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**DIVISION 3**  
**SUBDIVISION APPLICATION PROCEDURE**  
**AND APPROVAL PROCESS**

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14-3-1 GENERAL PROCEDURE FOR APPROVAL AND REQUIREMENTS

Before any land is subdivided, the owner of the property proposed to be subdivided, or his authorized agent, shall apply for and secure approval of the proposed subdivision in accordance with the following procedures, which include two (2) principal steps for a minor subdivision and three (3) principal steps for a major subdivision:

- A. *Minor Subdivision.*
  - 1. Preliminary Plat
  - 2. Final Plat.
- B. *Major Subdivision.*
  - 1. Sketch Plat
  - 2. Preliminary Plat
  - 3. Final Plat

The Plat Officer shall be responsible for coordinating the process and reporting to the Planning and Zoning Committee on the results of staff, departmental and other review.

14-3-2 PRE-APPLICATION CONFERENCE

- A. ***Discussion of Requirements.*** Before preparing a sketch plat or preliminary plat for a subdivision, the subdivider shall schedule an appointment and meet with the Plat Officer unless the pre-application conference has been waived by the Plat Officer. The Plat Officer may also request that the County Engineer and Ogle County Health Department also take part in the pre-application conference. This step does not require formal application, fee payment or filing of plans.

At the conference, the subdivider shall review with the Plat Officer (and County Engineer and Ogle County Health Department, if applicable) the following issues as they relate to the proposed subdivision:

- 1. General plan and development policies of the County;
- 2. Existing zoning and land use in the general area of the property in question;
- 3. The County's procedures for approval of a subdivision plat;
- 4. The County's requirements as to general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services, including schools;
- 5. Any other pertinent factors.

The Plat Officer shall also advise the subdivider, when appropriate, to discuss the proposed subdivision with those officials who must eventually approve those aspects of the subdivision plat coming within their jurisdiction.

- B. After conducting the pre-application conference, the Plat Officer shall make a determination as to the necessity of the sketch plat stage for a minor subdivision.

#### 14-3-3 SKETCH PLAT

- A. **General.** Before preparing a preliminary plat for the subdivision of land within the unincorporated area of Ogle County and after meeting with the Plat Officer (pre-application conference), the subdivider shall submit to the Plat Officer a sketch plat with allied documents, as set forth below, unless the sketch plat stage for a minor subdivision has been waived by the Plat Officer.
- B. **Intent.** The intent of the sketch plat stage is to provide information to help a prospective subdivider appraise the feasibility of a subdivision concept according to development plans and policies, and existing and projected development activities. The sketch plat stage encourages the discussion of basic problems and questions related to the development proposal prior to the expenditure of funds for more detailed plans. The sketch plat will be presented to the Plat Officer, Highway Department and Health Department at a sketch plat conference. The sketch plat conference shall be arranged by the subdivider.
- C. **Filing.** At least seven (7) days prior to the sketch plat conference, the subdivider shall submit the following to the Plat Officer:
  - 1. Five (5) copies of a sketch plat including sufficient spatial analysis to indicate the following (existing and proposed conditions within one hundred feet [100'] of the tract):
    - a. Topography, at a minimum ten (10) foot contour interval with significant slopes designated.
    - b. Wooded and natural areas.
    - c. Wetlands, bodies of water and other conspicuous low areas subject to flooding.
    - d. Drainage patterns with all high and low elevation sites designated.
    - e. Existing interior adjacent roadways, or other public ways, railroad and utility rights-of-way, parks or other public open spaces within one hundred feet (100') adjacent to the site.
    - f. Buildings, barns, bridges and other existing structures.
    - g. Neighborhood land uses, political boundaries, known taxing districts, municipal planning boundaries, present zoning and planned uses according to local government plans.
    - h. Names of adjacent subdivisions and the owner(s) of adjacent subdivided and unsubdivided property as well as conditions of adjacent property which may affect the proposed development.
    - i. Proposed layout of roads, and land uses and general pedestrian circulation.

- j. Proposed dedication and reservation, school sites, park sites, open space and natural area, and storm water management facilities.
  - k. The boundaries of each soil type and identification of soil types by their name and number according to the Ogle County Soil Survey classification system provided by the U.S.D.A. Natural Resources Conservation Service (formerly the Soil Conservation Service).
  - l. A legend of each soil type listed according to their limitations as set forth in the Ogle County Soil Survey and according to their category as set forth in the Ogle County Health Code.
  - m. A north arrow and scale.
2. The following additional information shall be submitted to the Plat Officer:
- a. ***Name of Subdivision.*** A subdivision shall not be valid nor entitled to be recorded if the record name, or part thereof, of said subdivision is the same as, duplicates, closely approximates or is similar to or pronounced the same as the name of any previously approved subdivision within the County. A subdivision name or part thereof shall be considered as duplicating, closely approximating, similar to or pronounced the same as the name of an existing subdivision name if it contains a proper, historical, geographical, locational, mythological, famous, fictitious, or personal name, words, or combination thereof which is the same as, similar to or pronounced the same as a word in the name of any other previously approved subdivision within the County. If in the event the Committee determines that the subject subdivision name duplicates, closely approximates, is similar to or is pronounced the same as the name of an existing subdivision name, then the Committee shall require the subdivider or developer to propose an alternative name or names.
  - b. Site information including, but not limited to, the total number of acres, the acreage in lots, acreage in rights-of-way, acreage in open space and the existing and proposed zoning (if applicable).
  - c. Location by township, range, section and property index number.
  - d. A location map at a scale of not less than one inch equals one thousand feet (1" = 1,000') showing the relationship of the subdivision to its surroundings within a one-half (½) mile including section lines, collector and arterial roads.
  - e. Names, addresses and telephone numbers of the subdivider and owner.
  - f. Names, addresses and telephone numbers of the site planner, designer, landscape architect, engineer or surveyor who prepared the subdivision layout.
  - g. A general statement of the proposed method of stabilization to prevent soil erosion prior to and during construction.
  - h. Legal description of the land proposed to be subdivided.

- i. Certification of ownership of the land proposed to be subdivided. Where the subdivider does not own such land, written notarized permission from the owner shall be provided authorizing the development of such land under the provisions of this Ordinance.
  
- D. **Sketch Plat Conference.** After the Plat Officer examines the submittals in order to determine their adequacy for presentation at a sketch plat conference, the subdivider shall present the sketch plat and accompanying information at a sketch plat conference in order to describe the existing conditions of the area and the proposed development thereof. The subdivider may be requested to submit additional data on existing conditions, the development proposal, and the expected impacts in order to provide information for adequate review. Additional sketch plat conferences (not to exceed three [3] unless mutually agreed upon) may be held to discuss basic questions prior to review by local agencies as provided for in this Section.
  
- E. **Sketch Plat Distribution.** Following the sketch plat conference, twenty-four (24) copies of the sketch plat and other required allied documents folded to approximately nine inches by twelve inches (9" x 12"), and incorporating any revisions made at the sketch plat conference(s) shall be submitted to the Plat Officer for distribution by the County (with postage to be paid by the subdivider upon receipt of a bill from the County), to the following parties, if applicable:
  - County Board Members in District;
  - Township Supervisor;
  - Township Planning Commission;
  - Township Highway Commissioner;
  - County Engineer;
  - Municipalities having jurisdiction;
  - Ogle County Soil and Water Conservation District;
  - Ogle County Health Department;
  - School District(s);
  - Forest Preserve District(s);
  - Park District(s);
  - Fire Protection District(s);
  - Ogle County Sheriff;
  - Planning and Zoning Committee;
  - Adjacent property owners;
  - Others.

These agencies and individuals shall be requested to forward any comments and recommendations to the Plat Officer within fifteen (15) days of the date of the transmittal cover letter accompanying the sketch plat. This time period may be extended by mutual consent of the subdivider and the agencies involved. The Plat Officer shall make available any comments or recommendations received from said agencies or individuals to the subdivider, County staff and the Committee.
  
- F. **Staff Review.** Not less than fifteen (15) days after the above-mentioned agencies and individuals have been sent the sketch plat information, the sketch plat shall be reviewed by the staff. In reviewing the subdivision proposal, the Plat Officer shall review all comments and recommendations made by the above-mentioned agencies and individuals and may meet with the subdivider and/or local review agencies. The review process shall include the following:
  1. On-site field investigations.
  2. Analysis of the site in relation to the surrounding areas.
  3. Analysis of the existing conditions on and adjacent to the site.

4. Identification of potential problems of the proposed subdivision in relation to existing conditions of the area, local government plans, policies and ordinance, and current planning and development activities.
- G. *Completion of Sketch Plat Stage.* Within thirty (30) days after the above-mentioned agencies and individuals have been sent the sketch plat information and following staff review, the Plat Officer shall summarize all comments received and forward same to the subdivider. The subdivider shall address the comments received prior to application for approval of a Preliminary Plat.

#### 14-3-4 PRELIMINARY PLAT

- A. ***Intent.*** The intent of the preliminary plat stage is to assure that the subdivision is laid out in accordance with the land's suitability and limitations for development. At this stage, the subdivider is required to provide information which will demonstrate how the subdivision will function upon its development and completion.
- B. ***Filing.*** The developer shall prepare and submit to the Plat Officer six (6) copies of a preliminary plat. Such preliminary plat may be submitted after receipt of the Plat Officer's report on the sketch plat, if a sketch plat was submitted. The preliminary plat shall be any scale from one inch equals twenty feet (1" = 20') through one inch equals one hundred feet (1" = 100'), so long as the scale is an increment of ten feet (10'), shall be on a not larger than thirty inches by thirty six inch (30" x 36") sheet, folded to approximately nine inches by twelve inches (9" x 12") and shall contain the following information:
1. All information required in Section 14-3-3, "Sketch Plat", of this Division, if no sketch plat has been submitted.
  2. A key map showing the tract and its relation to the surrounding area. The boundaries of the plat must be surveyed and certified by an Illinois professional land surveyor. Distances shall be to 1/100 of one (1) foot and angles shall be to ½ minute. If considered necessary, the Plat Officer may require the surveyor to submit his calculations and field notes.
  3. A north arrow and graphic scale.
  4. ***Name of Subdivision.*** A subdivision shall not be valid nor entitled to be recorded if the record name, or part thereof, of said subdivision is the same as, duplicates, closely approximates or is similar to or pronounced the same as the name of any previously approved subdivision within the County. A subdivision name or part thereof shall be considered as duplicating, closely approximating, similar to or pronounced the same as the name of an existing subdivision name if it contains a proper, historical, geographical, locational, mythological, famous, fictitious, or personal name, words, or combination thereof which is the same as, similar to or pronounced the same as a word in the name of any other previously approved subdivision within the County. If in the event the Committee determines that the subject subdivision name duplicates, closely approximates, is similar to or is pronounced the same as the name of an existing subdivision name, then the Committee shall require the subdivider or developer to propose an alternative name or names.
  5. ***Name of Proposed Roads.*** Road names shall not be used which will duplicate, or too closely approximate phonetically, the name of any other road or subdivision in the County. Roads that are extensions of, or in obvious alignment with existing roads shall bear the name of said existing roads.

The name of the primary collector road of a subdivision shall, if possible, be the same as or similar to the name of said subdivision . A separate name and/or directional designator may be required for each segment of a road that changes direction 45 degrees or more (as measured from the centerline right-of-way). The Ogle County Board shall have final authority to designate the name of the roads.

6. Names, addresses and telephone numbers of the owner, the subdivider, the person(s) preparing the plat and the engineer and land surveyor who will design improvements for and survey the tract or such part thereof as is proposed to be subdivided.
7. Existing conditions on and within one hundred feet (100') of the tract (unless a greater distance is required for review):
  - a. Topographic data, including contours at vertical intervals of not more than two feet (2') with reference to U.S.G.S. datum or at a more frequent interval if required by the Plat Officer for land and unusual topography.
  - b. Location, width and names of all existing platted roadways or other public ways, railroad and utility rights-of-ways, parks and other public open spaces, permanent buildings or structures and section and municipal corporation lines.
  - c. (1) Location; Requirements: Location of all existing farm and storm drainage tiles shall be required and shall be located by means of slit trenching and hand probing by persons qualified to do such work. Procedural guide to conducting the required tile investigation is found at paragraph B7c(2) of this Section. All existing drain tile lines encountered during the investigation shall be repaired and/or upgraded to function properly. The developer shall provide the Plat Officer five (5) copies of a topographical boundary map showing the following:
    - (A) Location of each slit trench and each trench identified to correspond with the tile investigation reports.
    - (B) Location of each drain tile with a flow direction arrow and tile size.
    - (C) A summary of the tile investigation report showing trench identification number, tile size, material and quality percentage of tile filled with water, percentage of restricted siltation, depth of ground cover and soil texture at grade.
    - (D) Name, address and telephone number of person(s) conducting the tile location investigation.
  - (2) Procedural Guide for Conducting Tile Investigation:
    - (A) Requiring the developer to conduct and provide a report concerning a thorough drain tile investigation is critical to the review and approval process for a preliminary plat or plan for development. Such an investigation has many purposes including, but not necessarily limited to, the following:
      - (i) Protecting the upland land owner or owners whose property drains through the subject development site;

- (ii) Understanding local drainage and drain tile systems dynamics and maintaining the integrity of those systems which function properly and improving wherever possible systems which are deficient;
  - (iii) Keeping drain tiles and septic fields separate and at a safe and suitable distance from one another;
  - (iv) Potential best management practices related to on-site detention of storm water run-off; and,
  - (iv) Ensure compliance with local, state and federal drainage laws and regulations.
- (B) The following shall serve as the procedures established for conducting the required drain tile investigation:
- (i) Observe aerial photography for the subject site and overlay topographic data, including contour elevation lines, with sound data and make rational assumptions as to where drain tiles are typically located within the site.
  - (ii) Observe existing surface waterways, freestanding bodies of water and other depressional areas and cut trenches adjacent to the same with specific attention to and emphasis on ingress and egress points. Trenches shall be, at a minimum, three feet (3') wide, five feet (5') deep and six feet (6') in length.
  - (iii) Field stake at a minimum of one-hundred foot (100') intervals, using additional slit trenching, hand probes or electronic devices, the location of any existing drain tiles so as to map the same over its complete length within the proposed property development.
- d. Existing zoning classifications on and adjacent to the tract.
- e. Water courses including base flood elevations certified by either the Illinois State Water Survey, the Illinois Department of Transportation, Illinois Department of Natural Resources, U.S. Army Corps of Engineers or other such State or Federal agency as may be required, natural and man-made retention/detention areas and any other areas within the tract subject to inundation by storm water. Any Federal Emergency Management Agency designated flood fringe and flood way areas shall be delineated, including the flood zone designation.
- f. Wetlands, ponds and surface seeps.
- g. The results of any test made to ascertain subsurface rock and soil conditions and the water table.
- h. Soil mapping, based upon the on-site determination of soil characteristics, shall be prepared by a certified soils classifier recognized by either the Illinois Soil Classifiers Association (ISCA) or the American Registry of Certified

Professionals in Agronomy, Crops, and Soils (ARCPACS). The soil map and accompanying report shall be used to preliminarily determine the soil suitability for on-site waste disposal systems and/or buildings with basements. Final determination of soil suitability for on-site waste disposal shall be made by the Ogle County Health Department. Soil mapping shall be conducted in accordance with the following criteria:

- (1) There shall be a sufficient number of soil borings throughout the proposed acreage to allow intensive mapping of soil characteristics and limiting factors related to suitability for on-site waste disposal systems. The mapping and overlay of such characteristics shall be of sufficient detail to minimize the potential for inclusions and to determine the existence of suitable soils on each proposed lot. There shall be at least one (1) boring on each acre of the proposed subdivision. The location of all borings shall be shown on the soil map and each boring shall be numbered consecutively.
- (2) A two hundred (200) foot grid system shall be established. At each grid point, a boring shall be done. In addition, sufficient additional borings shall be required to adequately determine soil boundaries between soil mapping units.
- (3) Soil borings shall be conducted using either a minimum two inch (2") diameter core sample or an excavated pit to a depth of at least seven feet (7').
- (4) A detailed soil map and detailed logs of each grid sample site and each intermediate sample site shall be prepared by the soil classifier and submitted with the soil report. Individual and intermediate boring locations shall be logged and submitted with the following information:
  - (A) Boring or pit number.
  - (B) Sample method.
  - (C) Soil series and classification.
  - (D) Parent material.
  - (E) Percent slope.
  - (F) Depth to seasonal high groundwater table.
  - (G) Observed water table.
  - (H) Depth to moderately slow to slow permeability layer.
  - (I) Horizon depth.
  - (J) Texture.
  - (K) Structure.
  - (L) Color and Munsell notation.
  - (M) Mottles.
  - (N) Coatings.
  - (O) Consistence.
  - (P) Estimated permeability (in./hr.).
  - (Q) Depth to bedrock.
- (5) The date(s) of all field work shall be indicated on the soil maps, logs and reports.



- (6) Weather conditions shall be indicated for each day and period of field work, with particular mention of depth of frost, when applicable.
  - (7) The entire subdivision area shall be mapped showing soil types present with boundaries of each defined and considering areas of transition. This mapping shall be coordinated with site topography at one (1) or two (2) foot contour intervals at a maximum scale of one inch equals one hundred feet (1" = 100').
  - (8) A map shall be submitted that depicts areas of seasonal high groundwater, limiting permeability, bedrock or other limiting layer as determined by observation of the soil characteristics. Boundaries of the following areas shall be defined and shown on the soil map:
    - (A) Seasonal high groundwater or other limiting layer at < 12".
    - (B) Seasonal high groundwater or other limiting layer at 12" to 30".
    - (C) Seasonal high groundwater or other limiting layer at 30" to 48".
    - (D) Seasonal high groundwater or other limiting layer at 48" to 60".
    - (E) Seasonal high groundwater or other limiting layer > 60".
  - (9) The signature of the soil classifier must be affixed to the soil map, the report and the preliminary plat.
    - i. Railroads, bridges, culverts, storm sewers, sanitary sewers, easements of record, existing buildings including use or other identified improvements that are to remain, and significant natural features such as wooded areas, rock formations and scenic vistas.
    - j. Locations and names of adjacent subdivisions and owners of adjoining parcels of land.
    - k. Historical and archaeological sites or structures as identified by the Illinois Historic Preservation Agency.
    - l. Legal description of the land proposed to be subdivided and a site data information block which shall include, but not be limited to: the total acreage of the tract stated in hundredths (.01) of an acre, the acreage in lots, the acreage in rights-of-way, the acreage in open space and the proposed number of lots, the minimum lot size, the maximum lot size and the average lot size in square feet, and the existing and proposed zoning (if applicable).
    - m. A statement shall be placed on the preliminary plat to indicate all municipalities which are within 1½ miles of the proposed subdivision. The statement shall also indicate which municipality is exercising the statutory privilege of planning advice, if a planning boundary line has been negotiated, or which municipality is closest if such a boundary line has not been negotiated. If there are no municipalities within 1½ miles, the statement shall so indicate.
8. Proposed Conditions:
- a. Proposed zoning, if applicable.

- b. Alignment, width, and typical cross-section of all roads and rights-of-way, sewer and water lines, and other public utilities where applicable.
  - c. Lots, including layout, number, dimension and area in square feet.
  - d. Required front building setback line, side and rear yard area lines and dimensions; or, reduced building envelope lines and dimensions. The reduced building envelope design shall conform to the design standards contained in paragraph 14-5-4C2 of this Chapter.
  - e. Proposed site grading plan when required by the County Engineer, including building pads; top of foundation elevations, when required; proposed roadway grades and surface water drainage patterns.
  - f. Any proposed alteration, adjustment, or change in the elevation or topography of any area in a "Special Flood Hazard Area" (SFHA) as delineated on the Federal Emergency Management Agency's (F.E.M.A.) Flood Insurance Rate Maps of Ogle County, Illinois, or otherwise known to be within the 100-year floodplain. Any development of parcels within a SFHA shall be in compliance with any and all applicable provisions of the Ogle County, Illinois *Flood Damage Prevention Ordinance* (Chapter 16, Division 10 of this Code).
  - g. Location of storm water management facilities, including sewers and storage facilities.
  - h. Proposed type of treatment or method of sewage disposal.
  - i. Landscaping plan showing proposed plantings; location and description of landscaped entryway signs, if applicable, including height, size, setbacks and maintenance provisions; screening treatment on double frontage lots; landscaping of storm water management facilities and areas designated for restoration of disrupted site flora.
  - j. Sites, if any, intended to be reserved for public use and/or for use of property owners in the subdivision, including the purpose and conditions of reservation or dedication, such proposed common land must meet the approval of the Planning & Zoning Department as to its suitability in terms of terrain, dry groundcover, maintenance requirements, number of persons or households benefitted by its establishment.
  - k. Text of proposed protective covenants, deed restrictions, homeowner's association, contracts, easement provisions and other documents whereby the subdivider proposes to regulate land use in the subdivision, restrict the design, development and/or use of the property and otherwise protect special areas within the proposed development.
  - l. Wetland delineation report.
  - m. Any other pertinent information that may be requested by the Committee.
9. If the proposed subdivision lies within 1½ miles of any municipalities, the preliminary plat must be approved by the Planning Commission of any municipality which will later

be required to sign the final plat. A certificate shall be placed on the final plat to indicate such approvals. It shall be the subdivider's responsibility to provide written proof of such approval.

10. If the proposed subdivision shows access to a state highway, the preliminary plat must be approved by the Illinois Department of Transportation. A certificate shall be placed on the final plat to indicate such approval. It shall be the subdivider's responsibility to provide written proof of such approval.
11. On-site and off-site easements.

**C. *Processing of Preliminary Plat.***

1. *Filing:* The subdivider shall present the required information to the Plat Officer. The preliminary plat shall be considered officially filed after it is found by the Plat Officer to:
  - a. Be in substantial conformance with the sketch plat, if applicable.
  - b. Contain the information necessary for its proper review by staff, applicable agencies and the Planning and Zoning Committee.
  - c. Be submitted with applicable subdivision processing fees as adopted by the Ogle County Board and from time to time amended.

The Plat Officer may reject any Preliminary Plat that does not meet any of the above filing requirements.

2. *Referral to Planning & Zoning Committee.* The Plat Officer shall refer the Preliminary Plat to the Planning & Zoning Committee not less than fifteen (15) days prior to the next regular meeting of the Committee.
3. *County Departmental/Staff Review.* The Plat Officer shall forward the preliminary plat to the Ogle County Engineer (County Highway Department) and the Ogle County Health Department, which shall be requested to forward any information, comments and recommendations regarding the preliminary plat to the Plat Officer at least twenty-four (24) hours prior to the next regular meeting of the Planning and Zoning Committee at which the preliminary plat will be considered. This time period may be extended by mutual consent of the subdivider and the agencies involved.
4. *Plat Officer Recommendation.* All information, comments and recommendations concerning the preliminary plat shall be reviewed by the Plat Officer. The Plat Officer shall recommend to the Planning and Zoning Committee for its action: approval, approval with conditions, or rejection of the preliminary plat.
5. *Amendments to Preliminary Plat.* If, during the review process, changes are made to the preliminary plat, which in the opinion of the Plat Officer require the submittal of a revised preliminary plat or other preliminary plat documents, the subdivider shall submit such revised information as required. When submitting a revised preliminary plat, a minimum of six (6) copies of the revised plat shall be submitted.
6. *Action of the Planning and Zoning Committee.* The Planning and Zoning Committee shall approve, approve with conditions, or reject the preliminary plat. If the Planning and Zoning Committee finds that changes, additions or corrections are required on the Preliminary Plat, the Plat Officer shall so advise the subdivider in writing and the subdivider may resubmit the Preliminary Plat to the Committee without paying an

additional fee, for its consideration at the next or subsequent regular meeting of the Committee. When submitting a revised preliminary plat, a minimum of six (6) copies of the revised plat shall be submitted. Said submittal shall be made to the Plat Officer not less than fifteen days prior to the regular meeting at which the Committee is to consider the resubmitted preliminary plat. The Committee shall approve or disapprove the resubmitted Preliminary Plat, which shall include the recommendations of the County Engineer, the Plat Officer, and the Ogle County Health Department.

7. *Notification to Subdivider.* The Plat Officer shall notify the subdivider in writing of the decision of the Planning and Zoning Committee, including any conditions of approval or the reason(s) for rejection. Approval of the Committee constitutes neither final approval of the subdivision nor the acceptance of required improvements.

D. ***Qualifications Governing Approval.***

The following qualifications shall govern approval of the Preliminary Plat:

1. Approval of the Planning and Zoning Committee constitutes neither final approval of the subdivision nor the acceptance of required improvements.
2. The Planning and Zoning Committee may require such changes or revisions as are deemed necessary in the interest of the needs of the County.
3. Approval of the Planning and Zoning Committee is tentative only involving merely the general acceptability of the layout as submitted.
4. Approval by the Committee of the Preliminary Plat shall be valid for a maximum period of (2) years from the date of approval, unless upon written request of the developer, the Committee grants an extension. The written request for said extension shall not require an additional fee, or the submittal of additional copies of the preliminary plat.

14-3-5 **IMPROVEMENT PLANS**

- A. ***Intent.*** The improvement plan stage is for the purpose of accurately showing how the improvements will be constructed in order to conform to the layout and design objectives of the preliminary plat. As such, the improvement plan process is an extension of the preliminary plat process. Where conditions so warrant, the County Engineer may require that portions of improvement plans be submitted during the preliminary plat review process in order to determine the land's suitability for the preliminary plat design. Any required off-site improvements and engineering studies shall be provided upon request. Where the subdivision is to be developed in phases, and where soil and/or topographical conditions so warrant, the County Engineer may require that improvement plans for the entire phased area be submitted prior to the construction of improvements of the first or initial development phase.
- B. ***Filing.*** Prior to the submittal of the final plat, the subdivider shall submit six (6) complete sets of plans and specifications for the construction. Improvement plans shall not be approved until after the site has been zoned according to the uses proposed in the approved preliminary plat.
  1. The plans, which detail the construction and types of materials to be used in conjunction with the development of the subdivision, shall be prepared by a registered professional engineer. Any alterations of the common land or improvement within the common land will require the submission of detailed improvement plans and will be considered a required improvement.

2. Improvement plans shall be prepared in an exhibit not to exceed twenty-four inches by thirty-six inches (24" x 36") and shall contain the following information:
  - a. Title page, which shall include key map showing the relationship of the area to be subdivided to the tract and which shall reflect areas of the tract previously subdivided plus adjacent streets. In addition, the name, address and telephone number of the developer and engineering firm, as well as a registered professional engineer's seal, should be indicated.
  - b. North arrow and graphic scale shall be indicated on each plan sheet.
  - c. One or more permanent benchmarks, in or near the subdivision, to which the subdivision is referenced. The identity and elevation shall be based on U.S.G.S. datum.
  - d. List of the standards and specifications followed, citing volume, section, page or other references.
  - e. Typical cross sections of any proposed roads.
  - f. Grading and paving details conforming to Ogle County standard specifications and requirements.
  - g. Summary of quantities of all items necessary to construct the improvements depicted on the submitted plans.
  - h. Details of streets including location and width of all proposed public or private rights-of-way and private roadway easements, existing and proposed sanitary sewers, drainage channels, swales, storm sewers, including adequate natural discharge points, storm water detention and/or retention facilities, and silt control measures.
  - i. Plans and profiles and cross-sections at every one hundred feet (100') of streets and sewers, scale not less than one inch equals fifty feet (1" = 50') horizontal and one inch equals five feet (1" = 5') vertical.
3. Topographical and profile studies must have on their face the signed statement of a Registered Professional Engineer, and the owner of the land or his duly authorized attorney, to the effect that to the best of their knowledge and belief the drainage or surface waters will not be changed by the construction of the proposed subdivision, or, 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 the 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 adjacent property because of the construction of the subdivision.
4. Approval of the improvement plans by the County Engineer shall be valid for a period of two (2) years from the date of approval, or for such longer period of time as the County Engineer may determine to be advisable if, after review, such longer period is necessary to facilitate adequate and coordinated provisions for transportation, water, sewerage, schools, parks, playgrounds, or other public requirements. The construction of the improvements shall be completed within two (2) years from the date of approval of the improvement plans. A re-submission and review by the County Engineer may be

required if not satisfactorily completed within said two (2) year period. Said initial two (2) year period may be extended by the County Engineer for successive one (1) year periods not exceeding (2) consecutive one (1) year periods.

14-3-6 IMPROVEMENT TO INSTALL OR GUARANTEE

- A. In lieu of constructing the planned improvements prior to approval of a final plat, the developer must present to the County Engineer a construction guarantee in the amount of one hundred ten percent (110%) of the estimated cost of the required improvements for the development of property subject to such final plat of subdivision, prior to approval of the final plat. The cost of each improvement shall be itemized in a list prepared, signed and sealed by the design engineer on his letterhead stationery and approved by the County Engineer. Such guarantee is to:
  - 1. Assure the satisfactory installation of said improvements in accordance with the approved plans and specifications and according to good engineering and construction practices.
  - 2. Assure the satisfactory completion of said improvements within the prescribed time limits.
  
- B. Such guarantee shall be one of the following formats and the form, amount and type subject to approval by the County Engineer:
  - 1. A certificate of deposit with, or an escrow account, at a federally insured bank or savings and loan association. Such certificate of deposit or escrow account shall be in a form to allow the County to procure the funds to complete the land improvements if construction of said improvements is not completed in accordance with the provisions of these regulations, and shall otherwise be in a form acceptable to the County;
  - 2. An undertaking by the subdivider guaranteeing completion of the land improvements remaining to be completed, as secured by an irrevocable letter of credit certifying that adequate funds are and will be available at a sound and reputable banking or financial institution as federally insured and authorized to do business in the State of Illinois. Such irrevocable letter of credit shall be in effect for a period of two years from the date of approval of the improvement plans, shall run in favor of the County of Ogle, and shall indicate there are sufficient funds available for one hundred and ten percent (110%) of the estimated cost of all the land improvements remaining to be completed, and that such funds are held for such purpose only and for no other purposes. Such undertaking and irrevocable letter of credit shall be in a form to allow the County to procure the funds to complete the land improvements if construction of said improvements is not completed in accordance with the provisions hereof, and shall otherwise be in a form acceptable to the County.
  - 3. Other good and sufficient security as approved by the appropriate legal authority of the County to guarantee the proper installation of land improvements.
  
- C. A construction guarantee shall be reduced only by authorization of the County Engineer upon:
  - 1. Application for payout by the subdivider in amounts such that funds remaining will always equal one hundred ten percent (110%) of the value of the uncompleted work, as determined by the County Engineer. No more than ninety percent (90%) of the construction guarantee shall be released prior to one year after the satisfactory completion of the required improvements; or,

2. Where the required improvements have not been installed in accordance with these regulations, the County may then declare the construction guarantee to be in default and may draw from the guarantee amount for use in matters related to insuring the satisfactory construction of said improvements, including attorney's fees and court costs encumbered in the enforcement of the provisions of this Section.
  3. When all improvements have been completed, with the exception of the final lift of Bituminous Surface Course, the County Engineer may release the construction guarantee, and the appropriate highway agency will then accept maintenance of the improvements. The guarantee shall be replaced by a cash escrow in the amount of one hundred five percent (105%) of the Engineer's Estimate of Cost to Complete the improvements. This cash escrow shall be held by Ogle County and then utilized by the highway agency accepting the improvements for placement of the final lift of Bituminous Surface Course. This final lift will be scheduled for completion by the accepting highway agency when zoning certificates have been issued on fifty percent (50%) of the subdivision lots.
- D. The County Engineer shall not release a construction guarantee prior to the satisfactory installation of all required improvements, as determined:
1. One year after the completion of all improvements required for the approved final plat;
  2. After submission of the project engineer's certification, if improvements include either a system for community water distribution or sanitary sewer system, or both, or as otherwise required by the County Engineer, or when the project installation has been observed in the field and completed in substantial compliance with the plans and specifications and with all applicable ordinances and laws;
  3. After the submission of one (1) reproducible print and four (4) copies of record drawings which shall be drawings prepared by the project engineer, who shall show improvements, and shall clearly designate any and all changes from the approved plans and specifications;
  4. Instead of D1 of this Section, after paragraph D2 of this Section, paragraph D3 of this Section, placement of the first lift of bituminous surface course and concrete, and placement of the cash escrow as described in paragraph C3 of this Section.
  5. After the County Engineer's acceptance of the improvements.
- E. The subdivider shall be responsible for the maintenance of all capital improvements until the release of the construction guarantee. Capital improvements include, but may not be limited to, streets, storm sewers and other drainage appurtenances, sanitary sewage systems and facilities, water supply and distribution systems, street lighting equipment, unless otherwise excepted herein, sidewalks, guard rails and landscaping. Public improvements specifically excluded from maintenance responsibilities of the subdivider pursuant to these regulations, upon acceptance of the improvements by the County Engineer, are the replacement of light bulbs, electricity charges for public street lighting, snow removal and mowing of grass within a public right-of-way.

#### 14-3-7 FINAL PLAT

##### A. *Final Plat Procedure.*

1. *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.

2. *Filing.* Within (2) years after approval of the preliminary plat, the developer shall cause to be prepared and submit to the Plat Officer one (1) mylar reproducible print, five (5) copies and one digital copy (AutoCAD format) of the final plat. Where the subdivision is to be improved in units or phases, the final plat for each phase shall be filed at intervals of no greater than (2) years in duration, providing however, that an extension request submitted in accordance with paragraph 14-3-4D4 of this Division has not been previously approved by the Committee. The final plats for the entire tract shall be filed within ten (10) years from the date of the preliminary plat approval. The final plat shall be submitted not less than fifteen (15) days prior to the regular meeting of the Planning and Zoning Committee for its review and recommendations, and approval or disapproval. Prior to approval of the final plat by the Committee, the subdivider must have complied with the following items:
  - a. The submittal and approval of the improvement plans.
  - b. The submittal and approval of cost estimates for all required improvements.
  - c. The installation of all required improvements or the posting of a construction guarantee.
  - d. Payment of plat review and approval fees as determined by Ogle County Ordinance, as amended; and,
  - e. Rezoning to appropriate classification, if necessary.
  - f. Payment of construction inspection fees in the amount of 4% of the engineer's estimate of the cost of improvements.
3. *Conformance of Final Plat.* The Final Plat shall conform substantially to the Preliminary Plat as approved and, if desired by the subdivider, it may constitute only that portion of the approved Preliminary Plat which he proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations.
4. *Additional Documents.* The final plat shall be accompanied by all plans and such other documents as may be necessary concerning the performance bond or letter of credit to be used.
5. *Approval by Other Entities.* The Committee shall not approve the final plat unless, in addition to the other requirements of these regulations, the plat has been approved in writing by the authority of any municipality with corporate boundaries within one and one-half (1½) miles of the platted area, by the Illinois Department of Transportation with respect to roadway access, where such access is to a State highway; by the relevant local highway authority with respect to all other roadway access; and by the County Health Department with respect to sewage disposal systems if any part of the platted area will not be served by a public sewer system.
6. *Committee Disapproval.* If the final plat is disapproved by the Committee, it shall set forth its reasons in its own records and provide the subdivider with a copy.
7. *Committee Approval.* If the final plat is approved by the Committee, it shall affix upon the plat the certifying signature of its Chairman and forward said plat to the County Board.



8. *County Board Decision.* The County Board shall approve or disapprove the final plat, and shall set forth in its own records any reasons for disapproval. The Plat Officer shall notify the subdivider in writing of the decision of the County Board.
9. *Plat Officer Signature of Approval.* The Plat Officer shall not affix his signature of approval to the final plat until all other required titles and certificates, with the exception of the Ogle County Recorder, have been properly executed.
10. *Recordation.* The subdivider shall record one original mylar reproducible print and six copies of the plat and any required accompanying documents with the Ogle County Recorder for official recordation within six (6) months of the date of approval by the Ogle County Board. If not recorded within this time, the approval shall become null and void.

**B. *Final Plat Requirements.***

The plat to be provided shall meet the following specifications:

1. The final plat shall be drawn to a scale of one hundred feet to one inch (1" = 100'), unless a different scale is more practical and is approved by the Plat Officer.
2. The final plat shall be drawn with waterproof, non-fading black ink on mylar or equivalent drafting material on sheets at least eight and one-half inches by fourteen inches (8.5" x 14") but not more than thirty inches by thirty-six inches (30" x 36"). The original, plus six (6) copies of the final plat and any accompanying documents, shall be filed with the Ogle County Recorder.
3. When more than one sheet is used for any plat, each sheet shall be numbered consecutively. A small scale drawing of the entire subdivision shall be shown on the first sheet, identifying portions for the subdivision according to its respective page number. Plats shall be drawn so as to be on a minimum number of sheets.
4. All dimensions shall be shown in feet and decimals of a foot.
5. All surveys for a final plat shall be made under the active and personal direction of a registered land surveyor of Illinois, and shall include the following information:
  - a. Legal description of the land to be subdivided.
  - b. Positions of all lot corners, 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 subdivider shall conform with the following requirements concerning monuments:
    - (1) All federal, state, county or official benchmarks, 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.
    - (2) Types, placement and type based on placement requirements shall be in accordance with paragraph 11-4-1D of this Chapter.
6. The exact length and relative direction of all exterior boundary lines, with reference to the boundary controlling system most prevalent in the area of the land being subdivided. All

distances shown on the final plat shall be expressed in one-hundredths of one foot (0.01') and angles shall be expressed in degrees, minutes and seconds (if necessary). Sufficient geometrical data shall be given for all lots to enable retracement and restoration of all corner positions in the field. The Plat Officer may require the surveyor to submit rectangular coordinates of all positions represented on the final plat.

7. The exact width and extent of all easements (shown by dashed lines), and purpose of such easements, denoted on plat roads, alleys and building setbacks created by said subdivision.
8. All lots consecutively numbered. In subdivisions that are improved in units or phases, the lot numbering system of the next unit or phase shall begin at the next number where the previous unit or phase ended.
9. All portions of curving linear roads shall be tangent to adjoining elements of said roads unless so noted otherwise. Curve data shall consist of radius, degree of curve, tangent length, and central angle.
10. If the subdivision borders on a lake or stream, the distances and directions of a meander line established not less than twenty feet (20') back from the average high water mark of the lake or stream, as determined from Flood Insurance Rate Maps or other data, with said distance noted.
11. The locations and widths of all existing and proposed roads shall be indicated by heavy solid lines, showing the dedication of all rights-of-way required in accordance with the preliminary plat.
12. *Names of proposed roads.* Road names shall not be used which will duplicate, or too closely approximate phonetically, the name of any other road or subdivision in the County. Roads that are extensions of, or in obvious alignment with existing roads shall bear the name of said existing roads. The name of the primary collector road of a subdivision shall, if possible, be the same as or similar to the name of said subdivision. A separate name and/or directional designator may be required for each segment of a road that changes direction 45 degrees or more (as measured from the centerline right-of-way). The Ogle County Board shall have final authority to designate the name of the roads.
13. Abutting highway and road right-of-way lines and adjacent subdivisions shown in their proper location.
14. Grantees of all lands dedicated to public use shall be clearly noted.
15. 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.
16. All restrictions which will run with the land and covenants, or references to covenants, where declared separately.
17. Certificates and easements as required.
18. Scale and north arrow.
19. Certificate by owner and, if required, by any mortgage holder of record, of the plat and dedication of streets and other public areas.

20. Certification by the Ogle County Clerk that all taxes and special assessments have been paid to date.
21. Any special study or engineering calculations required.
22. Homeowner's association contracts, trust indenture and warranty deed for common land conveyance, accompanied by a letter of compliance from an attorney.
23. Letter from sanitary sewer company certifying connection fees have been paid.
24. Certificate of city/village within one and one-half (1½) mile indicating approval of the plat, as set forth in paragraph A5 of this Section.
25. Certificate of the Illinois Department of Transportation indicating approval of the plat, as set forth in paragraph A5 of this Section.
26. Seal and signature of the Illinois professional land surveyor under whose direct supervision and control the subdivision was prepared.

14-3-8 OUTSIDE CONSULTANTS

During the plat review process and during installation and acceptance of the required improvements, the Plat Officer and/or County Engineer may engage professional assistance other than the staff, in area(s) where staff does not have sufficient time or expertise to properly review or observe the improvement proposed by the subdivider. The subdivider shall be notified in writing that such professional assistance will be engaged. Prior to such review or observation, the subdivider may meet with the Plat Officer and/or County Engineer in order to discuss the activity. In addition, the subdivider shall reimburse the County for reasonable costs associated with such professional review assistance.

14-3-9 TRUST INDENTURES AND PROPERTY/UNIT OWNER'S ASSOCIATION (CONDOMINIUMS)

- A. In any case where the developer proposes the establishment of common land (including pedestrian walkways and cul-de-sac islands), private streets, private street lighting, drainage facilities such as detention basins and drainage pipe and ditches, private sanitary sewage treatment, private water distribution system, or any other improvement that requires continuous maintenance, a trust indenture shall be established and recorded simultaneously with the final plat. The indenture shall provide for proper maintenance and supervision by the Trustees who are selected to act in accordance with the terms of such indenture and the applicable provisions of this Ordinance. For single lot developments and developments with no common ground, the Plat Officer may accept script certifying the means of maintenance on the final plat. Common land shall be conveyed by the owner in fee simple absolute title by warranty deed to trustees whose trust indentures shall provide that the common land be used for the benefit, use and enjoyment of the lot owners, present and future, and shall be the maintenance responsibility of the trustees of the subdivision and that no lot owner shall have the right to convey his interest in the common land except as an incident of the ownership of a regularly platted lot.
  1. Any trust indenture required to be recorded for the purpose of compliance with provisions of these regulations, or the Ogle County Amendatory Zoning Ordinance, shall provide for not less than the following representation of purchasers of developed lots among the trustees; one-third of the trustees shall be chosen by purchasers of developed lots after fifty (50) percent of the lots have been sold; two-thirds of the trustees shall be chosen by purchasers of developed lots after ninety-five (95) percent of the lots have been sold; all of the trustees shall be chosen by purchasers of developed lots after all of the lots have been sold.

2. Where the provisions of such a trust indenture cannot be fulfilled by reason of unfilled vacancies among the trustees, the Committee may, upon the petition of any concerned resident or property owner of the subdivision, appoint one or more trustees to fill vacancies until such time as trustees are selected in accordance with the trust indenture. Any person so appointed who is not a resident or property owner within the subdivision shall not be subject to any limitation on special assessments contained in the trust indenture or elsewhere.
3. Term of indentures for all types of subdivisions, including planned districts and special procedures, shall be for the duration of the subdivision or planned development. In the event the subdivision is vacated, fee simple title shall vest in the then lot or unit owners as tenants in common. The rights of the tenants shall only be exercisable appurtenant to and in conjunction with their lot or unit ownership.

Any conveyance or change of ownership of any lot or unit shall convey with its ownership in the common land, and no interest in the common land shall be conveyed by a lot or unit owner except in conjunction with the sale of a lot or unit. The sale of any lot or unit shall carry with it all the incidents of ownership of the common land although such is not expressly mentioned in the deed; provided, however, that no right or power conferred upon the trustees shall be abrogated.

- B. In the case of a condominium development, a unit owner's association shall be established in accordance with the laws of the State of Illinois. A formal declaration (condominium by-laws), establishing covenants, conditions, restrictions, easements, etc. shall be filed simultaneously with the final plat in addition to the trust indentures.