in a manner that meets the requirements of the Fire Department and has been approved by said Fire Department and City Council.

9.3.9 Street Name Signs

- A. All street name signs shall be installed by the City of Peoria Public Works Department per the City street sign standard or as approved by the Director of Public Works. The applicant shall pay a fee to the City for furnishing and installing the street name signs.
- B. The total costs for the installation shall be \$200.00 per intersection, which includes the current rates in effect for all labor, equipment and material for the sign installation. These costs will be adjusted three percent each year and rounded to the nearest dollar commencing January 1, 1999. The fee shall be paid in full prior to release of the final plat for recording. All street name signs shall be installed within 30 days of the issuance of the first building permit within a subdivision.

9.3.10 Survey Monuments

- A. All subdivision boundary corners, street intersection corners, points of tangency and points of curvature of all curved lines, points at which street lines intersect the boundary lines of the subdivision, all lot corners and any intermediate points including brow markers as required by the City Engineer shall be marked with a permanent survey monument which shall consist of a steel or iron rod or pipe at least one-half inch in diameter and at least two feet in length. Such monuments, as near as possible, shall be placed so as to be below or flush with the established finished grade. All section and quarter-section corners shall be marked with a concrete monument, and a brass plaque following the specifications of the Illinois Department of Transportation Highway Standard Type Two.
- B. It shall be the responsibility of the applicant to provide to the initial purchaser of each and every lot in the subdivision a recorded copy of the final plat of said subdivision (by a registered land surveyor) showing the location of all survey monuments on all lot corners and intermediate points pertaining to the individual lot and indicating that they are in place.

9.4 DEVELOPMENT FEES

9.4.1 Purpose

For the purpose of providing recreational and elementary educational facilities to serve future residential areas, a fee per dwelling unit will be levied or a donation of land of a comparable value will be required if same is indicated on an applicable adopted plan (see 1.6) or any eligible agency involved.

9.4.2 Applicability and Jurisdiction

This section and all its requirements and provisions shall apply to all developments if residential in nature.

9.4.3 Land Donation

- A. If a site for recreational and/or educational facility is indicated on an applicable adopted plan (see 1.6) or any eligible agency involved on any land included within the proposed development, then the applicant

shall donate the land required in an amount equal to the monetary value of the fees that would be collected if no site were shown on any applicable adopted plan.

- B. If there is any question as to the location and/or configuration of the site, the agency involved shall make the determination.
- C. If there is a dispute as to the value of the land to be donated then the applicant and the City of Peoria shall each select a qualified land appraiser and they shall determine the value. If they cannot compromise the issue then they shall select a third appraiser who shall determine the value.

9.4.4 Development Fees

A. Required Fees

If no recreational or educational site is shown on any agency's official plan nor that of a City of Peoria adopted plan (see 1.6) then a fee shall be levied according to the following chart:

Type of Unit	Recreation Fee	Education Fee	Total
Single-family detached	\$56.00	\$42.00	\$98.00
Single-family attached	42.00	21.00	63.00
Apartment	35.00	11.00	46.00

B. Records

Records shall be maintained so as to record land donations versus fees due. If land donations are made then the amount of fees due shall be reduced by an amount equal to the monetary value of the land donated. Said value shall be determined above.

C. Collection of Fee

The required fee shall be due and collectible at the time when application is made for building permits.

D. Establishment of Acquisition Fund

All such fees collected shall be deposited in a separate account not to be commingled with any other monies. That account shall be used solely for the purpose of defraying the cost of acquisition land for recreational and educational purposes which may be reasonably required by the development and which is designated for such purpose on an applicable adopted plan (see 1.6) or official plan for any eligible agency.

E. Administration of Fund

1. All monies received shall be deposited in a separate fund to be administered by the City treasurer. Investments may be made in the manner of and subject to the limitations of other City funds.
2. An accurate accounting as to the source of all monies collected shall be maintained so a determination can be made as to the jurisdiction in which the money was collected in order to determine the eligible agency at the time of the requested withdrawal.

F. Limitations and Exceptions

All monies in the fund shall be used for recreational and educational site acquisition and, as near as possible, acquisitions shall reflect site needs in the general area in which the fees were collected.

G. Withdrawals from Fund

1. Eligible agencies shall be entitled to request a withdrawal of the fees collected within their respective jurisdictions when they have submitted evidence that they have acquired a site. The withdrawal shall not be greater than an amount equal to the acquisition cost. The funds applied for shall be used only for acquisition of sites designated on a plan officially approved and adopted by the City Council and recorded in the office of the Recorder of Deeds of Peoria County. The City Council shall determine

whether the conditions of this development code have been complied with and what monies shall be withdrawn.

2. Monies not withdrawn shall remain in the fund and shall remain accounted to the jurisdiction from which they were collected.
3. If for any reason an agency becomes ineligible for a period of two years any fees collected within its jurisdiction shall be distributed equally and credited to the accounts of those agencies eligible at that time.

9.5 MODIFICATIONS

9.5.1 Applications Required

Application for any modification shall be submitted in writing by the applicant at the time when the preliminary plat is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all the facts relied upon by the petitioner.

9.5.2 Modifications

The Planning Commission and City Council may authorize a modification from these regulations when, in their opinions, undue hardship may result from strict compliance. In granting any modification the commission shall prescribe only conditions that it deems necessary to or desirable for the public interest. In making its findings, the Commission shall take into account the nature of the proposed subdivision and the existing use of land in the vicinity, the number of persons to reside, or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No modifications shall be granted unless the commission finds:

- A. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his land.
- B. That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- C. That the granting of the modification will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.