

## CHAPTER 34 – SUBDIVISION CODE

### Article I – Subdivision Standards

34-1-1 Design and Improvements Standards. The design and improvements standards set forth in this Article shall be deemed the minimal requirements for public health, safety, and general welfare. Nothing contained in this Article shall be construed to mean that a subdivider cannot construct additional improvements or improvements of a higher quality. Any tract of land that is unsuitable for development due to probable flooding, poor drainage, rough topography, adverse soil conditions, or other conditions which, in the opinion of the County Highway Committee, will prove harmful to the health, safety, and/or general welfare of the future inhabitants of that tract and/or the present or future inhabitants of adjacent parcels shall not be subdivided unless the subdivider formulates plans/methods which the Committee deems adequate to solve the potential problems engendered by the adverse land conditions:

(1) That all rules and regulations as established in the Illinois Compiled Statutes concerning the laying out of subdivision be met, including survey, lot corners, etc.

(2) That a preliminary plat be presented to the Engineer designated by the County Board at least thirty (30) days prior to the Board meeting at which approval will be sought.

(3) That this plat be drawn to scale of not less than one inch (1") equals one hundred feet (100').

(4) That each lot be numbered and the area shown on the plat.

(5) Each lot shall contain an area of not less than forty thousand square feet (40,000 sq.').

(6) That the total area being subdivided be shown on the plat.

(7) A tract of land not less than twelve feet (12') in width shall be designated on all subdivision plats as a utility easement so that each lot in the subdivision may be adequately served by available public utilities and further a utility easement shall be provided so that any new public utility shall be installed not any nearer than twenty feet (20') from the existing right-of-way line on all County highways and not any nearer than ten feet (10') from the existing right-of-way line on all Road district or Township highways.

(8) Alleys. Any subdivision that is laid out so that two or more lots adjoin each other at the rear of the lot may have an alleyway of not less than twenty feet (20') between these lots with the understanding that where practical this alleyway may also be used in lieu of the previously mentioned utility easement. All alleys shall be graded; all necessary culverts installed and one application of Bituminous Material Prime Coat, one application of Bituminous Material Seal Coat and one application of Seal Coat Aggregate, CA-16, applied.

(9) Dead End Roads. When a dead end street is made a part of the subdivision it shall

have a turnaround at the closed end with an outside roadway diameter of not less than one hundred twenty-five feet (125').

(10) Property lines at street intersections shall be rounded with a radius of not less than twenty-five feet (25').

(11) Streets shall be laid out so that intersections, as far as possible, be at right angles and no street shall intersect any other street at less than 65 degrees.

(12) The minimum right-of-way width of all streets shall be not less than fifty feet (50').

(13) Dedicated/Reservation of Right-of-Way: When right-of-way must be dedicated:

(Note: This paragraph does not apply to private streets.)

(A) The subdivider shall dedicate at least the minimum right-of-way indicated in Section 12 whenever he proposes to build any street.

(B) Whenever the subdivider proposes to build any street, he shall dedicate right-of-way in excess of the stated minimum where:

- (1) due to topography, additional width is necessary to provide adequate sight-line; or
- (2) due to the location of streams, railroad tracks, etc., additional width is needed to construct bridges, underpasses, and /or safe approaches thereto.

When Right-of-Way must be reserved: the subdivider shall reserve right-of-way in the instances stated below. If the governmental entity requiring the reservation has not purchased such right-of-way or acquired it through condemnation proceedings within one (1) year from the date the final plat is recorded, the reservation shall cease to legally bind the subdivider.

(A) Whenever the State, Jefferson County, or any township or municipality within the County has gone on record as desiring to relocate or construct any street or highway through or adjacent to any proposed subdivision, the subdivider shall reserve sufficient right-of-way in the locations prescribed by said governmental entity.

(B) Whenever a subdivision abuts an existing street that does not meet the standards set forth in Section 17 thru 21, the subdivider shall reserve sufficient right-of-way along the side of the street abutting the subdivision so that, when additional right-of-way is acquired on the other side, it will be possible to improve the street to comply with said standards.

Right-of-Way not part of Minimum Setback: any land that is declared or reserved for public right-of-way shall not be counted in determining compliance with the lot size and setback requirements.

(14) The set-back distance for permanent buildings shall be twenty-five (25) feet from the right-of-way line on roads and streets that are completely within a subdivision.

(15) Private Streets. Hereafter it shall be unlawful to create any private street unless a

subdivision variance has been granted. To obtain such a variance, the subdivider must satisfactorily demonstrate that there is virtually no current or potential public interest in the proposed private street. In every case, a variance to permit a private street shall be subject to the following conditions:

- (A) That the final plat will show the location and width of such private street as a means of access to a public street.
- (B) That the final plat will show the location and width of such private street.
- (C) That the final plat will include a certificate stating essentially as follows:

I, \_\_\_\_\_, owner of tract \_\_\_\_\_ and the private road or street shown hereon, declared that said private road or street is not dedicated to the public but shall remain private, to be maintained by and for the adjoining lot owners until such time that said street(s) is accepted by the appropriate township or Jefferson County, Illinois.

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_

(16) That a road or street shall be constructed so as to have a minimum roadway width of twenty-four(24) feet.

(17) A road or street shall be constructed so as to have a minimum surface width of eighteen (18) feet surface, with approved road fabric overlying six (6) inch compacted (95% compaction) crushed stone, CA-6, and a surface treatment consisting of one application of Bituminous Material Prime Coat, two (2) applications of Bituminous Material Cover Coat and two (2) applications of Cover Coat Aggregate, CA-16, and one (1) application of Seal Coat Aggregate, CA-16.

(18) That all future developments in any subdivision shall meet the requirements of these regulations.

(19) That the road or street be so constructed as to provide adequate drainage with a minimum road ditch of eighteen (18) inches deep.

(20) That all culverts or drainage structures be in place.

(21) That all road construction, including materials, shall conform to the Standard Specifications for Road and Bridge Construction as established by the Illinois Department of Transportation.

(22) Subdivision Fees. By resolution, the County Board shall establish, and may amend from time to time, a schedule of fees for filing applications for the preliminary plat review, improvement plan review, final plat review, variances and plat vacations as set forth in this Article. Said fees are intended to defray the administrative costs connected with the processing/conducting of such certificates, licenses, permit, and procedures; the fees do not constitute a tax or other revenue-raising device. All such fees shall be paid by the applicant to

the County Highway Department. A fee of two hundred fifty (250) dollars for each subdivisions plat where no roads are involved and a fee of three hundred fifty (350) dollars for each subdivisions plat containing new roads shall be charged to defray the costs of implementing these conditions.

(23) All subdivisions approved by the County Board prior to November 9, 1972, containing roads shall be improved to meet the requirements of these regulations.

(24) That no dwelling be constructed in any subdivision where a public water system is not available with a cistern of less than five thousand (5,000) gallon capacity.

34-1-2 Sanitary Sewers. All proposed sanitary sewer facilities shall comply with the regulations of the Illinois Department of Public Health and the Illinois Environmental Protection Agency, and with all pertinent requirements of the subsections below. Sewage collection lines shall not be smaller than eight inches (8") in diameter. In areas where the public sanitary sewer system is not reasonably accessible, but where plans for the installation of said systems have been approved by the Illinois Environmental Protection Agency, the developer shall provide sanitary sewers in accordance with such plans and temporarily cap them.

34-1-3 Individual Disposal Systems. When permitted; Jefferson County considers the installation of individual sewage disposal systems in subdivisions highly undesirable. Thus, such individual sewage disposal systems shall be permitted only when all of the following conditions are met:

(1) No public sanitary sewer system is reasonably accessible.

(2) It complies with the "Guidelines for the Installation of a Private Sewage Disposal System of the Illinois Department of Public Health."

34-1-4 Drainage and Storm Sewers. Every residential subdivision shall be provided with facilities which can satisfactorily accommodate the runoff incident to the ten (10) year design storm. (Note: The drainage facilities in any commercial or industrial subdivision shall be designed to handle the runoff the twenty-five (25) year design storm). General Design Considerations are:

(1) Underground/Surface System. The drainage system may provide for the design storm indicated above by either an underground or surface drainage system or a combination of both. If an underground system is utilized, it shall at least accommodate the five (5) year design storm; adequate surface drainage (swales, ditches, etc.) facilities shall be provided to handle the additional flow.

(2) Consistency with Plant/Regulations. Drainage facilities shall be designed in conformity with any adopted local, regional, levee/sanitary district plans and/or regulations.

34-1-5 Performance Bond. If construction of any roads has not been completed prior to record the subdivider shall provide the following type of security to insure completion of these improvements. A performance Bond payable to the County of Jefferson in the amount of one hundred (100) percent of the cost of said improvements as estimated by the Registered Professional Engineer as designated by the County Board in Section 34-1-1 of these regulations. The above security shall be conditioned upon installation of the required improvements within one (1) year of approval of the final plat. The release of the Performance Bond shall occur when the required improvements are completed and officially accepted for maintenance by the appropriate authority or when the subdivision is vacated, whichever occurs first.

34-1-6 Certificates Required. The following certificates shall be executed on the final plat;

(A) Owner's Certificate.

We, owners of ( \_\_\_\_\_ description \_\_\_\_\_ ), have caused the said tract to be surveyed and subdivided in the manner shown, and said subdivision is to be hereinafter known as \_\_\_\_\_. All rights-of-way and easements shown hereon are hereby dedicated to the use of the public forever. We hereby waive the right of homestead under the Homestead Exemption Laws of the State of Illinois.

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

(B) Surveyor’s Certificate.

I, \_\_\_\_\_, a registered Illinois Land Surveyor, hereby certify that this plat is a correct representation of a survey made under my direct supervision at the request of \_\_\_\_\_, for the purpose of subdividing the tract into lots as shown.

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

\_\_\_\_\_  
Registration Number

\_\_\_\_\_  
Date

(C) County Clerk’s Certificate

I, \_\_\_\_\_, County Clerk of Jefferson County Illinois hereby certify that I find no unpaid or forfeited taxes against any of the real estate included within this plat.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Date

(D) Jefferson County Board Certificate.

I, \_\_\_\_\_, Chairman of the Jefferson County Board, hereby certify that said Board has determined that his final plat meets all requirements of the Jefferson County Land Development Code; that this plat was approved by said Board on \_\_\_\_\_, \_\_\_\_; and that the subdivider has completed all required improvements or has posted adequate security prior to said approval.

\_\_\_\_\_  
Date Bond(s) Posted

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

(E) Flood Hazard Certificate.

We, the undersigned, hereby certify that no part of the tract depicted on this plat is situated within five hundred (500) feet of any surface drain or watercourse serving a tributary area of six hundred forty (640) acres or more; or if any part of the tract is within five hundred (500) feet of any surface drain or watercourse, we hereby certify that this plat has been reviewed by the Illinois Department of Transportation, Division of Water Resources, and their report is on file with the Jefferson County Recorder of Deeds.

By \_\_\_\_\_  
Owner(s)

By \_\_\_\_\_  
Illinois Land Surveyor

\_\_\_\_\_  
Registration Number

Date \_\_\_\_\_

34-1-7 Penalty. Any subdivision who subdivides land under the jurisdiction of the Jefferson County Board and does not comply with the regulations as hereby established by the said County Board shall be penalized in the amount of one hundred (100) dollars per lot minimum, up to five hundred (500) dollars per lot maximum for said non-compliance. A fee of fifty (50) dollars shall be charged for all amendments or changes in subdivision plats previously approved by this Board.