

ORDINANCE NO. 9798-113

**AN AMENDMENT TO THE SUBDIVISION AND LAND DEVELOPMENT CODE
OF THE CITY OF URBANA, ILLINOIS**

(Miscellaneous Amendments to the Subdivision Regulations)

WHEREAS, the City Council of the City of Urbana, Illinois, adopted Ordinance #8889-33 on November 21, 1988 which adopted the Subdivision and Land Development Code of the City of Urbana (hereinafter referred to as the "Subdivision Regulations"), as it is amended from time to time; and

WHEREAS, the Community Development Director has requested an amendment to the Subdivision and Land Development Code to allow miscellaneous changes to the Subdivision Regulations; and

WHEREAS, said amendments will expedite and streamline the approval process for final plats; and

WHEREAS, said the Urbana Plan Commission considered said amendments at the April 23, 1998 Plan Commission meeting; and

WHEREAS, the Urbana Plan Commission voted to forward the proposed amendment to the Urbana City Council with a recommendation for approval; and

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interests of the City of Urbana to amend the text of Chapter 21 of the Urbana City Code as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS that Chapter 21 of the Urbana City Code Urbana, Illinois, and its referenced sections, is hereby amended as follows:

Section 1. Amend Section 21-02 entitled "SCOPE to be renumbered as Section 21-03 and amend subsections (A) and (C) (5) to read as follows:

- (A) In accordance with the enabling legislation set forth in Illinois Compiled Statutes, Section 5/11-12-8 of Chapter 65 this Chapter prescribes procedures for the preparation, submission, review and filing of documents required for approval by the City of Urbana of any development with the City of Urbana and its extraterritorial planning jurisdiction. A development will not be approved if such approval would disrupt the allocation of land uses and public facilities as established in the Comprehensive Plan.

- (C) (5) The Champaign County Zoning Ordinance for those developments situated within the City of Urbana's extraterritorial jurisdiction. If there is a conflict between what is permitted in the County Zoning Ordinance and The Comprehensive Plan, the Development will not be approved except to the extent it would not disrupt the allocation of land uses or public facilities as set forth in Comprehensive Plan.

Section 2. Amend Section 21-03 entitled "PURPOSE" to be renumbered as Section 21-01.

Section 3. Amend Section 21-13(F) entitled "Traffic Impact Analysis" so that Subsection 21-13.F.5 reads as follows:

- (5) Responsibility for Preparation of the Traffic Impact Analysis:

When required, a traffic impact analysis shall be prepared at the expense of the developer under the supervision of an Illinois Registered professional Engineer experience in traffic engineering.

The analysis shall be completed and submitted to the Secretary not less than seven (7) calendar days prior to the date on which the development is scheduled for consideration by the Plan Commission.

Section 4. Amend the following subsections of Section 21-29 entitled "Construction Bonds" to read as follows:

- (I) When a developer elects to construct improvements after receiving approval of a preliminary plat and prior to recording of the final plat a construction bond is not required, however, the developer will submit construction drawings and details for approval by the City Engineer prior to commencing said construction. In addition, the developer is required to coordinate such construction and inspections as deemed necessary by the City Engineer with City staff.

Section 5. Amend the following subsection of Section 21-30 entitled "Maintenance Bonds" to read as follows:

- (F) Bond Amount: The maintenance bond shall be in the amount of not less than three thousand dollars (\$3,000) or ten percent (10%) of the estimated cost of construction, whichever is greater. The City Engineer shall approve the developer's engineer's estimated cost of construction in calculating the bond amount.

Section 6. Amend Section 21-40 entitled “Names of Streets, Street Signs, Traffic Signs” so that Subsection (A) reads as follows:

(A) Streets, which align with or continue existing streets, shall bear the name of the existing street. New street names shall not duplicate or closely resemble the names of streets already existing in Urbana, Champaign, and Savoy or within one and one-half (1 1/2) miles from any of the cities.

Section 7. Amend Section 21-17 entitled “Minor Development” so that Subsection (D)(1) reads as follows:

The following plat prints for all developments: twenty-two (22) full sized prints or four (4) full sized prints and eighteen (18) reduced prints (eleven inches (11") by seventeen inches (17")) or the number of plat prints the Secretary requests.

Section 8. Amend Section 21-13(A) entitled "PRE-APPLICATION CONFERENCE" to include the following:

(8) Determine the need for a fire flow analysis

Section 9. Amend Section 21-13(C) entitled "Development Sketch Plan" to include the following:

5(d) Determine and document fire flow for existing and proposed water mains.

Section 10. Amend subsections G (1) b and G (2) j of 21-14 entitled "PRELIMINARY PLAT OF MAJOR DEVELOPMENT" as follows:

G (1) b Legal descriptions of all property included in the preliminary plat, including its location by section, township and range, and reference by dimension and bearing to a City of Urbana Horizontal Control Monument.

G (2) j Determine and document the fire flow from the closest hydrant to the proposed development.

Section 11. Amend Section 21-14 entitled "PRELIMINARY PLAT OF MAJOR DEVELOPMENT" to read as follows:

G-3 (I) The location of all proposed fire hydrants and calculated fire flows for those hydrants shall be approved by the Fire Chief of the city of Urbana, or his/her designee. In no case shall there be greater than five hundred-(500) foot distance between any two (2) fire hydrants on a street, measured radially in any direction from each proposed hydrant.

Section 12. Amend Section 21-15 (J)(1)(d) to read as follows:

Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced; a minimum of two (2) corners of the subdivision boundary shall be tied by course and distance to a City of Urbana Horizontal Control Monument.

Section 13. Amend Section 21-17(D) entitled "Required Documents" to include the following:

- (9) Calculated fire flow analysis as required in Section 21-14.

Section 14. Amend Article 21 to create a new Section 21-46 entitled "Water Main and Fire Flow Requirements" to read as follows:

A. Minimum Water Main Requirements

1. The minimum diameter water main in commercial or industrial developments shall be eight-inches.
2. In residential developments, the developer shall install a minimum of a six-inch water main for fire protection purposes.

B. Insufficient Fire Flows

During the plan review process, if the Fire Chief or his/her designee, determines the fire flow to be insufficient, one of the following requirements must be met.

1. Install water mains that will provide the needed fire flow based on ISO requirement 4.0 item 300; or
2. Install an automatic fire alarm system in compliance with NFPA72; or
3. Install an automatic sprinkler system in compliance with NFPA13.

Section 15. Amend Section 21-17(b)(3)(b) to read as follows:

If the Administrative Review Committee finds that there is no immediate need for sidewalks, the developer shall file a signed and acknowledged statement that shall be recorded with the development plat, stating that the developer or subsequent owner(s) of the property affected will construct the sidewalk at the developer's or subsequent owner's expense within six (6) months of passage of a City Council resolution to do so or the City

will construct and charge the then owners and/or the developer as applicable. The developer will record with the plat, a covenant running with the land that states: "If the developer does not install or pay for the installation of sidewalks, then the City of Urbana has the authority to request the property owners to install sidewalks on the subject property within six (6) months of passage by the City Council of Urbana of a resolution to so do. The City has the authority to construct the sidewalks and charge the then owners for the construction if the then owners do not install the sidewalks as requested. It is agreed by the developer that this obligation shall be a covenant running with the land."

Section 16. Amend Section 21-37(B)(7)(a) entitled "Design and Arrangement of Lots" to read as follows:

- (a) The width of the access portion of the lot connecting to the street shall be a minimum of twenty (20) feet; and

Section 17. Amend Section 21-58 (C) to read as follows:

- (C) The minimum thickness of Portland cement concrete sidewalks and mid-block sidewalks shall be six (6) inches with a width of four feet for residential streets and a width of five feet for all other streets.

Section 18. Amend Sections 21-15 (F) and (H) to read as follows:

(F) Recording: The Secretary shall retain the plat original and supporting documents and certificates for recording. Within 180 days of the date the ordinance approving the final plat is signed by the Mayor, the Secretary shall cause the recording of the final plat and required supporting documents. Recording shall take place only after required improvements are made or bonds have been posted in accordance with Section 21-29 A. The developer shall pay the recording fee as the County Recorder establishes at the time of recording. Upon recording the Secretary shall notify the City Clerk's Office that the plat original has been recorded.

(H) Limitation on Final Plat Approval: The City or County shall not issue a building or zoning permit until the final plat is recorded. If the final plat has not been recorded within the time stipulated above in Subsection (F), final plat approval shall become void unless during the 180 day period the Council approves a written application for extension of time.

Section 19. Amend 21-17 (H) entitled "Certificate of Exemption in Lieu of a Plat for Lot Line Adjustments" to read as follows:

The Administrative Review Committee may determine that submission of a plat is not required for minor lot line adjustments. The Administrative Review Committee may issue a Certificate of exemption in lieu of a plat provided the lot line adjustment meets the following requirements:

- (1) The lot line adjustment will not result in a change of any lot length, width, or frontage exceeding twenty-five (25) feet;
- (2) The sum of the area(s) transferred from one lot to another may not exceed 10,000 square feet;
- (3) The lot line adjustment may not change the total number of lots, nor create any nonconforming lots or structures according to the minimum standards of the Urbana Zoning Ordinance or the Champaign County Zoning Ordinance, if applicable.

Section 20. Section 21-07 (B) entitled Waivers, Criteria is hereby amended to read as follows:

(A) **Criteria:** Where, upon recommendation of the Plan Commission, if Council finds that all the conditions set forth below justify the granting of a waiver from strict compliance with this Chapter's provisions, and where the purpose of these regulations to foster growth and to protect the public's essential interest is served thereby, the City Council may approve such waivers, if

- (1) there are conditions of topography or other site specific reasons that make the application of any particular requirement of the Land Development code unnecessary or, in some cases perhaps, even useless;
- (2) the granting of the requested waiver would not harm other nearby properties;
- (3) the waiver would not negatively impact the public health, safety and welfare, including the objectives and goals set forth in the Comprehensive Plan.

Section 21. This Ordinance shall be in full force and effect from and after its passage in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 18th day of May, 1998.

PASSED by the City Council on this 18 day of May, 1998.

AYES: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman

NAYS:

ABSTAINED:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

Deborah J. Roberts, Deputy Clerk

APPROVED by the Mayor this 1st day of June, 1998.

Tod Satterthwaite
Tod Satterthwaite, Mayor