

CHAPTER 34

SUBDIVISION CODE

ARTICLE I - GENERAL PROVISIONS

34-1-1 **PURPOSE.** For the purpose of the future development of the Village and for the promotion of the public health and safety, comfort, morals and welfare of the persons living within the territory governed, the provisions and regulations herein contained shall govern the subdividing and planning of land lying within the corporate limits of the Village as now and hereinafter existing, and to any other lands outside the corporate limits as they be subject under the Statutes of the State of Illinois to control by said Village. (See 65 ILCS Secs. 5/11-12-5, 5/11-12-8, 5/11-12-12)

34-1-2 **AUTHORITY.** These subdivision regulations and minimum standards for land development are adopted by ordinance passed by the Village Board of Trustees under the authority granted by the Illinois Compiled Statutes, Chapter 65, Sec. 5/11-12-5.

34-1-3 **JURISDICTION.** These regulations and development standards shall apply to the following forms of land subdivision:

- (A) The division of land into two (2) or more tracts, lots, sites, or parcels, any part of which, when subdivided, shall contain less than five (5) acres in area; or
- (B) The division of land, previously subdivided or platted into tracts, lots, sites, or parcels, or less than ten (10) acres in area:
 - (1) inside Village limits, and
 - (2) one and one-half (1.5) miles outside Village limits; or
- (C) The dedication or vacation of any street or alley through any tract of land regardless of the area involved.

34-1-4 **EXCEPTIONS.** These regulations and development standards shall not apply to the following forms of land subdivision, which are excepted in Chapter 765 ILCS Sec. 205/1 and no plat is required in any of the following instances.

- (A) The division or subdivision of land into parcel or tract of five (5) acres or more in size which does not involve any new streets or easements of access;
- (B) The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;

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- (C) The sale or exchange of parcels of land between owners of adjoining and contiguous land;
- (D) The conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipelines which does not involve any new streets or easements of access;
- (E) The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easement of access;
- (F) The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
- (G) Conveyances made to correct description in prior conveyances;
- (H) The sale or exchange of parcels or tracts of land following the division into no more than **two (2) parts** of a particular parcel or tract of land existing on **July 17, 1959** and not involving any new streets or easements of access;
- (I) The sale of a single lot of less than **five (5) acres** from a larger tract when a survey is made by a registered surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on **October 1, 1973**, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.

34-1-5 **GENERAL PROCEDURE.** The following outline of the subdivision process provides general information of the steps to be followed towards approval of a subdivision. Each is explained in more detail in following sections.

- (A) Initial contact with Village by Subdivider to determine the feasibility of the subdivision, discuss any special problems or requirements which may be necessary and to familiarize the Subdivider with the subdivision process of the Village.
- (B) Submission to the Village for approval of a preliminary plat, engineering drawings detailing the approximate dimensions of the subdivision, lots and streets and the nature of all proposed improvements.
- (C) The preliminary plat and drawings are returned to the subdivider with approval, denial or a conditional approval subject to certain changes required by the Village.
- (D) The final plat and engineering drawings are submitted to the Village for approval.
- (E) The final plat is submitted to the County Recorder for official recording. The following conditions apply during the subdivision procedure.

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1. **Agenda.** Each plat submitted for preliminary or final approval shall be placed on the agenda of the Planning Commission only after fulfilling the appropriate requirements of these Regulations. However, a plat not meeting all of the requirements may be submitted providing the subdivider presents with the plat a written request for specific exceptions (variances) and enumerates in detail the reasons therefor.

2. **Subdivision Filing Fee.** To partially defray the costs of notification and administration procedures, the Subdivider shall pay the fees below prior to each step of the administration procedure. The Village Clerk shall promptly cause such fees to be deposited into the Village's general corporate fund.

- (a) **Preliminary Plat Review. One Hundred Fifty Dollars (\$150.00) plus Fifteen Dollars (\$15.00) for each lot.**
- (b) **Improvements Plan Review.** No additional fee.
- (c) **Final Plat Review. Two Hundred Fifty Dollars (\$250.00).**
- (d) **Variance Rezoning Request Fee.** The current rate for Variance/Rezoning request as required in the Zoning Code, Chapter 40, per lot needing the Variance/Rezoning.

- (e) **Inspection and Testing Fee.** At the time of construction, and prior to connecting to any facilities of the Village, the person applying for the IEPA construction permit for constructing or replacing water main and/or sewer lines shall pay to the Village an additional fee to help defray the Village's cost to monitor compliance with the construction standards. This fee shall be **Five Hundred Dollars (\$500.00) or three percent (3%)** of the cost of the improvements to be dedicated to the Village, whichever is greater.

The cost of the improvement shall be based on the applicant's engineer's opinion of probable construction cost or actual bid construction cost. These costs shall be approved by the Board of Trustees. The Board of Trustees may consider whether the estimates or bids are representative of the cost of work in the area. In any case, where the Board of Trustees believes the costs provided are not representative of the costs to be incurred, the Village may estimate the applicant's costs.

- (f) **Amount of Bond or Deposit.** The amount of the performance bond, escrow deposit, irrevocable letter of credit or commitment from a lending institution shall be equal to the Village Engineer's cost of construction. (Ord. No. 98-409; 06-04-98)

3. **Official Recording.** No plat or other land subdivision instrument shall be filed in the Office of the County Recorder until it shall have been approved by the Planning Commission and by the Village Board of Trustees as hereinafter set forth. All final plats shall be filed within **two (2) years** of date of approval by the Planning Commission, and no lots shall be sold from any plat until recorded. Failure to record the plat within **two (2) years** of the date of approval by the Village Board of Trustees shall void all approvals thereto.

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4. **Plat Approval.** For all cases of subdividing within the scope of these regulations, a plat of the land in question shall be drawn and submitted to the Planning Commission and Village Board of Trustees for approval or disapproval as provided below.

5. **Exemption.** Plats containing **four (4) lots** or fewer and containing no new streets or easements of access may be exempted, at the discretion of the Village, from all or part of the procedural provisions pertaining to Preliminary Plats and may be submitted in Final Plat form. The subdivider shall comply with all other provisions of these Regulations, including those relating to design and improvements. **(Ord. No. 300)**

34-1-6 DISCLAIMER OF LIABILITY.

(A) Except as may be provided otherwise by statute or ordinance, no officer, board member, agent, or employee of the Village shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this Code. (See "**Local Governmental and Governmental Employees Tort Immunity Act**", Ill. Comp. Stats., Chap. 745, Secs. 10/1-101.)

(B) Any suit brought against any officer, board member, agent, or employee of the Village, as a result of any act required or permitted in the discharge of his duties under this Code, shall be defended by the Village Attorney until the final determination of the legal proceedings.

*Revised Code***ARTICLE II - DEFINITIONS**

34-2-1 **INTERPRETATION OF TERMS.** In construing the intended meaning of terminology used in this Code, the following rules shall be observed:

(A) Unless the context clearly indicates otherwise, words and phrases shall have the meanings respectively ascribed to them in **Section 34-2-2**; terms not defined in **Section 34-2-2** shall have the meanings respectively ascribed to them in the Village's Zoning Code; if any term is not defined either in **Section 34-2-2** or in the Zoning Code, said term shall have its standard English dictionary meaning.

(B) Words denoting the masculine gender shall be deemed to include the feminine and neuter genders.

(C) Words used in the present tense shall include the future tense.

(D) Words used in the singular number shall include the plural number, and vice versa.

(E) The word "shall" is mandatory; the word "may" is discretionary.

(F) Captions (i.e., titles of sections, subsections, etc.) are intended merely to facilitate general reference and in no way limit the substantive application of the provisions set forth thereunder.

(G) References to sections shall be deemed to include all subsections within that section; but a reference to a particular subsection designates only that subsection.

(H) A general term that follows or is followed by enumerations of specific terms shall not be limited to the enumerated class unless expressly limited.

34-2-2 **SELECTED DEFINITIONS.**

"ADMINISTRATOR". The official appointed by the Mayor and the Village Board to administer the Subdivision Code.

"ALLEY". A public right-of-way which affords a secondary means of vehicular access to the side or rear of premises that front on a nearby street, and which may be used for utility purposes.

"AMENDMENT". A change in the provisions of this Code, properly effected in accordance with State law and the procedures set forth herein.

"AREA, BUILDING". The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of unenclosed patios, terraces, and steps.

"AREA, GROSS". The entire area within the lot lines of the property proposed for subdivision/development, including any areas to be dedicated/reserved for street and alley rights-of-way and for public uses.

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"AREA, NET". The entire area within the boundary lines of the territory proposed for subdivision, less the area to be dedicated for street and alley rights-of-way and public use.

"ARTERIAL STREET". A street designed or utilized primarily for high vehicular speeds or for heavy volumes of traffic on a continuous route with intersections at grade, and on which traffic control devices are used to expedite the safe movement of through traffic.

"BARRIER (NATURAL OR ARTIFICIAL)". Any street, highway, river, pond, canal, railroad, levee, embankment, or screening by a fence or hedge.

"BLOCK". An area of land entirely bounded by streets, highways, barriers, or rights-of-ways (except alleys, pedestrian ways, or exterior boundaries of a subdivision unless exterior boundary is a street, highway, or R.O.W.) or bounded by a combination of streets, public parks, cemeteries, railroad rights-of-way, waterways, or corporate boundary lines.

"BUILDING". Any structure, whether temporary, semi-permanent, or permanent, designed or intended for the support, enclosure, shelter or protection of persons or property.

"BUILDING LINE". See Setback Line.

"CATCH BASIN". A receptacle, located where a street gutter opens into a storm sewer, designed to retain matter that would not easily pass through the storm sewer.

"CENTERLINE".

(A) the centerline of any right-of-way having a uniform width;

(B) the original centerline, where a right-of-way has been widened irregularly;

(C) the new centerline, whenever a road has been relocated.

"CENTERLINE OFFSET". The distance between the centerlines of two (2) roughly parallel streets, measured along the third street with which both said "parallel" streets intersect.

"CLUSTER DEVELOPMENT". A subdivision planned and constructed so as to group housing units into relatively dense patterns while providing a unified network of open space and wooded areas, and meeting the requirements of the Subdivision Code and the Zoning Code.

"COLLECTOR STREET". A street which carries or is proposed to carry intermediate volumes of traffic from local streets to arterial streets and which may or may not be continuous.

"COMMON LAND". That land set aside for open space or recreational use for the owners of the lots of a subdivision, which land is conveyed by the developer in fee simple absolute title by warranty to trustees whose trust indenture shall provide that said common land be used for the sole benefit, use and enjoyment of the lot owners present and future. 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.

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"COMPREHENSIVE PLAN". The plan or any portion thereof adopted by the Village Board to guide and coordinate the physical and economic development of the Village. The Village's Comprehensive Plan may include, but is not limited to, plans and programs regarding the location, character, and extent of highways, bridges, public buildings or uses, utilities, schools, residential, commercial, or industrial land uses, parks, drainage facilities, etc.

"CROSS-SLOPE". The degree of inclination measured across a right-of-way rather than in the direction traffic moves on said right-of-way.

"CUL-DE-SAC". A short minor local street having only one (1) outlet for vehicular traffic and having the other end permanently terminated by a turn-around for vehicles; the term may also be used to refer solely to said turn-around.

"CURB AND GUTTER, INTEGRAL". The rim forming the edge of a street plus the channel for leading off surface water, constructed of concrete as a single facility.

"DEDICATE". To transfer the ownership of a right-of-way, parcel of land, or improvement to the Village or other appropriate government entity without compensation.

"DENSITY, GROSS". The total number of dwelling units divided by the total project area, expressed as gross dwelling units per acre.

"DENSITY, NET". The total number of dwelling units divided by the net acreage. See definition of Area, Net.

"DESIGN". The arrangement of uses on the land and the arrangement of easements, lots and rights-of-way, including specifications of materials, alignment, grade and width of these elements.

"DEVELOP". To erect any structure or to install any improvements on a tract of land, or to undertake any activity (such as grading) in preparation therefor.

"DIMENSIONS". Refers to both lot depth and lot width.

"DISTRICT, ZONING". A portion of the territory of the Village wherein certain uniform requirements or various combinations thereof apply to structures, lots, and uses under the terms of the Village's Zoning Code.

"DRAINAGEWAY". A watercourse, gully, dry stream, creek, or ditch which carries storm water runoff or which is fed by street or building gutters or by storm water sewers, or which serves the purpose of draining water from the lands adjacent to such watercourse, gully, dry stream, creek, or ditch.

"EASEMENT". A grant by the property owner to the public, a corporation, or a person of the use of land for limited and specifically named purpose.

"ESCROW DEPOSIT". A deposit in cash or other approved securities to assure the completion of improvements within a subdivision.

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"FILING DATE". The date that the applicant has filed the last item of required data or information with the Village Clerk and has paid the necessary fees for review by the Plan Commission.

"FLOOD HAZARD AREA". All land subject to periodic inundation from overflow of natural waterways.

"FRONTAGE". The lineal extent of the front (street-side) of a lot.

"FRONTAGE ROAD". A minor street fronting on an arterial street or highway (usually a limited access highway), used for access to abutting lots.

"GRADE". The degree of inclination of the site or right-of-way, expressed as a percentage. Synonym for "slope."

"HILLSIDE AREA". An area with an average slope of twenty percent (20%) or more.

"IMPROVEMENT". Refers to site grading, street work and utilities (including water, sewer, electric, gas, storm water, telephone and cable television) to be installed or agreed to be installed by the subdivider on land to be used for public or private streets, and easements or other purposes as are necessary for the general use of lot owners in the subdivision. Including the furnishing of all materials, equipment, work and services such as engineering, staking and supervision, necessary to construct all the improvements required in Article V of the Code or any other improvements that may be provided by the subdivider. All of such materials, equipment and services shall be provided at the subdivider's cost and expense, although he may enter into a contract with individuals and firms to complete such improvements, and the improvements shall be subject to the final approval of the Plan Commission and the Village Board.

"IMPROVEMENT PLANS". The engineering plans showing types of materials and construction details for earth moving and for the structures and facilities to be installed both in, or in conjunction with, a subdivision. Plans must include drainage, streets, alleys and utility locations to be installed in or in conjunction with a subdivision - also, include overall drainage plan and its effect on contiguous land and source of effluent or discharge.

"INLET". A receptacle, located where surface and/or groundwater can run to by gravity to be received by the storm sewer.

"INTERSECTION". The point at which two (2) or more public rights-of-way (generally streets) meet.

"LAND USE PLAN". The comprehensive long-range plan for the desirable use of land, the purpose of such plan being, among other things, to serve as a guide to the zoning and progressive subdividing and use of undeveloped land.

"LOCAL STREET". A street serving limited amounts of residential traffic, and for access to abutting property, and on which the speed limit is low and the traffic volume minimal.

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"LOT". A tract of land intended as a unit for the purpose (whether immediate or future) of development or transfer of ownership. A "lot" may or may not coincide with a "lot of record".

"LOT AREA". The area of a horizontal plane bounded by the front, side, and rear lines of a lot, exclusive of any land designated for street right-of-way.

"LOT, BUTT". A lot at the end of a block and located between **two (2) corner lots**.

"LOT, CORNER". A lot having at least **two (2)** adjacent sides that abut for their full length upon streets. Both such side lines shall be deemed front lot lines.

"LOT DEPTH". The mean horizontal distance between the front end and the rear lot lines measured in the general direction of the side lot lines.

"LOT, INTERIOR". A lot whose side lines do not abut any street.

"LOT LINE, FRONT". The line separating the lot from the street. On a corner lot, the front lot line shall be the frontage having the least dimension.

"LOT LINE, REAR". The rear lot line is the lot line most nearly parallel to and most remote from the front lot line.

"LOT LINE, SIDE". Any lot line other than front or rear lot line. A corner side lot line separating a lot from a street is called a street side lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

"LOT OF RECORD". An area of land designated as a lot on a plat of subdivision recorded with the County Recorder of Deeds in accordance with State law.

"LOT, THROUGH". A lot having a part of approximately parallel lot lines that abut **two (2)** approximately parallel streets. Both such lot lines shall be deemed front lot lines.

"LOT WIDTH". The mean horizontal width of the lot measured at right angle to the general direction of the side lot lines.

"MAINTENANCE BOND". A surety bond, posted by the developer and approved by the Village, guaranteeing the satisfactory condition of installed improvements for the **one (1)** year period following their dedication.

"MASTER DEVELOPMENT PLAN". A combination of maps, drawings, site plans, charts and supportive narrative material that portrays total development to be achieved in the overall project area; which provides sufficient detailed information to both illustrate and describe the intended character and configuration of development to be accomplished.

"METES AND BOUNDS". A description of real property which is not described by reference to a lot or block shown on a map, but is described by starting at a known point and description of the lines forming the boundaries of the property or delineates a fractional portion of a section, lot or area by describing lines or portions thereof.

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"OFFICIAL MAP". A graphic statement of the existing and proposed capital improvements planned by the Village which require the acquisition of land--such as streets, drainage systems, parks, etc.

"OWNER". A person having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

"PARKING LANE". An auxiliary lane of a street and primarily used for vehicular parking.

"PEDESTRIAN WAY". A right-of-way dedicated to public use which cuts across a block to facilitate safe pedestrian access to adjacent streets and properties.

"PERFORMANCE BOND". A surety bond posted by the developer and approved by the Village, guaranteeing the installation of required improvements within, or in conjunction with, a subdivision.

"PERSON". Any agent, individual, firm, association, partnership, corporation, syndicate or trust.

"PLAN COMMISSION". Refers to the Planning Committee of the Village.

"PLANNED UNIT DEVELOPMENT (PUD)". A planned unit development is a comprehensively planned development containing residential, commercial, industrial, or other land uses on an area of land under continuing unified control. A planned unit development may contain a single type of land use or combination of land uses provided that such development is reviewed, evaluated and approved by the Village and satisfies the requirements contained herein.

"PLANS". All of the drawings including plats, cross-sections, profiles, working details and specifications, which the subdivider prepares or has prepared to show the character, extent and details of improvements required in this Code and which plans shall conform to any requirements of the Plan Commission as to scale and details for submittal to the approval officials of the Village for consideration, approval or disapproval.

"PLAT, FINAL". The final engineering and architectural maps, drawings, and supporting material indicating the subdivider's plan of the subdivision which, if approved, may be filed with the County Recorder of Deeds.

"PLAT, PRELIMINARY". Preliminary engineering and architectural maps, drawings, and supportive material indicating the proposed layout of a subdivision.

"PROJECT AREA". That territory intended to be subdivided or developed, and portrayed and defined in the preliminary and final plats.

"RESERVE". To set aside a parcel of land in anticipation of its acquisition by the Village or other appropriate government entity for public purposes.

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"RESERVE STRIP". A narrow strip of land between a public street and adjacent lots which is designated on a recorded subdivision plat or property deed as land over which vehicular travel is not permitted.

"RE-SUBDIVISION". See Subdivision.

"RETENTION AREA". An area of land designed to capture water runoff from a developed parcel and release it at a specified rate of flow as determined by engineering studies (See Section 34-5-63)

"REVERSE CURVE". A curve in a street heading in approximately the opposite direction from the curve immediately preceding it so as to form an S-shape.

"RIGHT-OF-WAY, PUBLIC". A strip of land which the owner/subdivider has dedicated to the Village or other appropriate government entity for streets, alleys, and other public improvements; sometimes abbreviated as r.o.w.

"ROADBED". The graded portion of a street upon which the base course, surface course, shoulders and median are constructed.

"ROADWAY". The entire improved portion of the street, including shoulders, parking lanes, travel way, curbs and gutter.

"SETBACK LINE". A line that is usually parallel to the front, side or rear lot line establishing the minimum space to be provided as the front, side or rear yard.

"SIDEWALK". A pedestrian way constructed in compliance with the standards of this Code, generally abutting or near the curb line of the street.

"SLOPE". The degree of inclination of site or right-of-way expressed as a percentage. Synonym for "grade."

"SOIL AND WATER CONSERVATION DISTRICT". The County Soil and Water Conservation District.

"STREET". A public or private way for motor vehicle travel. The term "street" includes a highway, thoroughfare, parkway, through way, road, pike, avenue, boulevard, lane, place, drive, court and similar designations, but excludes an alley or a way for pedestrian or bicycle use only.

"STREET, AREA SERVICE HIGHWAY". Area service highways interconnect collectors and land access streets with the principal system and vice versa, brings all developed areas within a reasonable distance of principal streets, connects and provides direct access to major traffic generators, provides secondary service to smaller communities, may provide access to abutting property, and have a medium volume design capacity and travel speeds.

"STREET, CUL-DE-SAC". A short, land-access street, having only one (1) end open for vehicular traffic, and the other permanently terminated by a turn-around for vehicles.

"STREET, DEAD-END". Land access streets similar to cul-de-sacs, except that they provide no turn-around circle at their closed end, and are not permitted in any proposed subdivision.

"STREET, LAND ACCESS". Land access streets provide access to abutting properties, have a relatively short travel distance, and have a low volume design capacity and travel speeds.

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"STREET, LOOPED". Land access streets having two (2) open ends, each end generally connecting with the same street, no other streets intersecting between its ends, and property fronts on both sides of the street.

"STREET, MARGINAL ACCESS OR SERVICE ROAD". A land access street parallel and adjacent to area service highways providing access to abutting properties.

"STRUCTURE". Anything constructed or erected which requires permanent or temporary location on or in the ground, or is attached to something having a fixed location on or in the ground. All buildings are structures but not all structures are buildings (e.g., a fence).

"STUB OR BUTT STREET". A street that is temporarily terminated, but that is planned for future continuation.

"SUBDIVIDER". Any person, firm, partnership, association, corporation, estate or other group or combination acting as a unit, dividing or proposing to divide land in a manner that constitutes a subdivision as defined in this Article.

"SUBDIVISION".

(1) The division of land into two (2) or more lots or parcels for the purpose of either immediate or future sale, rental or building development or use(s) other than agricultural use or production.

(2) Establishment or dedication of a public street or alley through a tract of land regardless of size. The term "subdivision" shall also include all re-subdivisions of land or lots.

"TOPOGRAPHY". The relief features or surface configuration of an area of land.

"TRAVELWAY". That portion of a street used for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

"VACATE". To terminate the legal existence of right-of-way or subdivision, and to so note on the final plat recorded with the Madison County Recorder of Deeds.

"VARIANCE, SUBDIVISION". A relaxation in the strict application of the design and improvement standards set forth in this Code.

"YARD, FRONT". A yard extending across the full width of the lot, the depth of which is set forth in the Zoning Code.

"YARD, REAR". A yard extending across the full width of the lot between the nearest rear main building and the rear lot lines. The depth of the required rear yard shall be measured horizontally from the nearest part of the main building toward the nearest point of the rear lot lines.

"YARD, SIDE". A yard between a main building and the side lot line, extending from the front yard or front lot lines, where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the main building.

"ZONING CODE". The Zoning Code of the Village.

ARTICLE III

PLATS AND PLANS

DIVISION I - PRELIMINARY PLATS

34-3-1 **GENERAL PROCEDURE.** Before preparing a proposed plat for an area, the owner, developer, or their representatives should have a pre-application meeting with the Plan Commission and/or the Village Planner to determine applicable ordinance regulations and standards which must be complied with. After the pre-application meeting(s), the subdivider should then prepare the preliminary plat. As defined in the Subdivision Code, the preliminary plat shall contain a substantial amount of data, and will thus be incomplete and cannot be considered as filed until all required data are submitted. The preliminary plat is received with filing fees by the Village Clerk's office, who, in turn, will forward the same to the Plan Commission for their review. Following its review as well as comments from other appropriate agencies, when required, the Plan Commission forwards its recommendation(s) to the Village Board, who then either approve, disapprove, or approve with modifications the preliminary plat.

34-3-2 **FILING PROCEDURE.** Except as specifically provided otherwise below, every person who proposes to subdivide any land located within the subdivision jurisdiction of this municipality shall file **six (6) copies** of the preliminary plat of said subdivision with the Village Clerk.

He shall also file **one (1) copy** of the preliminary plat and supporting data with the appropriate Soil and Water Conservation District. The district shall have not more than **thirty (30) days** to submit any comments it might wish to make to the Administrator. (See **70 ILCS Sec. 405/22.02a**)

He shall file a copy of the preliminary plan with the president of the school board as provided by statute.

Whenever a large tract is to be developed in stages and only a portion of that tract is to be submitted for final plat approval, nonetheless, a Master Development Plan of the entire tract shall be submitted.

All the preliminary plats shall be reviewed and acted upon in accordance with **Illinois Compiled Statutes, Chapter 65, Section 5/11-12-8** and the provisions of the subsections below.

EXCEPTION: The provision of this Section shall not apply to:

(A) minor subdivisions as defined at **Section 34-2-2**; or

(B) land that is specifically exempted from the Illinois Plats Act as now or hereafter amended (**765 ILCS Sec. 205/1(b)**).