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# CHAPTER 90

## SUBDIVISION AND DEVELOPMENT CODE

DRAFT 9/9/2022



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### **Sec. 90-1. Subdivision control.**

- (a) For the purpose of the present and future development of the city, and for the promotion of the public health, and the safety, comfort, morals and welfare of persons living within the territory governed, the provisions and regulations contained in this chapter which shall govern the subdividing and platting of lands within the corporate limits of the city, as now or hereafter existing or within the area of jurisdiction of the City, as now or hereafter established under the provisions of the state statutes, are hereby adopted as part of the official plan of the city.
- (b) Whenever any owners of land shall have platted the land into lots and blocks, or shall thereafter replat the land, any part of which shall be for the purpose of property or to be sold or used for that purpose, such owners shall immediately apply to the PZC to have such land reclassified. If the owners neglect to apply to the PZC for reclassification, the PZC may proceed on their own motion, and after due notice of hearing, as provided in this chapter, the PZC shall proceed to reclassify such lands so platted or replatted into such other classifications as it shall determine according to the classes prescribed in this chapter, either higher or lower. The PZC shall, as soon as possible, report its decision and reclassification to the city council for action by such city council.
- (c) Minor subdivision means a subdivision of less than five lots, all fronting on an existing, improved street or road, and not involving any new street, road or easement of access. Such subdivisions shall not adversely affect the development of the remainder of the parcel or any adjoining parcels, and shall not be in conflict with any portion or provision of the zoning ordinance of South Beloit, or this chapter regulating the subdivision of land.

### **Sec. 90-2. Plat invalid without approval.**

From and after November 15, 1982, no plat of any subdivision shall be valid nor entitled to record unless and until the plat has been approved by the council of the city in accordance with the procedure provided in this chapter, and no plat of a subdivision shall be approved without compliance with the standards of design and improvements required, as set forth in section 90-3.

### **Sec. 90-3. Standards of design and required improvements.**

The following requirements are hereby adopted as the minimum standards of design of a subdivision and of improvements required to be constructed or installed therein. Community unit plans shall conform with chapter 118 of this Code.

#### STANDARDS OF DESIGN

- (1) *Streets.* Public streets shall be provided to afford convenient access to all property within the subdivision per the following:
  - a. No private street or thoroughfare shall be permitted (unless allowed through an approved planned development).
  - b. The proposed street system shall extend to existing adjoining streets unless the extension of such system would not be practical.
  - c. Where, in the opinion of the PZC, it is desirable to provide for street access to adjoining property, the proposed streets shall be extended by dedication to the boundary of such property.
- (2) *Alleys.* Alleys shall be provided, when applicable, at the rear of lots or tracts intended for business, commercial or industrial use, but shall not be provided in multiple-family building use and residential blocks.
- (3) *Right-of-Way* The minimum width of a right-of-way of a street, alley or thoroughfare, measured between the lines of property abutting upon the right-of-way, shall not be less than the following:

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- a. Major streets, being those to be used primarily for fast or heavy traffic, and shown on the major thoroughfare plan, and streets through business areas: 80 to 120 feet as required.
  - b. Residential streets: 66 feet.
  - c. Culs-de-sac, which are permanent dead-end streets, with a permanent turnaround having an inside radius of not less than 60 feet: 60 feet.
  - d. Alleys, to serve business and industrial areas: 24 feet.
  - e. Alleys, to serve residential blocks: 20 feet.
  - f. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the right-of-way.
  - g. When the subdivision is located on only one side of an existing right-of-way, which is less than the required width, the subdivider shall dedicate an additional right-of-way to meet the requirement.
  - h. In cases where topography or other conditions make the dedication of a street or part of a street the required minimum width impractical, the PZC may modify such requirements.
- (3) *Street grades.* Grades of major streets shall not exceed six percent. Grades of other streets shall not exceed eight percent.
  - (4) *Curves in streets.* Curves in streets shall be permitted, provided that no curve shall be greater than that approved by traffic engineers as reasonably safe for traffic at the particular location of the curve.
  - (5) *Street jogs.* Street jogs with centerline offsets of less than 125 feet shall not be permitted if the same can be reasonably avoided.
  - (6) *Street names.* Proposed streets which are obviously in alignment or continuation of existing streets already named, shall bear the name of such existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, road, boulevard, drive, place or court, or an abbreviation thereof.
  - (7) *Blocks.* Blocks shall not be less than 400 feet nor more than 1,800 feet in length, except as the PZC considers necessary to secure efficient use of land or desired features of the street pattern. In blocks 600 feet or more in length, the PZC may require a public crosswalk for pedestrian travel, of not less than ten feet in width, to extend entirely across the block at the location deemed necessary. All walkways shall be improved with concrete. Blocks shall be wide enough to allow two tiers of lots, except where fronting on major streets or prevented by topographical conditions of size of the property, in which case the PZC will approve a single tier of lots.
  - (8) *Public lands dedication.* Whenever a proposed subdivision has an area of six (6) acres or more (exclusive of public streets and thoroughfares), the subdivider may be required to dedicate a reasonable area therein for public use for park, playground, recreational or other similar public purposes, which area so dedicated shall be in addition to all dedications for public streets and thoroughfares. In determining the area to be so dedicated as public grounds, the PZC shall give due consideration to the present and anticipated density of population within such subdivision and to the present and future prospective public requirements for such public grounds; provided, however, that no subdivider shall be required to dedicate as public grounds for such purpose more than five percent of the total area of any subdivision, exclusive of public streets and ways contained within such subdivision.
  - (9) *Natural features.* In all subdivisions, due regard shall be given to the preservation of natural features such as large trees, watercourses, historical and similar community assets, which, if preserved, will add attractiveness and value to the property.

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## REQUIRED IMPROVEMENTS

- (10) *Storm drains.* An adequate system of stormwater drainage shall be constructed and installed, consisting of pipes, tiles, manholes, inlets and other necessary facilities that will adequately drain the subdivision and protect roadway pavements, and will prevent the accumulation of stormwater at any place under normal conditions. Open ditches shall be avoided if possible. Such drainage system shall be subject to approval by the city engineer. Prior to applying for an occupational permit from the county for an individual lot, the person or entity applying for such permit shall obtain written approval from the city engineer (or duly authorized representative) for the lot regarding the water drainage on the lot.
- (11) *Sanitary sewers.* When located within the service area of a public sanitary sewer system, sanitary sewer mains shall be constructed throughout the entire subdivision in such manner as to serve adequately all lots and tracts with connection to such public system. Where lots cannot, economically or for other reasons, be connected with a public sewer system, provisions must be made for sanitary sewerage facilities approved by the county health department.
- (12) *Water supply.* When located within the service area of a public water supply system, water mains not less than six inches in diameter shall be constructed throughout the entire subdivision in such manner as to serve adequately all lots and tracts with connection to such system, together with shutoff valves and fire hydrants. Fire hydrants shall be installed throughout the entire water system at intervals of not exceeding 400 feet. All fire hydrants shall have a seven-inch barrel and shall be provided with 2½-inch hose connections and one steamer connection. Where lots cannot, economically or for other reasons, be connected with a public water supply system, provision must be made for a water supply suitable for domestic use approved by the county health department.
- (13) *Lots.* Residential lots shall meet the minimum width, area, and density requirements as set forth in the current zoning ordinance of the city. The PZC may require that data from percolation and other tests be submitted as a basis for passing upon proposed subdivisions dependent upon septic tanks as a means of sewage disposal or private source of water supply. Commercial and industrial lots shall be designed to meet setbacks, off-street loading, parking, and landscaping requirements as set forth in the current zoning ordinance of the city. Flag lots will not be permitted unless allowed by the PZC in unique circumstances.
- (14) *Building setback line.* The depth of building setback lines shall meet the minimum requirements as set forth in the current zoning ordinance of the city.
- (15) *Easements.* Where no alleys are provided, there shall be dedicated easements of not less than six feet in width for poles, wires, conduits, storm and sanitary sewer, gas, water or other utility pipes or lines, along the rear of each lot, and along the side lot lines where necessary. Appropriate utility companies shall be contacted to confirm location and widths of easements for placement upon the final subdivision plat. The easements shall be so laid out that a proper continuity may be had for such utilities from lot to lot and from block to block. No buildings shall be constructed upon the easements.
- (16) *Utility services.* Utility services shall be constructed in a manner and material acceptable to the city engineer to connect with the utility service mains constructed within any street or thoroughfare, to serve each adjoining lot, tract or building site. Such utility services shall extend from the main 1' inside of property lines, unless otherwise approved by the City or Illinois American Water. All such utility services connected with utility mains constructed within any street or thoroughfare shall be located at the approximate centerline of each lot, and no deviation shall be made from such requirement except upon prior approval by the city engineer. Upon completion of the construction in place of all such utility service connections with utility mains, an accurate map showing the exact location of all such mains, together with manholes, shutoff valves and other similar facilities being a part thereof, by distances in feet from street lines, and of all such utility service connections in distances in feet from the side lot lines, approved by the city engineer, shall be filed in the office of the city clerk.

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(17) *Street pavement.* All streets within the subdivision shall be improved with a durable hard-surfaced roadway. The pavement shall be equal to or superior to a pavement consisting of a base course or crushed stone of a total thickness of not less than eight inches when thoroughly compacted. The materials used and the method of construction of the base course and bituminous driving surface shall be in compliance with the current specifications approved by the division of highways of the state for the type of pavement designated as bituminous surface plant mix (class B) section 405 in such specifications, or approved equal, and shall be sufficient, in the opinion of the city engineer, to withstand the traffic that the roadways will presumably be subjected to. Minimum standards shall be: 12" aggregate base course (CA-6/road stone) and 4" hot-mix asphalt pavement (2.25" HMA Binder Course; 1.75" HMA surface Course). The minimum width of the paved roadway, back to back of curb, shall be as follows:

- a. On residential streets, not less than 36 feet.
- b. On major streets, not less than 44 feet.
- c. On streets through business areas, not less than 50 feet.

Before any paving work is commenced, all street grading shall be properly completed as shown on the grading plan submitted with the final plat of subdivision. After grading of the streets is completed and approved, and before the base course of the roadway pavement is laid, all of the underground work, such as sewer, water and gas mains, *utility* service connections therewith, and any underground conduits for electric and telephone lines, shall be completely installed in place and approved. The surface course of the roadway pavement shall not be laid until the backfilling of all trenches dug for the installation of the utility service have completely settled, or compacted to the satisfaction of the city engineer. Before the surface course of the roadway pavement is laid, all depressions in the base course shall be properly filled and brought to the required grade so as to create a level surface.

- (18) *Alley pavement.* All alleys shall be improved with concrete or bituminous surface as approved by the City Engineer.
- (19) *Curb and gutter.* A suitable 30-inch PCC curb and gutter shall be constructed along the outside lines of all street pavements. The type of curb and gutter shall be subject to the approval of the PZC and city engineer.
- (20) *Sidewalks.* If the property subdivided is located within the corporate limits of the city, or immediately adjacent thereto, sidewalks may be required by the PZC if, in their opinion, sidewalks are essential or advisable by reason of existing sidewalks on adjoining streets. Sidewalks, whether required or optional, shall be concrete and constructed in accordance with the specifications approved and used by the city for sidewalk construction. A sidewalk plan shall accompany subdivision plans with careful consideration for sidewalk connectivity and ADA accessibility.
- (21) *Street signs.* An appropriate street sign shall be erected at each street intersection within the subdivision. The type of sign and its location shall be subject to the approval and direction of the city engineer ~~commissioner of streets~~.
- (22) Street Lighting.
- (23) *Trees.* Street tree and landscaping plans shall be submitted. Street trees shall be spaced one per every fifty feet (average) of frontage, shall be located outside of the City street right-of-way and within five feet of the front lot line (on the lot) adjacent to City streets within and adjacent to the subdivision. A diversity of trees shall be used such that no more than 35% of the plantings are represented by a single species. All trees shall be 8 to 10 feet in height and no less than a minimum of 1 ½ inch caliper at the point on the trunk 12 inches above grade after planting. Additional landscaping may be required for main road frontages and outlots in a given subdivision. A landscape plan is subject to the approval and direction of the city engineer ~~commissioner of streets~~. A landscape bond may be required as part of the subdivision approvals for landscaping.

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- (24) *Inspection.* All public improvements to be made under the provisions of this chapter shall be inspected during the course of construction by the city engineer of the city, or other competent person appointed by the city council. The compensation for such inspection and other costs incurred in connection with such inspection shall be paid by the subdivider to the city. The final completion of all such improvements shall be subject to the approval of such improvements by the city engineer.

#### **Sec. 90-4. Variance in standards.**

Where the subdivider can show that a provision of the standards of design or required improvements, as set forth in section 90-3, would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site or surrounding conditions, and in the opinion of the PZC and city engineer a departure may be made without destroying the intent of such provisions, the PZC may recommend approval of a variance. Any variance approved shall be stated in writing in the minutes of the PZC, with the reasoning set forth upon which the variance was considered justified. Such recommendation shall be forwarded to the City Council for final consideration and approval by the City Council.

#### **Sec. 90-5. Procedure summary for approval of subdivision.**

All developers shall follow the procedure detailed in this section to gain official approval for and recording of a subdivision plat. The following is a summary of the steps required to obtain approval in the subdivision process:

- (1) *Preliminary conference.* The review of the overall subdivision proposal at a draft stage.
- (2) *Tentative plat submittal and approval.* The first portion of the formal review process. No final plat shall be accepted for review until after the tentative plat of the area has been approved by the city council. All tentative plats shall require:
  - a. Submittal and approval of all required documents, including the tentative drainage plan and study in accordance with chapter 34, Environment, of the City Code of Ordinances; and
  - b. Referral by the city council; and
  - c. Approval by PZC; and
  - d. Compliance with the conditions established by PZC; and
  - e. Compliance with the provisions of the zoning ordinance and of the subdivision ordinance codified in this chapter.
  - f. Approval by the City Council.
- (3) *Final plat submittal and approval.* The formal review process, culminating in the subdivision of land into lots and dedication of public streets. Final plats shall require:
  - a. Submittal and approval of all required documents, including the final drainage study in accordance with chapter 34, Environment;
  - b. Approval by city council;
  - c. Compliance with the conditions established by city council; and
  - d. Compliance with the provisions of the zoning ordinance and of the subdivision ordinance codified in this chapter.

#### **Sec. 90-6. Preliminary conference/preapplication meeting.**

The developer shall arrange a preliminary conference with the Zoning Administrator to review the development proposal. A preliminary drawing showing the following information shall be brought to such conference:

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- (1) *Site information.* The boundaries of the property to be subdivided, existing easements and covenants affecting the property, land characteristics such as natural drainage, existing topography, wetlands and wooded areas, and development characteristics such as surrounding streets, existing buildings, existing driveway locations, available sanitary sewer, water and other utilities, and any annexation or pre-annexation agreements in effect for the property.
  - (2) *Proposed land divisions.* The developer's intentions for dividing the land, including proposed layout of streets, blocks and lots, extent of business areas, playgrounds, parks and other public areas. Entire parcels owned by same property owners adjacent one another, must be tentatively platted in entirety.

## **Sec. 90-7. Tentative plat submittal, review and recommendation.**

### (a) Submittal.

- (1) The developer shall submit a number of copies and electronic files, as required by the Zoning Administrator, of the tentative plat drawn to a scale of not less than 100 feet to the inch, with supporting sheets which shall constitute a part of such plan, showing the proposed plan of subdivision, one copy in an appropriate digital format when required by the city engineer, and one copy printed on paper 8½ inches by 11 inches, of a tentative plat of the subdivision to the Zoning Administrator for review, together with the review fee established by ordinance. The reproductions shall be folded to 8½ inches by 11 inches.
- (2) All submittals shall include a tentative drainage plan and study in accordance with chapter 34, the stormwater management ordinance. The tentative drainage plan shall be drawn or printed on paper 24 inches by 36 inches at a scale of 100 feet to one inch. The drainage plan shall contain on its face the signed statement of a registered professional engineer and the owner of the land, or his duly authorized attorney:
  - a. That, to the best of their knowledge and belief, the drainage of surface waters will not be changed by the construction of such subdivision or any part thereof; or
  - b. That, if such surface water drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas or drains which the developer has a right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the subdivision.

This drainage plan shall be approved by the city engineer prior to city council approval of the tentative plat. Approval shall be based upon whether the design of the drainage improvements is coordinated with present and future improvements so as to form part of an integrated system. The reproducible drainage plan becomes the property of the city and is placed on file in the department of public works.

- (b) Review. The tentative plat will be reviewed by the city and other appropriate agencies for their comments.
- (c) Recommendation: Following the review process, the Zoning Administrator shall forward the tentative plat to the PZC, together with a recommendation for the plat and any conditions which are to be addressed prior to submittal of the final plat. Conditional approval of the tentative plat shall be granted by the PZC based upon substantial conformity with the currently adopted comprehensive plan, all pertinent laws, rules, regulations, and the requirements of this chapter. Conditional approval is valid for one year.
- ~~(d) City council action on tentative plat. The city council shall, by motion, refer the tentative plat to the PZC for consideration and approval or disapproval.~~
- (e) *PZC action on tentative plat.* The PZC shall, after receiving the tentative plat, consider the proposed plan of subdivision as represented by such plat, and shall thereupon conditionally approve or disapprove the plan. Conditional approval of the tentative plat shall be granted by the PZC based upon substantial conformity with the currently adopted comprehensive plan, all pertinent laws, rules, regulations, and the requirements of this

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chapter. The tentative plat is expired and will require re-approval if a final plat is not approved within 1one (1) year from tentative plat signing.

State law reference(s)—Authority to grant PZC the authority to grant or deny preliminary plat approval, 65 ILCS 5/11-12-8.

- (f) *Disapproval of tentative plat.* If the proposed plan of subdivision, as shown by such tentative plat, is finally disapproved, a copy of the plat shall be returned by the PZC to the subdivider, or his agent, with a written statement of the reasons for such disapproval.
- (g) *Conditional approval of tentative plat.* If the proposed plan of subdivision, as shown by such tentative plat, is conditionally approved, two prints or copies of the plat shall be endorsed by the PZC as follows:

"The proposed plan of subdivision as shown on this plat and accompanying documents has received tentative approval by the PZC of the City of South Beloit, and such PZC is now ready to receive the final plat for consideration.

Dated \_\_\_\_\_

PZC OF CITY OF SOUTH BELOIT

By Chairman"	
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- (h) One copy of the tentative plat, so endorsed, shall remain on file with the PZC, and the other copy of the plat, so endorsed, shall be returned to the subdivider.
- (i) Tentative plat form and content. The tentative plat shall show the proposed layout for the entire tract of land owned or controlled by the developer.
  - (1) The tentative plat shall be drawn or printed on paper 24 inches by 36 inches at a scale of 100 feet to one inch unless an alternative scale has been approved by the city engineer. The tentative plat shall also be provided in an appropriate digital format when required by the city engineer.
  - (2) The tentative plat shall show the items as described in this chapter and be accompanied by the following information as follows:
    - a. The boundaries of the proposed subdivision and the distances between corners; the total acreage contained therein.
    - b. The name of the proposed subdivision; the name of the surveyor who prepared the plat.
    - c. The location of existing corporate boundary lines at or near the proposed subdivision.
    - d. The character of the lands immediately adjoining the proposed subdivision, showing the subdivision of such lands, if subdivided, and the location and dimensions of public streets, alleys, public utility easements, street pavements, sanitary sewer mains, stormwater mains, water supply mains, if any, adjoining the proposed subdivision.
    - e. The then zoning classification under the city or county zoning ordinance.
    - f. The location within the proposed subdivision of any existing public streets, alleys, public utility easements, street pavements, sanitary sewer mains, storm sewer mains, water supply mains, watercourses, bridges, culverts and similar facilities; the location of existing buildings, if any.
    - g. The names, locations, widths and other dimensions of proposed streets, alleys, easements, parks, playgrounds and other open spaces proposed to be dedicated for public use.



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- h. The blocks and lots into which the project is proposed to be subdivided, with the dimensions of such blocks and lots.
  - i. Contours at vertical intervals of not more than two feet, except when specifically not required by the PZC. All elevations shall be referred to the South Beloit Datum Plan.
  - j. A general description of the type, kind, character and extent of required improvements proposed to be constructed or installed.
  - k. Summary of all restrictions intended to be imposed by the final plat or by deeds of conveyance as to the use of all property within the subdivision, including the area of buildings for residence use, if any.
  - l. Such other information or data that the PZC may require for the full and complete consideration of the proposed plan of subdivision.
  - m. A small scale location map of the section in which the subdivision is located.

### **Sec. 90-8. Final plat submittal, review and recommendation.**

- (a) Submittal. Within 6 months of approval of the tentative plat by the PZC, the developer shall submit a final plat of the subdivision (or portions thereof which the developer proposes to record and develop) and submit a number of copies thereof (plus an electronic file), as required by the Zoning Administrator, to the planning and zoning department, and two reproductions printed on paper 8½ inches by 11 inches, for review and recommendation to the city council together with the final plat review fee established by ordinance. The reproductions shall be folded to 8½ inches by 11 inches. The developer shall also submit an 8½ inch by 11 inch reproduction of the plat and one reproduction in an appropriate digital format when required by the city engineer. A fee shall be charged for plat review.
- (b) Supporting documents with final plat. The following supporting documents and data, in triplicate, shall be submitted to the planning and zoning department with such final plat:
  - (1) Drainage plans. The final plat shall be accompanied by the final drainage study and study in accordance with chapter 34, the stormwater management ordinance, and construction plans, including calculations, for the drainage and detention facilities required to serve the area for which final plat approval is sought.
  - (2) Grading plan. and profiles showing the existing centerline elevations of all streets and alleys in the subdivision and the centerline elevations of pavements to be constructed. Elevations shall be referred to some permanent benchmark. Profiles shall be drawn to a horizontal scale of 20 feet to one inch and vertical scale of two feet to one inch.
  - (3) Landscape Plan. Street tree and landscaping plans shall be submitted. Street trees shall be spaced one per every fifty feet (average) of frontage, shall be located outside of the City street right-of-way and within five feet of the front lot line (on the lot) adjacent to City streets within and adjacent to the subdivision. A diversity of trees shall be used such that no more than 35% of the plantings are represented by a single species. All trees shall be 8 to 10 feet in height and no less than a minimum of 1 ½ inch caliper at the point on the trunk 12 inches above grade after planting. Additional landscaping may be required for main road frontages and outlots in a given subdivision.
  - (4) Construction plans. A detailed statement by the subdivider setting forth the nature, kind, character and extent of all the improvements that will be constructed in the subdivision, together with complete plans, profiles and specifications clearly describing the same, with an agreement to construct the same in accordance therewith, at his own expense, within the time limit fixed by the PZC. Such construction shall be under the direct supervision of the city engineer. All required approvals from appropriate regulatory agencies shall be obtained prior to the commencement of construction, with copies of such approvals being placed on file with the city clerk.

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- (5) Cost estimate. A statement by a competent engineer, giving an estimate of the total cost of the construction or installation of all such improvements, including the cost of engineering and inspection.
  - (6) Certification. A certificate by the city engineer, certifying that the improvements described in the subdivider's statement and as shown by the plans, profiles and specifications, meet the minimum requirements of this chapter, and that the estimate of cost of construction and installation, in his opinion, is substantially correct.
  - (7) Financial surety. A duly executed completion bond or letter of credit by the subdivider, with corporate surety in a form to be approved by the city council, to be filed with the city clerk, in an amount equal to the estimate of the costs of construction of all such improvements, certified by the city attorney as good, valid and enforceable by the city, securing the satisfactory completion of and payment for all such improvements and associated expenses in accordance with the description, plans, profiles and specifications submitted by the subdivider and approved by the PZC.
  - (8) Horizontal control values. Each subdivision as defined in this chapter, shall be required to provide geodetic survey horizontal control values for a minimum of two opposing corners of the permanently monumented subdivision. Horizontal control values must be provided in the Illinois State Plane Coordinate System, North American Datum (NAD) 1983 West Zone and referenced in the subdivision plat. The positional accuracy for the horizontal control values shall be a minimum order C-1. If differential GPS methods are used to acquire the horizontal control values, vertical control values shall also be required for the two opposing corners.
  - (9) Winnebago County Geographic Information System (WinGIS) requirement. A Winnebago County Geographic Information System (WinGIS) Geodetic Control Network Reference Tie Form must be signed and submitted by a licensed Illinois professional land surveyor to WinGIS for review. This form shall be submitted to the WinGIS office and recorded in the office of the recorder of Winnebago County with the final plat. Subdivisions with less than five lots, all fronting on an existing improved street or road, and not involving any new street, road or easement of access, will be exempted from this requirement.
  - (10) Covenants. A copy of all covenants relating to the subdivision shall also be submitted prior to plat recommendation.
- (c) Review and recommendation process. The final plat and accompanying documents shall be reviewed by the city and other appropriate agencies. Said review shall be completed by the Zoning Administrator and a recommendation submitted to the PZC. Approval of the final plat will be granted by the PZC in the manner provided by 65 ILCS 5/11-12-8, on the basis of substantial conformity with the tentative plat as approved, and the comprehensive plan of the city, and compliance with all pertinent laws, rules and regulations, and technical requirements of the city.
  - (d) Approval of final plat by PZC. When the PZC has approved the final plat, the following shall be written or stamped upon such plat and the two prints or copies of such plat:

"Approved by the PZC of the City of South Beloit, this \_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_.

\_\_\_\_\_  
Chairman"

After such approval, the PZC shall then transmit the approved final plat, and one copy or print of such plat, to the city council, together with a letter of transmittal calling the council's attention to all variances (if any) approved by the PZC and setting forth its reason for approving such variances, and together with the originals and one copy of all supporting documents presented to the PZC. One approved print or copy of the final plat and one copy of all supporting documents submitted therewith shall remain on file with the PZC.

- (e) Approval of final plat by city council. When and if the city council is satisfied with the final plat and with all improvements, conditions and documents pertaining to the subdivision, the council shall, by resolution, approve such plat and authorize and direct the mayor and clerk to sign the plat for and in the name of the city and attach thereto the corporate seal.

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- (f) Recording of final plat. The city clerk shall retain such final plat so approved, and, upon payment by the subdivider to the clerk of the estimated cost of recording, the surveyor shall record the final plat in the office of the county recorder. The supporting documents transmitted with such final plat to the city council shall be filed in the office of the city clerk. A reproducible copy (by developer), after recording, shall remain in the office of the city clerk. The print or copy of the final plat, with a copy of the approval by the city council, and one copy of all supporting documents, shall be delivered to the surveyor.
- (g) Certification by WinGIS. Certification by an agent of Winnebago County Geographic Information System (WinGIS) shall take the following form:
- a. "I hereby certify that the ties to the Winnebago County Geodetic Control Network for the property contained within this plat have been reviewed and are approved. The Geodetic Control Network Tie Form has been submitted and it is approved. A digital copy of the plat has been provided to the City of South Beloit, Illinois, at no cost to the city."
- (h) Final plat form and content.
- (1) The final plat shall be drawn with nonfading black ink on a durable, reproducible medium measuring 24 inches by 36 inches at a scale of 100 feet to one inch unless an alternate scale has been approved by the city engineer. When more than one sheet is submitted for any one plat, the sheets shall be numbered consecutively and contain a notation showing the whole number of sheets in the plat, and its relation to other sheets.
  - (2) The final plat shall show on the face thereof:
    - a. The names of the owners of the property.
    - b. The name of the registered land surveyor who prepared the plat and the date of the preparation.
    - c. The legal description of the property subdivided.
    - d. Boundary of the plat, based on accurate traverse, with angular and linear dimensions.
    - e. Location of all permanent monuments.
    - f. All other measurements, dimensions, data and certificates required by 765 ILCS 205/1, or appropriate sections of the state statutes.
    - g. On any such plat showing tracts dedicated for park, playground or similar public use, if such tracts are not located within the corporate limits of the city, the certificate of dedication shall provide that the future official act of annexation of such tracts to the city shall constitute a transfer of the title to such tracts to the city for such public use.
    - h. Signature blocks, as required by the City, that may include as applicable the City Engineer, City Zoning Administrator, City Utilities Personnel, Mayor, and County Recorder.
    - i. All required easements along with associated easement language and restrictions.

### **Sec. 90-9. Developer's agreement.**

- (a) Prior to approval of the final plat in a new subdivision the developer shall enter into a developer agreement with the city that outlines the various responsibilities of the city and the developers during the process of developing the subdivision.
- (b) The city clerk shall have on file a standard agreement that is approved by the city council. Such document shall be amended as appropriate to each subdivision by agreement between the city and the developer.

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**Sec. 90-10. Suitability of land for subdividing.**

- (a) Lands subject to flooding, and land deemed to be topographically unsuitable, should not be subdivided for residential purposes, nor for such other uses as may increase danger to health, life or property, or aggravate erosion or flood hazard.
- (b) The PZC shall not approve the subdivision of land, if upon adequate investigation conducted by the PZC and the opinion of the engineer of such city, it has been determined by the PZC that in the best interest of the public the site is not suitable for subdivision and development of the kind proposed.

**Sec. 90-11. Site Development Permit.**

- (a) Subdivision construction may be subject to a Site Development Permit per Chapter 34, Environment.

**Sec. 90-12. Acceptance of streets or thoroughfares by the city.**

- (a) If any plat of a subdivision contains public streets or thoroughfares which are therein dedicated as such, whether located within the corporate limits of the city or outside of the city, or contains existing streets outside of such corporate limits, the approval of the plat by the city council or the subsequent annexation of the property to the city, shall not constitute an acceptance by the city of such streets or thoroughfares, nor of the improvements constructed or installed thereon or therein, irrespective of any acts by any officer, agent or employee of the city with respect to such streets or improvements. The acceptance of such streets or thoroughfares shall be made only by the adoption of a resolution by the city council after there has been filed with the city clerk a certificate by the city engineer certifying that all improvements required to be constructed or installed in or upon such streets or thoroughfares in connection with the approval of the plat of subdivision by the city council, have been fully completed, and the construction or installation has been approved by him.
- (b) No permanent connection shall be made or maintained with the sanitary or storm sewer or water supply systems of the city to serve property within the subdivision until the certificate by the city engineer as provided in subsection (a) of this section has been filed, and not until any money owing to the city for permit fees for the connections with such systems or any of them have been paid.

**Sec. 90-13. Changes and amendments to chapter.**

The PZC shall from time to time prepare and recommend in writing to the city council such changes or additions to the provisions and regulations contained in this chapter for subdivision control, as the PZC may deem necessary or advisable. Such changes or additions shall become effective after their adoption by the city council by its passage of an amendment to this chapter.

**Sec. 90-14. Buildings within proposed major street extensions.**

No permanent building or structure shall be erected within the extended street lines of proposed extensions of major streets shown on the major street plan adopted as part of the official plan of the city.

**Sec. 90-15. Enforcement of chapter.**

The Zoning Administrator shall enforce the provisions of this chapter. The Zoning Administrator may call upon any department or official of the city to furnish him with such information and assistance as he may deem necessary for the observance or enforcement of this chapter, and it shall be the duty of such department or officer to furnish such information and assistance whenever required.

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**Sec. 90-16. Penalty for violation of chapter.**

Any person or corporation who shall violate any of the provisions of this chapter shall be subject to punishment by a fine of not less than \$25.00, nor more than \$200.00 for each violation. And each day that such violation continues after such fine has been assessed shall constitute a separate offense.