Appendix B SUBDIVISION, SITE DEVELOPMENT AND FLOODPLAIN REGULATIONS*

***Editor's note--**Ord. No. O-17-88, §1, adopted March 14, 1988, repealed App. B, pertaining to subdivisions and enacted new provisions pertaining to subdivisions as a new Appendix B to read as herein set out. Absence of a history note following a particular section indicates that such section derives unchanged from Ord. No. O-17-88; conversely, a history note enclosed in parentheses following a section indicates amendment by the ordinance or ordinances shown in such history note. Former Appendix B derived from Code 1961, §§ 8.401--8.503 and the following legislation:

ORD. NO.	DATE	ORD. NO.	DATE
0-16-66	3-21-66	0-70-78	8-28-78
0-20-66	4-25-66	0-18-79	3-12-79
0-10-67	3-20-67	0-19-79	3-29-79
0-37-68	6-17-68	0-59-79	5-29-79
0-48-68	7-8-68	0-69-79	6-27-79
0-49-68	7-8-68	0-81-79	7-9-79
0-32-69	7-14-69	0-85-79	7-9-79
0-35-71	4-12-71	0-20-80	2-25-80
0-103-74	12-30-74	0-77-80	10-13-80
0-70-75	9-22-75	0-4-81	1-26-81
0-2-76	1-12-76	0-61-81	6-22-81
0-12-76	2-9-76	0-59-82	6-29-82
0-17-76	2-23-76	0-69-82	7-26-82
0-42-76	4-26-76	0-49-83	8-8-83
0-85-77	8-22-77	0-94-86	8-25-86

Cross reference(s)--Department of public works, §2-171 et seq.; department of community development, §2-191 et seq.; electrical commission, §2-191 et seq.; Palatine Environmental Coordinating Council, § 2-306 et seq.; director of environmental health, § 2-326 et seq.; board of health, § 2-341 et seq.; plan commission, §2-421 et seq.; board of zoning appeals, §2-431 et seq.;Ch. 6 Building Codes and Building Regulations; fire protection and prevention, Ch. 7; garbage and refuse, Ch. 8; health and sanitation, Ch. 9; Existing structures' maintenance, etc., Ch. 10; streets and sidewalks, Ch. 16; water and sewer services, Ch. 19; zoning, App. A.

Editor's Note: Ordinance 0-22-02 passed February 25, 2002 added a new Sec. 1.07 Stop Work Orders to Article I

Editor's Note: Ordinance 0-105-08, passed on August 4, 2008 renamed Appendix "B" from "Subdivisions" to "Subdivision, Site Development and Floodplain Regulations"

Editor's Note: Ordinance 0-134-14, passed on October 20, 2014 amended Art. I, II, III, VIII & IX – related to MWRD - Watershed Management

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Editor's Note: Ordinance 0-33-15, passed on April 20, 2015, Effective 8/1/15, added a new Sec. 9.04 Recaptures to Art. IX

Art. I. General Provisions, §§1.01--1.07
Art. II. Definitions, §§2.01
Art. III. Preliminary Plat, §3.01
Art. IV. Final Plat, §4.01
Art. V. Dedication of Park Land and School Sites for Payment of Fees in Lieu Thereof, §§5.01--5.03
Art. VI. Design Standards, §§6.01--6.10
Art. VII. Protection of Existing Trees, §7.01
Art. VIII. Required Land Improvements, §§8.01--8.10
Art. IX. Improvement Procedures, §§9.01--9.04

ARTICLE I. GENERAL PROVISIONS

1.01. Purpose and intent.

(a) The purpose of the Village of Palatine Subdivision Site Development and Floodplain Regulations is to provide citizens with a safe, healthy, and beneficial environment in which to live. (Ord. No. 0-134-14, §1, 10/20/14)

(b) Development of land can have a profound impact upon the cost and efficiency of providing public services, sewer and water supply, educational and recreational services.

(c) These regulations are intended to provide the minimum requirements that will insure a wholesome community environment, adequate provision of municipal services, safe streets, and sound development of the village.

1.02. Separability.

If any part or parts of these regulations are held to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining parts of these regulations.

1.03. Scope.

(a) *Jurisdiction.* This appendix shall be considered as an implementation of the official comprehensive plan of the village.

(1) Applicability. The provisions of this article appendix shall apply to land situated within the corporate limits and except where specifically excluded, to contiguous territory within one and one-half (1 1/2) miles beyond the corporate limits of the village as now or hereafter existing which is not included in any other city or village, except as such jurisdiction is limited by other provisions of statutes of the State of Illinois or amended by agreement between the village and any other municipality pursuant to statute.

(2) Partial exception. A subdivision or resubdivision of land in which the entire tract is divided into three (3) lots or less, and involving no dedication of right-of-ways, shall be exempt from the requirements of this appendix relating to the filing of preliminary plats, as stated in section 3.01(a)(1)(e).

(b) *Interpretation.*

(1) Where the conditions imposed by any provisions of this appendix are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this appendix, or of any law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive or which impose higher standards of requirements shall govern.

(2) This appendix is not intended to abrogate any easement, covenant, or other private agreement; provided that where the regulations of this appendix are more restrictive or impose higher standards of requirements than such easements, covenants, or other private agreements, the requirements of this appendix shall govern.

(3) A subdivision of land which was not lawfully existing at the time of the adoption of this appendix shall not become or be made lawful solely by reason of adoption of this appendix; and to the extent that, in any manner that said subdivision of land is in conflict with the requirements of this appendix, said subdivision of land remains unlawful hereunder.

1.04. Variations.

The Planning and Zoning Commission may recommend variations from the requirements of this ordinance in specific cases which, in its opinion, do not affect the general plan or the intent of this appendix. However, no variations may be granted to any development located in a regulatory floodway.

(a) Such recommendations shall be communicated to the Village Council in writing substantiating the recommended variation.

(b) The Village Council may approve variations from the requirements in specific cases which in its opinion, do not adversely affect the general plan or the spirit of this appendix.

(c) Variations of the floodplain regulations must comply with the requirements of 6.08 (i). (Ord. No. 0-83-96, 5/29/96, §7; Ord. No. 0-134-14, §1, 10/20/14)

(d) Variances to any requirements of the Cook County Watershed Management Ordinance can only be granted by the Metropolitan Water Reclamation District of Greater Chicago in accordance with Article 11 of the Watershed Management Ordinance. (Ord. No. 0-134-14, §1, 10/20/14)

1.05. Permits.

(a) Watershed management permit. The provisions of the Cook County Watershed Management Ordinance approved as amended by the Metropolitan Water Reclamation District of Greater Chicago on October 3, 2013, are adopted herein by reference, subject to the modifications, supplements and exceptions set out in this Appendix B of the Code of Ordinances for the Village of Palatine. (Ord. No. 0-134-14, §1, 10/20/14)

(1) In the event of conflict between the provisions of the Cook County Watershed Management Ordinance and any other provisions of the Code of Ordinances for the Village of Palatine, the most stringent provisions shall apply. (Ord. No. 0-134-14, §1, 10/20/14)

(2) The Metropolitan Water Reclamation District of Greater Chicago shall review and issue watershed management permits. (Ord. No. 0-134-14, §1, 10/20/14)

(b) *Building permits.* Before issuance of any building permits for improvements of lots within a subdivision or planned development, the subdivider, builder or developer shall;

(1) File with the administrator, the approved, final recorded plat of subdivision.

(2) Completely and satisfactorily install functioning sanitary sewer systems, storm sewer and water service to each lot and street paving with the exception of the final surface course.

(c) *Occupancy permit.* Before issuance of any certificate of occupancies, and in addition to any other requirements of the village for certification for occupancy the street lighting system shall be installed and functioning, street identification signs and traffic control signs shall be installed, all electrical, telephone and gas utility lines shall be installed and public sidewalk installed along the frontage of the subject lot and the parkway finished grade.

(1) A spotted topographic survey of the lot must be submitted showing the elevation at the top of the foundations, lot corners and points of change in gradients. These elevations shall be in compliance with those indicated on the grading plans.

1.06. Enforcement.

The village manager is hereby appointed the enforcing officer of this appendix, and it shall be his/her duty to enforce the provisions hereof. The enforcing officer may call upon any department or official of the village to furnish such information and assistance as deemed necessary for the observance or enforcement of this article appendix, and it shall be the duty of such department or officer to furnish such information and assistance whenever required.

1.07 Stop Work Orders

(a) It shall be unlawful for any owner, agent, contractor, subcontractor or builder engaged in developing property pursuant to a permit issued by the Village to make any departure from or violate:

(i) Any ordinance or code of the Village;
(ii) Any conditions attached to a special use ordinance, planned unit development ordinance, variation, or annexation agreement;
(iii) Any federal, state or other local law or ordinance;
(iv) Commit any fraud or make any misrepresentation or false statement in and application for a license or permit;
(v) Construct, alter, install or repair any structure or improvement contrary to the drawings or plans which the Village approved when issuing the permit; or
(vi) Cause a nuisance or danger to the public health, safety or welfare.

Any such departure from or violation of such ordinance, code, condition or threat to the public welfare or law shall operate to void the permit which has been issued for such work.

(b) The Manager, without delay, shall issue a stop work order directing that all persons engaged in the work permitted under the permit shall cease and desist immediately until such time as the Manager has either received satisfactory evidence that the work to be performed will be done in accordance with such ordinance, codes, conditions, laws or the public welfare until the Corporate Authorities have acted on the matter pursuant to either paragraph (c) or (d).

(c) The Manager may refer the matter of continuing the stop work order to the Corporate Authorities for further proceedings. The Corporate Authorities shall have the authority to:

(i) Continue in effect the stop work order;
(ii) Lift the stop work order;
(iii) Impose additional requirements as conditions to lifting the stop work order; and/or
(iv) Any other relief consistent with the public welfare.

(d) Any person aggrieved by the decision of the Manager in regard to the issuance of a stop work order or refusal to rescind the same shall have the right to appeal to the Corporate Authorities. Such appeal shall be taken by filing with the Manager, within five days after receipt of a stop work order or after the Manager's refusal to rescind such an order, a written statement under oath setting forth specifically the grounds for appeal. The Corporate Authorities shall appoint a hearing body to be composed of the Mayor or the Mayor's designee and two Council Members who shall thereupon set the time and place for a hearing of such appeal and notice of such hearing shall be given to the appellant. The hearing body shall make a recommendation to the Corporate Authorities which shall render a decision on such appeal which shall be final. Any appeal from a decision of the Corporate Authorities shall be made directly to the Circuit Court of Cook County pursuant to the Administrative Review Act (735 ILCS 5/3-101, *et seq*.).

(e) All costs and expenses including but not limited to court reporters fees and attorneys' fees incurred by the Village in connection with any appeal of a stop work order shall be taxed to the appellant and shall be paid by the appellant as a condition to reinstatement of the permit.

(f) The authority to issue a stop work order shall be in addition to any other relief available to the Village. (Ord. 0-22-02 §11, 2/25/02)

ARTICLE II. DEFINITIONS

2.01. Definitions.

(a) Other definitions and meanings. Words not defined herein shall be understood by those definitions in Appendix A Definitions, of the Cook County Watershed Ordinance or by their common dictionary definition. In the event of conflict between definitions, the most restrictive meaning shall apply.

(b) Interpretation of terms and words. The terms and words used shall be interpreted as follows:
(1) Verbs and phrases in the present tense shall be presumed to include the future tense.
(2) Parts of speech used in the singular shall be presumed to include the plural and those used in the plural shall be presumed to include the singular.
(3) The words "shall,' "will," and "must" are understood as mandatory, not permissive.
(4) All distances shall be measured horizontally unless otherwise stated.
(5) A masculine, feminine or neuter pronoun shall not exclude the other genders.
(Ord. No. 0-134-14, §1, 10/20/14)

(c) Specific definitions.

Accessory Structure. A subordinate detached, non-habitable building without plumbing or sanitary facilities that is 600 square feet or less in area, or as further determined by Article VI of Appendix A of the Village of Palatine Code of Ordinances, which is located on the same zoning lot as the principal building, the use of which is incidental and customary to that of the principal building including above ground utility appurtenances and recreational equipment. When an accessory structure is attached to and made part of the principal building, such accessory structure shall comply in all respects with the requirements of the zoning ordinance applicable to the principal building. (Ord. No.0-105-08, §2, 8/14/08; Ord. No. 0-134-14, §1, 10/20/14; Ord. No. O-35-19, 04/08/19)

Administrator. The director of community development of the village or a person designated by the village manager.

Alley. A public right-of-way which affords a secondary means of access to abutting property.

Applicant. The owner or contract purchaser of land proposed to be subdivided or his legal representative. See Subdivider.

Basal clearance. The distance from the center of the tree to the structure or object involved.

Base flood. The flood having a one percent probability of being equalled or exceeded in any given year. The base flood is also known as the one hundred (100) year frequency flood event. (Ord. #0-105-08, §2, 8/14/08; Ord. No. 0-134-14, §1, 10/20/14)

Base flood elevation (BFE). The highest ground elevation in relation to the North American Vertical Datum of 1988 which would be inundated by the base flood according to the information provided on the maps outlined in section 6.08(c). (Ord. No.0-105-08, §2, 8/14/08; Ord. No. 0-134-14, §1, 10/20/14)

Block. That property abutting one side of a street and lying between the two (2) nearest intersecting streets, or between the nearest such street and a railroad right-of-way, unsubdivided acreage, or live stream; or between any of the foregoing and other barriers to the continuity of the development.

Building. A walled and roofed structure, including prefabricated buildings, that is principally above ground. The term also includes recreational vehicles and travel trailers that are stored on a site more than 180 consecutive days. This term does not include accessory structures. (Ord. #0-105-08, §2, 8/14/08; Ord. No. 0-134-14, §1, 10/20/14)

Building code. Shall mean Chapter 6. Building Codes and Regulations of the Code of Ordinances, Village of Palatine, Illinois.

Building permit. A permit issued by the Village of Palatine, Illinois for the construction, erection or alteration of a structure, building, parking lot or connection to utility lines.

Building principal. A non-accessory building in which a principal use of the lot, on which it is located, is conducted. (Ord. No. O-35-19, 04/08/19)

Building service sewer. A building service sewer is the private property owner's sewer that connects a residential, commercial or industrial building with the sewer main.

Building setback line. A line on the final plat, between which and the adjacent street line, buildings or structures may not be erected.

Bulletin 70. Huff, F.A., and J.R. Angel, 1989. "Rainfall Distributions and Hydroclimatic Characteristics of Heavy Rainstorms in Illinois" (Bulletin 70), Illinois State Water Survey. (Ord. No. 0-134-14, §1, 10/20/14)

Certify or certification. The specific inspections and tests where required have been performed and that such tests comply with the applicable requirements of this appendix.

Channel. Any river, stream, creek, brook, branch, natural or altered which has a definite bed and banks, in or into which surface or groundwater flows, either permanently or intermittently. Roadside drainage ditches are not included. (Ord. No.0-105-08, §2, 8/14/08)

Channel Modification. Alteration of a channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, rip-rapping (or other armoring), widening, deepening, straightening, relocating, lining and significant removal of native vegetation from the bed or banks. Channel modification does not include the clearing of dead or dying trees or other vegetation, debris, trash and obstructions from the channel. Channelization is a severe form of channel modification involving a significant change in the channel cross-section and typically involving relocation of the existing channel (e.g. straightening). (Ord. No.0-105-08, §2, 8/14/08)

Collector street. See Street.

Compensatory storage. An artificially excavated, hydraulically equivalent volume of storage within a floodplain used to offset the loss of natural flood storage capacity when fill or structures are placed within the floodplain. (Ord. No.0-105-08, §2, 8/14/08; Ord. No. 0-134-14, §1, 10/20/14)

Control volume. The first inch of runoff from the impervious area of development on the site. (Ord. No. 0-134-14, §1, 10/20/14)

Critical facilities. Any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put

special populations at risk. Example of critical facilities where addition flood protection should be provided include: (Ord. No.0-105-08, §2, 8/14/08)

A. Those structures or facilities which produce, use or store highly volatile, flammable, explosive, toxic and/or water-reactive materials;
B. Hospitals, Nursing Homes and Housing which are likely to contain occupants who may not be sufficiently mobile to avoid death or injury during a flood event;
C. Police Stations, Fire Stations, Vehicle and Equipment Storage Facilities and Emergency Operations Centers which are needed for flood response activities before, during and after a flood event; and
D. Public and Private Utility Facilities which are vital to maintaining or restoring normal services to flooded areas before, during and after a flood event."

Cubic yards. The amount of material in excavation and/or fill measured by the method of "average end areas".

Cul de sac. See Street.

Cumulative Substantial Improvement. The value of all improvements, modifications, additions, and reconstruction projects to existing buildings counted cumulatively for ten (10) years.

Demolition. Removal of structures, impervious area, or utilities that return a parcel to a natural or vacant state. Demolition must not affect the volume, flow rate, or composition of storm water. Demolition activities that change the use of the site or require any fill within a flood protection area are considered development. (Ord. No. O-35-19, 04/085/19)

Detention storage. The temporary detaining or storage of storm water in storage basins, on roof tops, in streets, parking lots, school yards, parks, open spaces or other areas under predetermined and controlled conditions with the rate of drainage therefrom regulated by appropriately installed devices.

Developer. A person, group of persons, corporation, organizations, or other entity whose concern and desire is to improve land in accordance with the regulations of the village. See Subdivider.

Development. Finalization of a Plat of Subdivision or man-made induced activity or change to real estate, including but not limited to construction, reconstruction, repair or placement of a building or addition, installation of utilities, mining, drilling, construction of roads, levees, dams, culverts, walls, fences, and bridges, demolition, filling, dredging, grading, excavating, paving, storage of equipment and materials, clearing or other non-agricultural alterations of the ground surface, and any other activity that affects the volume, flow-rate, drainage pattern or composition of stormwater or the substantial improvement of an existing building in a Special Flood Hazard Area (SFHA). (Ord.No.O-83-96, 5/29/96 §8; Ord. No.0-105-08, §2, 8/14/08; Ord. No. 0-134-14, §1, 10/20/14)

Drainage area. The land tributary to a given point that contributes runoff from rainfall and/or snowmelt. (Ord. No. 0-134-14, §1, 10/20/14)

Dry bottom detention basin. A basin designed to be completely dewatered after having provided its planned detention of runoff during a storm event.

Easement. A grant by a property owner of the use of land for a specific purpose.

Engineer. A registered engineer of the State of Illinois, under the Illinois Professional Engineering Act (225 ILCS 325/1, et seq.) (Ord.No.O-83-96, 5/29/96 §8)

Erosion and sedimentation control plan. A plan of the proposed site development containing all erosion and sedimentation control measures needed to provide protection throughout all phases of construction, according to the regulations as specified in section 6.09.

Erosion and sediment control practice. A temporary or permanent measure that stabilizes soil by

covering and/or binding soil particles in order to prevent soil particles from becoming detached by the forces of wind, water or gravity and intercepts sediment in runoff. (Ord. No. 0-134-14, §1, 10/20/14)

Erosion control practice. A temporary or permanent measure that stabilizes soil by covering and/or binding soil particles in order to prevent soil particles from becoming detached by the forces of wind, water or gravity. (Ord. No. 0-134-14, §1, 10/20/14)

Excavation. Any act by which organic matter, earth, sand, gravel, rock or other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

Existing grade. The vertical location of the existing ground surface prior to excavation or filling.

Federal Emergency Management Agency (FEMA). The federal agency whose primary mission is to reduce the loss of life and property and protect the nation from all hazards (including natural disasters, acts of terrorism and other man-made disasters) by leading and supporting the nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery and mitigation. (Ord. No. 0-134-14, §1, 10/20/14)

Fill. Any act by which earth, sand, gravel, rock or any other similar material is deposited, placed, replaced, pushed, dumped, pulled, transported or moved by man to a new location and shall include the conditions resulting therefrom.

Final plat. A map or plan of a subdivision, and any accompanying material as described in Article IV.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry lands from the overflow of inland waters or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Frequency. A period of years, based on a statistical analysis, during which a flood of a stated magnitude may be expected to be equaled or exceeded. (Ord. No.0-105-08, §2, 8/14/08)

Flood Insurance Rate Maps (FIRM). The current versions of a map issued by FEMA that is an official community map on which FEMA has delineated both the Special Flood Hazard Areas (SFHAs) and the risk premium zones applicable to a community together with any amendments, revisions or substitutions issued by FEMA at any time. (Ord.No.O-83-96, 5/29/96 §8; Ord. No.0-105-08, §2, 8/14/08; Ord. No. 0-134-14, §1, 10/20/14)

Flood Insurance Study (FIS). The current version of a study of flood discharges and flood profiles for a community adopted and published by FEMA together with any amendments, additions, revisions or substitutions issued by FEMA at any time. The FIS also includes its associated FIRMs. (Ord. No. 0-134-14, §1, 10/20/14)

Floodplain. That land typically adjacent to a body of water with ground surface elevations at or below a specific flood elevation. Floodplains also include detached Special Flood Hazard Areas and isolated depressional ponding areas with a surface area greater than 0.25 acres at the time of inundation. The floodplain is also known as the Special Flood Hazard Area (SFHA). (Ord. No. 0-134-14, §1, 10/20/14)

(a) The floodplains are those lands within the jurisdiction of the Village of Palatine that are subject to inundation by the base flood or 100-year frequency flood. The SFHA's of the Village of Palatine are generally identified as such on map number 17031C, panels 0038J, 0039J, 0043J, 0044J, 0177J, 0179J, 0181J, 0182J and 0183J dated August 19, 2008, respectively, of the county wide Flood Insurance Rate Map for Cook County prepared by the Federal Emergency Management Agency. (Ord. No.0-105-08, §2, 8/14/08)

(b) The SFHA's for those parts of unincorporated Cook County that are within the one and

one-half mile extra territorial jurisdiction of the Village of Palatine and may be annexed into the Village are displayed on map number 17013C, panels 0063J and 0178J dated August 19, 2008, respectively, of the county wide Flood Insurance Rate Map for Cook County prepared for the Federal Emergency Management Agency. (Ord. 0-137-00 §1, 10-23-00; Ord. No.0-105-08, §2, 8/14/08)

Floodplain maps. Areas within the Village of Palatine which are included in the floodplain, are designated as such on the maps referenced in section 6.08(c) which are incorporated hereby by reference to the extent that said maps cover territory within the village. (Ord. No.0-105-08, §2, 8/14/08)

Floodproofing. Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage of improved real property, structures and their contents.

Flood protection areas. Regulatory floodplains, regulatory floodways, riparian environments, wetlands and wetland buffers. (Ord. No. 0-134-14, §1, 10/20/14)

Flood protection elevation (*FPE).* The elevation of the Base Flood plus two (2) feet. (Ord. No. 0-134-14, §1, 10/20/14)

Floodway, designated. The channel, including on-stream lakes, and that portion of the floodplain adjacent to a stream or water course as designated by the IDNR/OWR, which is needed to store and convey the existing 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to the loss of flood conveyance or storage, and no more than a 10 percent increase in velocities.

(a) The floodways are designated for Salt Creek and Buffalo Creek its tributaries and branches within the jurisdiction of the Village of Palatine on map number 17031 C, 0038J, 0039J, 0043J, 0044J, 0177J, 0179J, 0181J, 0182J and 0183J dated August 19, 2008, respectively, of the county wide Flood Insurance Rate Map for Cook County prepared by the Federal Emergency Management Agency. (Ord. No.0-105-08, §2, 8/14/08)

(b) The floodways for those parts of unincorporated Cook County that are within the one and one-half mile extra territorial jurisdiction of the Village of Palatine and may be annexed into the Village are displayed on map number 17013C, panels 0063J and 0178J dated August 19, 2008, respectively, of the county wide Flood Insurance Rate Map for Cook County prepared for the Federal Emergency Management Agency. (Ord. No.0-105-08, §2, 8/14/08)

(c) To locate the designated floodway boundary on any site, the designated boundary should be scaled off the designated floodway map and located on a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the designated floodway boundary, IDNR/OWR should be contacted for the interpretation. (Ord. 0-137-00 §2, 10-23-00)

Frontage. All the property on one side of a street between two (2) intersecting streets (intersecting or terminating) measured along the line of the street, or if the street is dead-ended, then all property abutting on one side between an intersecting street and the dead-end of the street.

Gradient or percent of grade. The vertical rise in feet per one hundred (100) feet of horizontal distance (A-1 percent grade is a rise of one foot in one hundred (100) feet, for example).

Grading. Excavation or fill or any combination thereof and shall include the conditions resulting from any excavation or fill.

Half Street. See Street.

Historic Structure. Any structure that is;

(a) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to

the historic district or district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on the state inventory of historic places by the Illinois Historic Preservation Agency;

(d) Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.

(Ord. No.0-105-08, §2, 8/14/08)

Homeowner's association or condominium association. An organization or association established pursuant to an agreement or declaration of restrictions consisting of persons owning or assuming responsibility for open spaces, recreational facilities, detention/retention facilities or other commonly owned areas or property within a planned development or other real estate development.

Impervious area. Surfaces that do not readily allow for the penetration of rain into the ground, and includes but is not limited to rooftops, paved areas and graveled areas. Areas that are designated to promote the infiltration of rainfall into the ground at rates at or above the infiltration rate of naturally vegetated areas (given applicable soil types), such as non-compacted gravel areas, porous/permeable pavement areas and bioretention areas (rain gardens and bio-swales composed of an engineered soil mix) shall not be considered impervious. (Ord. No. 0-134-14, §1, 10/20/14)

Improvements. Grading, street surfacing, curbs, gutters, sidewalks, water mains, fire hydrants, sanitary sewers, storm sewers, culverts, trees and other additions to the natural state of the land which increases its value, utility or habitability in accordance with the provisions of this Appendix.

(a) Private Improvement. Any installed or constructed improvement for which the responsibility of maintenance and ownership will be retained by the property owner.

(b) Public improvement. Any improvement for which it is intended that the Village of Palatine or other municipal body will assume the responsibility for maintenance and operation or which is constructed for general use or benefit.

Intersection street. The area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at other angles may come in conflict.

Isolated depressional areas. Any area inundated by the base flood that is not a regulatory floodplain or a channel or drainageway. (Ord.No.O-83-96, 5/29/96 §8)

Isolated waters. All waters including lakes, ponds, streams, intermittent streams and ephemeral pools that are not under the U.S. Army Corps of Engineers jurisdiction. The limits of the Isolated Waters in Cook County extend to the Ordinary High Water Mark (OHWM). (Ord. No. 0-134-14, §1, 10/20/14)

Land surveyor. A registered surveyor of the State of Illinois, under the Illinois Land Surveyors Act (225 ILCS 330/1, et seq.) (Ord.No.O-83-96, 5/29/96 §8)

Lot. A parcel of land designated as a lot on a recorded plat of subdivision, located within a single block, and having its principal frontage upon a street. A double frontage lot is one which abuts on two (2) streets but is not a corner lot. A corner lot is one situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred thirty-five (135) degrees.

Maintenance. The action required to preserve the original function and prevent failure of systems, which include but are not limited to sewerage systems, major stormwater systems, constructed wetlands or green infrastructure. (Ord. No. 0-134-14, §1, 10/20/14)

Maintenance activities. In kind replacement, restoration or repair of existing infrastructure or facilities including, but not limited to, roadways such that they will perform the same functions for which they were originally designed, constructed and permitted. (Ord. No. 0-134-14, §1, 10/20/14)

Manufactured Homes. A structure, transportable in one or more sections, which is built on a permanent chassis and is designated for use with or without a permanent foundation when connected to the required utilities. The term manufactured homes also includes park trailers, travel trailers, construction trailers and other similar vehicles placed on a site for more than 180 consecutive days. Manufactured Homes for dwelling purposes are not permitted within the corporate limits of the village."

Majors stormwater system. That portion of a stormwater system needed to store and convey flows for the 100-year storm event. (Ord. No. 0-134-14, §1, 10/20/14)

Marginal access street. See Street.

Minor stormwater system. All infrastructure including curb, gutter, culverts, roadside ditches and swales, storm sewers, tiles, subsurface drainage systems and other practices intended to convey or capture stormwater runoff from storm events less than a 100-year storm event. (Ord. No. 0-134-14, §1, 10/20/14)

Minor street. See Street.

Natural. When used in reference to channels means those channels formed by the existing surface topography of the earth prior to changes by man. (Ord. No.0-105-08, §2, 8/14/08)

Offsite Detention Facility. A manmade structure providing temporary storage of stormwater runoff intended to mitigate hydrologic impacts of development elsewhere in the subwatershed.
(Ord. No. O-35-19; 04/08/19)

Offsite Volume Control Practices. Permanent practices designed to capture, retain and infiltrate stormwater runoff from impervious areas of a development located elsewhere in the subwatershed.
(Ord. No. O-35-19, 04/08/19)

Official comprehensive plan. The plan defined in and authorized by the Illinois Municipal Code.

Official map. The map and regulatory ordinances adopted by village ordinances which are authorized and defined in the Illinois Municipal Code.

One hundred year storm. Rainstorms or rain events of varying durations or intensities having a one percent probability of occurring in any one year.

One hundred year storm runoff. The storm water runoff from a one hundred (100) year storm.

Ordinary High Water Mark (OHWM). The point on a bank or shore at which the presence and movement of surface waters is continuous, leaving a distinctive mark. The mark may be caused by erosion, destruction or prevention of terrestrial vegetation, a predominance of hydrophytic vegetation or other recognized factors. (Ord. No. 0-134-14, §1, 10/20/14)

Open space. Pervious land to be retained as pervious land which is not part of a larger development. Open space may include sidewalks, bike path, nature or walking trail development less than or equal to fourteen (14) feet in width. (Ord. No. 0-134-14, §1, 10/20/14)

Owner. The record title holder or beneficiary of a land trust which is the record title holder, and includes singular and plural; if the owner is other than an individual, the term shall include beneficiaries, agents, shareholders, officers and directors. (Ord. No. 0-134-14, §1, 10/20/14)

Parcel. Contiguous land area under single ownership or control, under an affidavit of ownership or under a single legal description on record with the Cook County Recorder of Deeds Office. (Ord. No. 0-134-14, §1, 10/20/14)

Parkway. That part of the public street right-of-way not occupied by the street pavement and located

between the back of the curb and the property line as well as the dividing strip of a roadway.

Paving improvements. Road excavation, base course, binder course, surface course, curb and gutter, sidewalk, street lights and related appurtenances, excluding those in parking lots, as required in this ordinance.

Pedestrian way. A public right-of-way across a block or providing access within a block, to be used by pedestrians and for the installation of utility lines.

Permittee. Any person to whom a site development or other permit is issued by the Village of Palatine. The term shall also apply to any municipality, municipal corporation, sanitary district, utility company, township government or any other governmental body required to jointly sign a Watershed Management Permit application. (Ord. No. 0-134-14, §1, 10/20/14)

Person. Any individual, partnership, firm, school, district, company, corporation, municipal corporation, association, joint stock company, trust, estate, unit of local government, sanitary district, special taxing district, school district, public utility, political subdivision, county agency, state agency, federal agency or any other legal entity, or owner, or any legal representative, agent or assign thereof. (Ord. No. 0-134-14, §1, 10/20/14)

Planned development. A "planned development" shall mean a land development project, comprehensively planned as an entity via a unitary site plan which permits flexibility in building, mixture of housing types and land uses, usable open spaces and the preservation of significant natural features.

Plant and landscaping material. Permanent vegetative cover including grass seeding, lime and fertilizer application, mulching or any other solid stabilization planting.

Plat of subdivision or resubdivision. A plat by which a tract of land is divided into two (2) or more lots or parcels, any of which resultant parcels is less than five (5) acres in area, for the purpose of transfer of ownership or building development, or if a new street or easement of access is involved any division of a parcel of land. It does not include a plat dividing a lot or block of less than one acre where no street or easements of access are provided or required.

Ponding. The existence of pockets or depressions which have no surface drainage provided, and which, in the event of failure on the part of inlets or storm sewers, will contain standing water. That portion of surface waters which are flowing shall not be considered as ponding.

Preliminary plat. A tentative map or plan of a proposed subdivision, as described in Article III and refers to the plat and supporting documents required for preliminary approval of a proposed plat of subdivision.

Project improvements. The term "Project Improvements" includes all of the private and public improvements associated with a project or development. (Ord. 0-89-02, 5/28/02; Ord. O-34-17, 4/3/17)

a) Private Improvement. Any installed or constructed improvement for which the responsibility of maintenance and ownership will be retained by the property owner, developer, or tenant.

(b) Public improvement. Any improvement for which it is intended that the Village of Palatine or other municipal body could or will assume the responsibility for maintenance and operation or which is constructed for general use or benefit.

Public agency. Any public board created by authority of the Illinois Revised Statutes.

Recapture fee. A recapture fee is a fee assessed to a parcel, by Village ordinance, which recaptures the Village's, developer's or other party's investment in the construction of a public improvement that the Village will ultimately own and maintain and has control over future use and access to and which the assessed parcel derives a direct benefit from the improvement. (Ord. No. 0-134-14, §1, 10/20/14)

Recreational Vehicle or travel trailer. Shall mean a portable vehicular structure 400 square or less when measured at the largest horizontal projection , mounted on a single vehicle chassis, designed to be self-propelled or permanently towable by a light duty truck and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. (Ord. No.0-105-08, §2, 8/14/08)

Redevelopment. Any human induced activity or change to an existing developed property (including, but not limited to grading, paving, excavation, dredging, fill or mining; alteration, subdivision, change in land use or practice; building; or storage of equipment or materials) undertaken by private or public entities that affect the volume, flow rate, drainage pattern or composition of the site stormwater runoff on the previously developed land. The term shall not be understood to include maintenance. (Ord. No. 0-134-14, §1, 10/20/14)

Removal. Cutting vegetation to the ground or to stumps, complete extraction, or killing by spraying.

Repair. The reconstruction or renewal of any part of an existing building for the purpose of its maintenance and does not result in any increases in the outside dimensions of a building or any changes to the dimensions of a structure. (Ord. No.0-105-08, §2, 8/14/08)

Repetitive Loss. Flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five (25) percent of the market value of the structure before the damage occurred. (Ord. No.0-105-08, §2, 8/14/08)

Restrictive covenants. Contracts restricting the manner in which land may be used.

Right-of-way. A strip of land occupied or intended to be occupied by a road, sidewalk, railroad, electric transmission line, oil and gas pipeline, water main, sanitary or storm sewer, or for other special uses.

Riparian environment. The vegetated area between aquatic and upland ecosystems adjacent to a waterway or body of water that provides flood management, habitat and water quality enhancement or other amenities dependent upon the proximity to water. (Ord. No. 0-134-14, §1, 10/20/14)

Riverine. Relating to, formed by, or resembling a river (including tributaries) stream, creek, brook, etc.

Runoff. The water from melting snow and/or precipitation falling within a watershed that exceeds the infiltration capacity of the soil of that basin. (Ord. No. 0-134-14, §1, 10/20/14)

Security Instrument. The term "Security Instrument" includes a cash bond, a letter of credit or a surety bond.

Sediment. The suspended soil particles that are transported after erosion has occurred. (Ord. No. 0-134-14, §1, 10/20/14)

Sedimentation. The process when the velocity of wind or water is slowed sufficiently to allow the suspended spoil particle to settle. (Ord. No. 0-134-14, §1, 10/20/14)

Sidewalk. That portion of a public right-of-way paved or otherwise surfaced which is intended for pedestrian use only.

Site. Parcel or parcels associated with a development or redevelopment. (Ord. No. 0-134-14, §1,

10/20/14)

Site Constraint. Conditions on a site that limits the use of retention-based practices, such as contaminated soils, high groundwater, wetlands, riparian environments or floodway. New development that is considered a site constraint includes, but is not limited to, gas stations, chemical storage facilities and conservation areas. Poor soils and proposed utility conflicts are not considered site constraints. (Ord. No. O-35-19, 04/08/19)

Site development. Altering terrain or vegetation, constructing driveways, or performing any other construction upon or making any other material changes in a land site.

Special Flood Hazard Area. An area having a special flood, mudslide, mudflow, or flood-related erosion hazards and which is identified on a FIRM as Zone A, AO, A1-30, AE, A99, AH, VO, V!-30, VE, V, M, or E. (Ord. No. 0-134-14, §1, 10/20/14)

Standards. Specifications for the preparation of plans indicating, among other things, the optimum, minimum or maximum dimensions of such features as right-of-way and blocks.

Standard specifications. Refers to the "Standard Specification for Road and Bridge Construction," State of Illinois, Department of Transportation, current edition, as well as "Water and Sewer Main Construction in Illinois," current edition, published by the Illinois Society of Professional Engineers. (Ord. No. 0-134-14, §1, 10/20/14)

Start of Construction. Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 90-days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation. (Ord. No.0-105-08, §2, 8/14/08)

Storm event. The frequency rainfall as published in Bulletin 70. (Ord. No. 0-134-14, §1, 10/20/14)

Storm sewer. A closed conduit intended for the conveyance of only stormwater runoff. (Ord. No. 0-134-14, §1, 10/20/14)

Storm water runoff. The water derived from melting snow or rain falling within a tributary drainage basin, flowing over the surface of the ground or collected in channels or conduits.

Street. A public or private means of vehicular movement providing access to individual lots or providing for through pavement. A street includes the area within the right-of-way whether improved or unimproved and includes but is not limited to curb and gutters such improvements as sidewalks, drainage, street lighting. Streets are designated on the street classification map in accordance with the following definitions:

(a) Arterial street. A public right-of-way with a high degree of traffic continuity and serving as an arterial traffic way between the various districts of the village as shown in the official plan.

(b) Collector street. A street which carries traffic from minor streets of residential developments and the principal circulating streets within such development.

(c) Cul-de-sac. A short local street having one open end and being permanently terminated at the other end by a vehicular turnaround.

(d) Expressway. A highway designated by the state and federal government for purposes of cross country traffic.

(e) Half street. A street bordering one or more boundary lines of a tract of land or parcel and which is but one-half (1/2) of the required right-of-way width.

(f) Marginal access street or frontage road. A street which is parallel to and contiguous with an arterial street, and which provides access to abutting properties and protection to local traffic from fast moving, through traffic on the adjoining arterial street.

(g) Minor residential street. A street other than an arterial street or collector street which affords local access to abutting properties.

Street Classification. A portion of the comprehensive plan wherein the village adopts the planned alignments or major roads within the village and abutting territories.

Street width. The shortest distance between lines of lots delineating the street.

Structure. A structure is anything that is erected or constructed on or below ground including, but not limited to, buildings, manufactured homes, accessory structures, fences, sheds, tanks, dams, sewers, manholes, drop shafts, constructed channels, outfalls, parking lots, driveways, roads, sidewalks and concrete patios. (Ord. No. 0-105-08, §2, 8/14/08; Ord. No.0-134-14, §1, 10/20/14)

Subdivider. Any individual, firm, association, syndicate, corporation, co-partnership, trust or other legal entity commencing proceedings under this ordinance to effect a subdivision of land.

Subdivision. Any division, excepting a tax division, by plat or otherwise, of a tract of land into two (2) or more lots or parcels for the purpose of transfer of ownership or building development, or if a new street or easement of access is involved in any division of a parcel of land.

Substantial damage. Damage of any origin sustained by a structure whereby the cumulative percentage of damage during a 10-year period equals or exceeds forty (40) percent of the market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. (Ord. No.0-105-08, §2, 8/14/08)

Substantial improvement. Any repair, reconstruction, rehabilitation, addition or improvement of a building taking place during a 10-year period in which the cumulative percentage of improvements equals or exceeds forty (40) percent of the market value of the building before the improvement or repair is started. Volunteer labor and materials must be included in this determination. "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. This term includes structures which have incurred repetitive loss or substantial damage, regardless of the actual work done. The term does not, however, include either;

(a) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or

(b) any alteration of a 'Historic Structure" listed on the National Register of Historic Places or the Illinois Register of Historic Places, provided that the alteration will not preclude the structure's continued designation as a historic structure.

(Ord. No.0-105-08, §2, 8/14/08; Ord. No. 0-134-14, §1, 10/20/14)

Subwatershed. Major watershed division of a waterway planning area as identified in the District's Detailed Watershed Plan. (Ord. No. O-35-19, 04/08/19)

Transition Section. Reaches of the stream or floodway where water flows from a narrow cross-section to a wide cross-section or vice versa. (Ord. No.0-105-08, §2, 8/14/08)

Tributary area. All land drained by or contributing water to the same stream, lake or stormwater facility, or which drains to a common point. (Ord. No. 0-134-14, §1, 10/20/14)

Vacant. Land on which there are no structures or only structures which are secondary to the use or maintenance of the land itself.

Village. Shall mean the Village of Palatine, Illinois.

Violation. The failure of a structure or other development to be fully compliant with the Code of Ordinances of the Village of Palatine. (Ord. No.0-105-08, §2, 8/14/08)

Volume control practices. Permanent practices designed to capture, retain and infiltrate stormwater runoff from impervious areas of a development after permanent stabilization is achieved. (Ord. No. 0-134-14, §1, 10/20/14)

Water Dependent Use. Those uses or facilities which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves as an integral part of such activity, the use of the water. (Ord. No.0-118-11, §1, 10/10/11)

Watershed. Tributary areas discharging to a common point. (Ord. No. 0-134-14, §1, 10/20/14)

Watershed Management Permit. A permit established by the Cook County Watershed Management Ordinance that is issued by the Metropolitan Water Reclamation District of Greater Chicago prior to the approval of a building or construction permit by the Village of Palatine. (Ord. No. 0-134-14, §1, 10/20/14)

Waterway. Navigable body of water such as a stream, creek, canal channel or river. (Ord. No. 0-134-14, §1, 10/20/14)

Wet bottom detention basin. A basin designed to retain a permanent pool of water after having provided its planned detention of runoff during a storm event.

Wetlands. Areas which area inundated or saturated by surface or ground water (hydrology) at a frequency and duration sufficient to support, under normal circumstances, a prevalence of vegetation (hydrophytes) typically adapted for life in saturated soil conditions (hydric soils). Wetlands generally include swamps, marshes, bogs and similar areas. (Ord. No. 0-134-14, §1, 10/20/14)

Zoning ordinance. Shall mean Appendix A of the Code of Ordinances, Village of Palatine, Illinois.

(Ord. No. 0-3-94, 1/24/94; Ord. No. O-35-19, 04/08/19)

ARTICLE III. PRELIMINARY PLAT

3.01. General procedure.

(a) *Submittal.* A proposed plat of subdivision shall contain the following information and be submitted for preliminary approval by filing copies of the preliminary plat with the Village

(1) Preliminary plat requirements. Each preliminary plat shall contain the following:

i. Proposed name of subdivision (not duplicating name of any plat heretofore recorded in Cook County).
ii. Location by township, section, town and range, or by other legal description.
iii. Names and addresses of the owners or subdividers having control of tract, and designer of the plat.
iv. Graphic (engineering scale not smaller than one inch to one hundred (100) feet).
v. North-point (designed as true north).
vi. Date of preparation.
vii. The zoning of all surrounding land indicating whether it is in the Village of Palatine, Cook County or other municipalities.
viii. Boundary line of proposed subdivision clearly indicated.
ix. Total acreage of subject property.
x. Location, widths and names of all existing or previously platted streets or other public ways, showing type of improvement, if any, railroad and utility rights-of-way, parks

and other public open spaces, permanent buildings and structures, easements, and section and corporation lines, within the tract and to a distance of one hundred (100) feet beyond the tract.

xi. Location and size of existing sewers, water mains, culverts, septic systems (including filter fields) or other underground facilities within the tract and to a distance of one hundred (100) feet beyond the tract; also indicating such data as grades, invert elevations, and locations of catchbasins, manholes and hydrants.

xii. Boundary lines of adjoining unsubdivided or subdivided land-within one hundred (100) feet-identifying by name and ownership.

xiii. Topographic data including contours at vertical intervals of not more than two (2) feet, except that contour lines shall be no more than one hundred (100) feet apart, water courses, marshes, rock outcrops, high water elevation including source of information and other significant features.

xiv. Floodplain lines are to be delineated according to the applicant's USGS Flood Quadrangle; or other documents adopted by the village.

xv. Tree Preservation Plan subject to the regulations in Section 7.01 (B) of this appendix.

xvi. Lines of inflow and outflow, if any.

xvii. Farm drains, inlets and outfalls, if any.

xviii. Location of existing corporate boundary lines at or near the proposed subdivision.

(2) Preliminary engineering plans. The application for preliminary approval shall include preliminary engineering plans which bear the signature and seal of the Illinois Registered Professional Engineer under whose direction they were prepared and containing the following:

i. The location and width of proposed streets, alleys and public ways.
ii. The proposed location and sizes of sewers and storm drains.
iii. The proposed location of public grounds, if any.
iv. The layout, numbers and typical dimensions of lots to the nearest foot, including buildings setback lines.
v. Proposed easements for public utilities.
vi. The proposed method of sewage and waste disposal; storm water disposal; and water supply.
vii. The proposed layout and sizes of water mains, valves, fire hydrants and other appurtenances.
viii. Traffic and other impact studies if required by the village.
ix. Provide information on the gross area of each land use sub-area, i.e., single-family, multifamily, commercial, etc. For residential sub-areas, the number of dwelling units and gross density contained therein based on the ultimate development of the land. The sub-area boundaries are to be clearly delineated.
x. The proposed grading of the subdivision including contours at vertical intervals of not more than two (2) feet, except that contour lines shall be no more than one hundred (100) feet apart.
xi. Preliminary detention calculations including proposed detention areas and emergency overflow routes.

(3) Supporting documents

i. Petition for subdivision
ii. An outline of the restrictive covenants shall accompany the preliminary plat.
iii. Real Estate Interest Disclosure Form
iv. For subdivisions two (2) acres or greater in area, a copy of the receipt from the North Cook County Soil and Water Conservation District showing that the subdivider has submitted a natural resource information request to that agency and has paid the proper fee.
v. Illinois Department of Natural Resources Endangered Species Consultation Program Agency Action Report.
vi. For subdivisions proposing work (whether dredging or filling) in wetlands or waters of the United States, proof that a request has been made to the Army Corps of Engineers

for a determination on jurisdiction.

vii. For subdivisions requiring Variations or Special Uses to this appendix or to the Zoning Ordinance, preliminary site plan indicating the proposed site design and setbacks.

viii. Proof of ownership, including signature(s) of owner(s) on the petition for hearing or on a statement attesting to said form giving owner's consent to the petition.

ix. Any additional information requested by the Village, either as part of the submittal or as a condition of approval.

(4) Fees.

a. At the time of filing the preliminary plat with the Village, fees (which is are in addition to any plan review fees) shall be paid to the Village according to the fee schedule supplement to the municipal code.

b. A plan review fee, based on one hundred fifty (150) percent of the rate per hour of the present salary schedule adopted by the Village Council of those village personnel participating in the review process shall be paid to the Village.

(Ord. No. 0-61-06, §1, 4-3-06)

(b) *Distribution of preliminary plat.* The Village of Palatine shall submit copies to the Planning and Zoning Commission and one copy of the preliminary plat to each of the following:

(1) The appropriate park district in which the area to be platted lies;

(2) Community Consolidated School District No. 15;

(3) High School District No. 211;

(4) Junior College District No. 512;

and shall further notify such districts of the first meeting at which the Planning and Zoning Commission will consider the said preliminary plats. The Planning and Zoning Commission shall permit representatives of said districts to present their views on the proposed plans.

(c) *Notification.* The Village shall send notice, by standard mail, of the first meeting at which the Planning and Zoning Commission will consider the said preliminary plats to all taxpayers of record and all residents of each lot and parcel of property located within the same block as the land proposed to be subdivided, or any portion thereof, as well as all owners of record, and all residents of each lot and parcel of property located within two hundred fifty (250) feet of the land proposed to be subdivided, or any portion thereof, provided that the number of feet occupied by al public streets, roads, alleys, and any other public ways shall not be included in the calculation of the 250 foot requirement, at least 15 days prior to the public hearing. The taxpayers of record shall be the name(s) of the taxpayer(s) as indicated on the most recent real estate tax records available from the Cook County Assessor's Office.

Said notice shall contain a description of the land proposed to be subdivided and a general description of the proposed subdivision. (Ord.No.0-72A-98, §14, 15, & 16, 5/26/98; Ord. No. 0-61-06, §3, 4/3/06, Ord. O-86-22, 09/06/22)

(1) The Village of Palatine shall cause a legal notice of the time, place and nature & purpose of the public hearing, to be published in a newspaper of general circulation within the Village of Palatine for the appropriate hearing.

(2) The petitioner shall post a sign(s) on the subject property, indicating the pending public hearing, at least 15 days prior to the public hearing. Said sign(s) shall be posted on each lot frontage, clearly legible to the public view.

(3) The Village of Palatine shall prepare the sign for the petitioner. Said sign shall be 12 square feet and shall significantly conform to figure 1.

PUBLIC NOTICE
PENDING ZONING HEARING

FOR MORE INFORMATION CONTACT 847-359-9047
WWW.PALATINE.IL.US

FIGURE 1

(4) The petitioner shall obtain the sign(s) timely so as to comply with Section 14.11 (b) 2. Prior to the Village of Palatine issuing the sign(s), the Petitioner shall post a $125 refundable deposit for each sign. The refundable deposit shall be refunded to the petitioner upon the return of the sign(s) in acceptable condition.

(5) The petitioner shall police the public notification sign(s). Sign(s) removed or destroyed for whatever reason, including but not limited to theft, vandalism or inclement weather conditions during the required posting, must be replaced by the petitioner within 48 hours.

(d) Review process

(1) *Actions by the administrator.* Upon receipt of the Preliminary Plat, Preliminary Engineering Plans and the supporting documents, the administrator shall review these items for compliance with the requirements of the Village of Palatine. Within 45 days from the date of receipt of a complete submittal, the administrator shall schedule the required meeting before the Planning and Zoning Commission. The administrator shall submit a statement summarizing the proposed subdivision and a recommendation to the Planning and Zoning Commission.

(2) Actions by the Planning and Zoning Commission.

a. The Planning and Zoning Commission shall recommend approval or disapproval of the application for preliminary approval within thirty (30) days from the date of the date of the Plan Commission meeting, unless such time is extended by mutual consent.
b. The Planning and Zoning Commission shall submit a written report recommending approval, approval subject to conditions or disapproval to the Village president and board of trustees within thirty (30) days from the date of the review.

(3) Actions by Mayor and Village Council.

a. Upon receipt of the Planning and Zoning Commission recommendation, the Mayor and Village Council shall accept or reject said plat within sixty (60) days after its next regular stated meeting following action by the Planning and Zoning Commission.
b. If the proposed plat is approved, such approval shall be indicated by the adoption of a resolution by the corporate authorities. Any proposed preliminary or final plat that has been so approved shall have attached to it, by the Village Clerk, a certified copy of such resolution. The resolution shall be filed in the office of the Village Clerk.

(e) *Qualifications governing approval of preliminary plat.*

(1) Qualifications.

a. The Planning and Zoning Commission may recommend or the Village Council may require such changes or revisions as are deemed necessary in the interests and needs of the community.
b. No plan will be approved for a subdivision which is subject to periodic flooding or which contains poor drainage facilities. However, if the subdivider agrees to make improvements

which will, in the opinion of the village engineer make the area safe for residential occupancy, and provide adequate street drainage, the preliminary plat of the subdivision may be approved.

(2) Conditions following preliminary approval of plat.

a. Preliminary approval shall be effective for a maximum period of twelve (12) months unless, prior to expiration, upon written application of the subdivider the Village Council grants an extension.
b. If the subdivider has not filed a completed application for final plat approval within the twelve (12) months (or extended) time limit, the preliminary plat must again be submitted for preliminary approval.
c. Preliminary approval shall not qualify a plat for recording.
d. Subsequent approval will be required of the engineering proposals pertaining to water supply storm drainage, sewerage and sewerage disposal, street lighting, fire hydrants, grading gradients, roadway widths, and the county officials, where concerned, prior to final approval of the plat by the Village of Palatine.
e. One print of the plat which has received preliminary approval, signed by the president and the village clerk, shall be retained by the village clerk and two (2) copies in the office of the subdivider, to proceed with the preparation of plans and specifications for the minimum improvements required in these regulations and rules and with the preparation of the final plat.

ARTICLE IV. FINAL PLAT

[Editor's Note: Ord. No. 0-61-06, replaced Article IV in its entirety]

4.01. General procedure.

(a) *Application.* Application for final approval of the final plat shall be made to the Village Council not later than one year after preliminary approval has been granted, unless time is extended by the Village Council. The applicant may elect to have final approval of a geographic part or parts of the plat that received preliminary approval and may delay application for approval of other parts until a later date or dates beyond one year with the approval of the Village Council, provided all facilities required to serve the part or parts for which final approval is sought have been provided. In such cases only such part or parts of the plat that have received final approval shall be recorded.

(1) Final plat requirements. The application for approval shall be accompanied by:

a. A final plat shall be prepared on mylar or linen tracing cloth, so as to be suitable for recording with the county recorder of deeds. All revision dates shall be shown as well as the following:

i. Proposed name of subdivision and legal description of subdivision.
ii. An identification system for all lots and blocks.
iii. Accurate angular and lineal dimensions for all lines, angles, and curvatures used to describe boundaries, streets, alleys, easements, areas to be reserved for public use, and other important features. Lot lines to show dimensions in feet and hundredths. Dimensions shown on curved lines shall be arc distances and bearings, radii, and points of tangency and curvature.
iv. The minimum scale shall be one inch equals one hundred (100) feet and the scale must be clearly indicated.
v. True angles and distances to the nearest established street lines or official monuments (not less than two (2)), which shall be accurately described in the plat.
vi. North point (designated as true north).
vii. Township, county or section lines accurately tied to the lines of the subdivision by distance and angles.

viii. All previously dedicated or vacated rights of way and/or easements included in or adjacent to the described real estate along with the document number and date of the recording instrument.
ix. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, or for the exclusive use of the property owners within the subdivision with purposes indicated thereon including scenic or access easements, together with a statement that dedicates the easements as approved by the Village of Palatine. The required easement provisions are detailed in Section 6.03 of this appendix.
x. All easements required for the installation of electric, gas, telephone, cable television etc., together with a statement that dedicates the easements as approved and executed by the utilities. The required easement provisions are detailed in Section 6.03 of this appendix.
xi. All easements required for installation and/or maintenance of water mains, sanitary and storm sewers, drainage, detention basins, street lights and other facilities to be dedicated to the village together with a statement that dedicates the easements. The required easement provisions are detailed in Section 6.03 of this appendix.
xii. Restrictive covenants shall be lettered on the final plat or appropriately referenced thereon.
xiii. Executed Certification by a licensed surveyor, to the effect that the plat represents a survey made by him/her and that monuments and markers shown thereon exist as located and that all dimensional details are correct.
xiv. Executed and Notarized certification by owner, and by any mortgage holder of record, of the adoption of the plat and the dedication of streets and other public areas as follows:

OWNER'S CERTIFICATE

State of Illinois)
County of Cook) S.S.

This is to certify that _____ are the owners of the property described hereon and that they have caused the said property to be surveyed and subdivided as shown hereon, for the uses and purposes therein set forth, and do hereby acknowledge and adopt the same under the title hereon indicated.

Dated this _____ day of _____ , A.D., 2_____

_____ _____

NOTARY CERTIFICATE

State of Illinois)
County of Cook) S.S.

I, _____ a notary public in and for said county in the state aforesaid, do hereby certify that _____ are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledged that they signed and delivered said instrument of their own free and voluntary act and as the free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____ , A.D., 2_____

_____
Notary Public My commission expires on:_____

MORTGAGOR'S CERTIFICATE (if applicable)

State of _____)
County of _____) S.S.

This is to certify that _____ hereby consents to the plat shown hereon for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the title hereon indicated.

Dated this _____ day of _____ , A.D., 2_____

By:_____ Title:_____

Attest:_____ Title:_____

NOTARY CERTIFICATE

I, _____ a notary public in and for said county in the state aforesaid, do hereby certify that _____ and _____ of _____are personally known to me to be the same persons whose names are subscribed to the foregoing instrument such officers, appeared before me this day in person and acknowledged that they signed and delivered said instrument of their own free and voluntary act and as the free and voluntary act of said corporation for the uses and purposes therein set forth, and that the said _____ did also then and there acknowledge that he/she, as custodian of the corporate seal of said corporation, did affix said seal to said instrument as his/her own free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____ , A.D., 2_____

_____
Notary Public My commission expires on:_____

xv. Form for approval of the Planning and Zoning Commission as follows:

Approved by the Planning and Zoning Commission of the Village of Palatine, Cook County, Illinois, this _____ day of _____ 2_____

Signed:_____
Chairman
Attest: _____
Secretary

xvi. Form for approval of the Village Council as follows:

Approved by the Village Council of the Village of Palatine, Cook County, Illinois, this _____ day of _____, 2_____.

Signed:_____
Mayor
Attest:_____
Village Clerk

xvii Form for approval of the Village Engineer as follows:

State of Illinois)
County of Cook) S.S.

This plat has been checked for conformance to the Village of Palatine standards and requirements, and working drawings and specifications for improvements have been prepared in conformance with the Village standards and requirements, and engineering fees due to the Village of Palatine have been paid.

Dated this _____ day of _____, 2_____

Signed:_____
Village Engineer

xviii. Form for approval by the Village Collector as follows:

VILLAGE COLLECTOR

I do hereby certify that there are no deferred special assessments or unpaid current assessments due against the land included in the above plat.

Dated this _____ day of _____, 2____

By:_____
Village Collector

xix. Form executed by an Illinois Professional Engineer stating that adequate provisions have been made for surface water drainage as follows:

SURFACE WATER DRAINAGE CERTIFICATE

State of Illinois)
County of Cook) S.S.

We hereby certify to the best of our knowledge and belief that adequate provisions have been made for the diversion and detention of surface waters into public areas or drains within the rights of the subdivider and that such surface waters will not be deposited on adjacent land owners□ property in such concentration as may cause damage by erosion or sedimentation to such property because of construction of the subdivision.

By:_____ Dated:_____
Owner
By:_____ Dated:_____
Illinois Professional Engineer

xx. Adequate space, approximately 4" by 2", for approval stamps by Cook County authorities and the Illinois Department of Transportation as required.
xxi. The square footage of each lot shall be indicated on the plat.
xxii Property Identification Number (PIN number).
xxiii. Completed statement indicating party responsible for the tax bill as follows:

Send next tax bill to *(Name, Address)*

b. Supporting documents with final plat. The following supporting documents and data, shall be submitted with said final plat:

i. All covenants such as homeowners association covenants and agreements which are to be applied to the property. All documents and agreements shall be executed prior to submittal.
ii. A description and justification for any variation from the preliminary plat and a description of any external factors which have changed since preliminary plat affecting the layout of the final plat.
iii. Where a flood water retention basin or storm sewer system is to be constructed, the date of completion of such basin or system, or a phasing schedule for the completion thereof. Such schedule shall assure the completion of all storm sewers and flood water retention basins necessary to accommodate all storm water associated with the particular phasing of the development prior to the issuance of any building permits.
iv. A statement signed by the subdivider, builder or land subdivider setting forth an agreement executed by such subdivider, builder or land subdivider wherein he/she or they agree to make and install the improvements provided in Article VII, herewith in accordance with the plans and specifications approved by the village.
v. For subdivisions two (2) acres or greater in area, a copy of the receipt from the North Cook County Soil and Water Conservation District showing that the subdivider has submitted a natural resource information request to that agency and has paid the proper fee.
vi. For subdivisions proposing work (whether dredging or filling) in wetlands or waters of the United States, proof that a request has been made to the Army Corps of Engineers for a determination on jurisdiction.
vii. For subdivisions requiring Variations or Special Uses to this appendix or to the Zoning Ordinance, preliminary site plan indicating the proposed site design and setbacks.
viii. Proof of ownership, including signature(s) of owner(s) on the petition for hearing or on a statement attesting to said form giving owner's consent to the petition.

c. Engineering plans and specifications of required land improvements as regulated by Article VI, VII and IX of this appendix. Said plans and specifications shall bear the seal of an Illinois registered professional engineer, along with his/her signed statement that such plans and specifications have been prepared in compliance with this article and with good engineering practices.
d. Tree preservation plans and specifications as regulated by Article VII of this appendix.
e. If the tract of land proposed to be subdivided or any part thereof lies adjacent to a highway over which the Department of Transportation of the State of Illinois or the County of Cook Highway Department has jurisdiction with respect to maintenance and upkeep thereof and an entrance or entrances are desired from such highway to lots, streets, roadway or alleys in such proposed subdivision, the Illinois Department of Transportation or the Cook County Highway Department, whichever is applicable, shall sign the plat.
f. Any additional information including, but not limited to, Marketing Materials and an Economic Impact Analysis, as requested by the Village, either as part of the submittal or as a condition of approval.

(2) Fees. At the time of filing the application for approval of the final plat, the following fees shall be paid to the village clerk;

a. Final plat, according to the fee schedule supplement to the municipal code.

b. Plan review fee, based 1.5% of the total project improvement costs (which shall consist of, but not exclusively of curb and gutters, sidewalks, pavements, sanitary sewer system, storm sewer system, water distribution system, stormwater detention facilities, parkway trees, landscaping, street lights, plus soil erosion control measures) as estimated by the design engineer and approved by the village engineer. (Ord. No. 0-164-97, §1, 10-13-97; Ord. O-34-17, 4/3//17)

(b) *Distribution of final plat.* The Village of Palatine shall submit copies to the Planning and Zoning Commission and if the proposed subdivision includes a dedication of land, one copy of the preliminary plat to each of the following:

(1) The appropriate park district in which the area to be platted lies;

(2) Community Consolidated School District No. 15;

(3) High School District No. 211;

and shall further notify such districts of the first meeting at which the Planning and Zoning Commission will consider the said final plats. The Planning and Zoning Commission shall permit representatives of said districts to present their views on the proposed plans.

(c) *Notification.* The Village shall send notice, by standard mail, of the first meeting at which the Planning and Zoning Commission will consider the said final plats to all taxpayers of record of each lot and parcel of property located within two hundred fifty (250) feet of the land proposed to be subdivided, or any portion thereof, provided that the number of feet occupied by all public streets, roads, alleys, and any other public ways shall not be included in the calculation of the 250 foot requirement, at least 1 days prior to the public hearing. The taxpayers of record shall be the name(s) of the taxpayer(s) as indicated on the most recent real estate tax records available from the Cook County Assessor's Office.

Said notice shall contain a description of the land proposed to be subdivided and a general description of the proposed subdivision. (Ord. No. 0-72A-98, §16 and 17, 5/26/98; Ord. O-86-22, 09/06/22)

(1) The Village of Palatine shall cause a legal notice of the time, place and nature & purpose of the public hearing, to be published in a newspaper of general circulation within the Village of Palatine for the appropriate hearing.

(2) The petitioner shall post a sign(s) on the subject property, indicating the pending public hearing, at least 15 days prior to the public hearing. Said sign(s) shall be posted on each lot frontage, clearly legible to the public view.

(3) The Village of Palatine shall prepare the sign for the petitioner. Said sign shall be 12 square feet and shall significantly conform to figure 1.

PUBLIC NOTICE
PENDING ZONING HEARING

FOR MORE INFORMATION CONTACT 847-359-9047
WWW.PALATINE.IL.US

FIGURE 1

(4) The petitioner shall obtain the sign(s) timely so as to comply with Section 14.11 (b) 2. Prior to the Village of Palatine issuing the sign(s), the Petitioner shall post a $125 refundable deposit for each sign. The refundable deposit shall be refunded to the petitioner upon the return of the sign(s) in acceptable condition.

(5) The petitioner shall police the public notification sign(s). Sign(s) removed or destroyed for whatever reason, including but not limited to theft, vandalism or inclement weather conditions during the required posting, must be replaced by the petitioner within 48 hours.

(Ord. #O-86-22, 09/06/22)

(d) Review process

(1) *Actions by the administrator.* Upon receipt of the Final Plat, Engineering Plans and the supporting documents, the administrator shall review these items for compliance with the requirements of the Village of Palatine. Within 45 days from the date of receipt of a complete submittal, the administrator shall schedule the required meeting before the Planning and Zoning Commission. The administrator shall submit a statement summarizing the proposed subdivision and a recommendation to the Planning and Zoning Commission.

(2) Actions by the Planning and Zoning Commission.

a. The Planning and Zoning Commission shall recommend approval or disapproval of the application for preliminary approval within thirty (30) days from the date of the date of the Planning and Zoning Commission meeting, unless such time is extended by mutual consent.

b. The Planning and Zoning Commission shall submit a written report recommending approval, approval subject to conditions or disapproval to the Village Council within thirty (30) days from the date of the review.

(3) Actions by Mayor and Village Council.

a. Upon receipt of the Planning and Zoning Commission recommendation, the Village Council shall accept or reject said plat within sixty (60) days after its next regular stated meeting following approval by of the Planning and Zoning Commission.

b. If the proposed plat is approved, such approval shall be indicated by the adoption of a resolution by the corporate authorities. Any proposed preliminary or final plat that has been so approved shall have attached to it, by the Village Clerk, a certified copy of such resolution. A copy of the resolution shall be filed in the office of the Village Clerk.

(e) *Qualifications governing approval of final plat.*

(1) Qualifications.
a. The Planning and Zoning Commission may recommend or the Village Council may require such changes or revisions which are consistent with this ordinance.
b. A proposed plat of subdivision or re-subdivision shall not be approved by the corporate authorities unless it complies with the comprehensive plan of the Village, including the provisions of this article and all other pertinent provisions of this appendix.

(Ord.6.05
No. 0-5-97, §1, 1-13-97; Ord. No. 0-61-06, §4, 4-3-06, Ord. No. O-25-23, 03/20/23)

ARTICLE V. DEDICATION OF PARK LAND AND SCHOOL SITES FOR PAYMENT OF FEES IN LIEU THEREOF

5.01. Dedication of park lands and school sites.

(a) *Purpose.* As a condition of approval of a final plat of subdivision, or of a final plat of planned development, each subdivider or developer will be required to dedicate land for park and recreational purposes and land for school sites, to serve the immediate and future needs of the residents of the development, or to make a cash contribution in lieu of actual land dedication, or a combination of both, at the option of the village, in accordance with the criteria and formulas established in this section.

(b) *Criteria for requiring park and recreational land dedication.*

(1) Requirement and population ratio. The ultimate density of a proposed development shall bear directly upon the amount of land required for dedication. The total requirement shall be five and one-half (5 1/2) acres of land per one thousand (1,000) of ultimate population in accordance with the following recommended classifications.

Types of Recreation Areas	Size Range	Minimum Acres Per 1,000 People
1. Play Lot	Minimum 8,000 sq.ft.	Not applicable
2. School-park (neighborhood playground)	Minimum park of 5 acres	1.25
3. Neighborhood park	Minimum 3 1/2 acres	1.0
4. District-wide park or play field	Minimum 4 acres up to 30 acres	1.25
5. Community-wide recreation park	Minimum 12 acres up to 30 acres	2.0
	TOTAL	5.5 acres of land per 1,000 people

(2) Location. The comprehensive park and recreation plan and the "Standards by Types of Recreation and Park Areas" as adopted by the Palatine Park District shall be used as a guideline in locating sites.

a. A park site of not less than five (5) acres adjoining all elementary school sites shall be considered highly desirable.
b. A central location which will serve equally the entire development is most desirable.
c. In large developments these sites can be located throughout the development according to established sites.
d. While the foregoing criteria shall serve as guidelines in establishing sites, the village president and board of trustees may authorize such modifications thereof as in their judgment are warranted.

(3) Credit for private open spaces and recreation areas. When subdividers or developers provide their own open space for recreation areas and facilities, it has the effect of reducing the demand for local public recreational services. Depending on the size of the development, a portion of the park and recreation area in subdivisions or planned developments may, at the option of the village president and board of trustees, be provided in the form of "private" open space in lieu of dedicated "public" open space.

a. Actions by village president and board of trustees.

i. The extent thereof of "private" open space in lieu of dedicated "public" open space shall be determined by the village president and board of trustees, based upon the needs of the projected residents and in conformance with the total park and recreation land for general use.
ii. When substitution of "private" open space areas is authorized, the village president and board of trustees shall determine the amount of the credit to be given, which shall not exceed the total square footage of the "private" open space area.
iii. When such credit has been determined, the total park and recreational land dedication required shall be computed and the "private" open space credit subtracted therefrom; provided, however, that in no case shall "private" open space constitute more than seventy-five (75) percent of the total park and recreational land dedication.

b. Criteria.

i. A substitution of "private" open space for "public" open space will require a substantially higher degree of improvement and the installation of recreational facilities, including equipment by the developer as part of his obligation.
ii. Detailed plans of such areas, including specifications of facilities to be installed, must be approved by the village president and board of trustees.
iii. Before any credit is given for "private" open space, the subdivider or developer must guarantee that the grounds and facilities of such "private" open space areas will be permanently maintained for such use. Such guarantee, supported by a performance bond where deemed necessary, shall be in form satisfactory to the village president and board of trustees.
iv. Private swimming clubs shall qualify as "private" open space hereunder. "Suggested Criteria for Swimming Pool Development" as adopted by the Palatine Park District, shall be used for the guidance of the developer.

(c) *Criteria for requiring school site dedication.*

(1) Requirement and population ratio. The ultimate number of students to be generated by a subdivision or planned development shall bear directly upon the amount of land required to be dedicated for school sites.

a. The land dedication requirement shall be determined by obtaining the ratio of:
1. Estimated children to be generated by the subdivision or planned development to be served in each such school classification;
Over the:
2. Maximum recommended number of students to be served in each such school classification as stated herein;
And then applying such ratio to the:
3. Said minimum recommended number of acres for a school site of each such school classification as stated herein.

b. The product thereof shall be the acres of land deemed needed to have sufficient land for school sites to serve the estimated increased children in each such school classification.

(2) School classification and size of school site. School classification and size of school sites within the village shall be determined in accordance with the following criteria:

School Classification by Grades	Minimum Number of Students for each such School Classification	Minimum Number of Acres of Land for each School Site of such Classification
Elementary schools: Grades—Kindergarten through 5th (K-5)	600	11
Junior high schools: Grades 6th through 8th (6-8)	900	19
High schools: Grades 9th through 12th (9-12)	4000	65

(3) Location. The comprehensive school plan, if any, or the standards adopted by the affected school district shall be used as a guideline in locating sites.

5.02. Contribution of fees in lieu of park and school sites.

(a) *Criteria for requiring a contribution in lieu of park and school sites.* Where, in the judgment of the Village's Corporate Authorities, a development is too small (five (5) acres or less) for a land dedication to be practical, or when the available land is inappropriate for park and recreational purposes or a school site, or where land for recreational or a school site purposes has already been obtained, the Village shall require the subdivider or developer to make a cash contribution in lieu of the land dedication required to be used for the purpose of land acquisition or site development or both, within the Village of Palatine.

(1) The cash contributions in lieu of land shall be based on the "fair market value" of the acres of land in the area improved as specified herein, that otherwise would have been dedicated as park and recreation and school sites.

a. It has been determined that the "fair market value" of such improved land in and surrounding the Village is set forth in the Village's current "Fee Schedule Supplement to the Palatine Code of Ordinances" and that fair market value amount shall be used in making any calculation herein.
b. If the developer objects to the fair market value as determined herein, the Corporate Authorities shall select a qualified appraiser to appraise the property at the developer's expense.
    i. If the Corporate Authorities are dissatisfied with the appraisal, it may hire an appraiser, at its own expense, to appraise the property.
    ii. The fair market value shall be based on the average of the two (2) appraisals provided for herein.

(2) The cash contributions in lieu of park and recreation land dedication or school sites shall be paid to the Village on a pro rata per residential unit basis as part of the building permit fee at the time of building permit issuance.

(3) In the event that a residential unit or units, located on land being subdivided, are demolished within two months of or are planned to be demolished subsequent to the recordation of the Plat of Subdivision, the cash contribution set forth in this Section 5.02 shall be reduced to reflect those "existing" residential unit or units. By way of example, if a ten (10) lot residential subdivision is proposed for property containing two (2) "existing" residential units, then the cash contribution would be paid in full for eight (8) units and amount paid for the remaining two (2) units would recognize the "existing" residential units which may result in a reduced impact fee for the remaining two (2) residential units. The reduction in the applicable fee for the two (2) remaining units shall be the difference between the population generation as set forth in Section 5.03 of the "existing" residential units to be demolished and the population generation of the two (2) new residential units that will be located within the subdivision and most proximate to

where the demolished unit or units previously existed.

(4) The Village shall pay over such contributions to the park district or school district entitled thereto upon proper certification from such district that the funds so said will be used for land acquisition or site development purposes, or both.

(Ord. No. 0-29-11, §1, 3/21/11)

5.03. Additional regulations.

(a) *Density formula.* The following table of population density is generally indicative of current and short-range projected trends in family size for new construction and shall be used in calculating the amount of required dedication of acres of land or the cash contributions in lieu thereof unless a written objection is filed thereto by the subdivider or developer:

TABLE OF ESTIMATED ULTIMATE POPULATION PER DWELLING UNIT

	Children Per Unit						
Type of Unit	Pre-School	Elementary	Jr. High	Total	High School		
	0-4 yrs.	Grades K-5 5-10 yrs.	Grades6-8 11-13 yrs.	GradesK-8 5-13 yrs.	Grades9-12 14-17 yrs.	Adults (18-up)	Total Per Unit
Detached Single-family:							
2 Bedroom	.125	.120	.026	.146	.018	1.700	1.989
3 Bedroom	.308	.381	.174	.555	.146	1.978	2.996
4 Bedroom	.472	.513	.314	.827	.313	2.195	3.897
5 Bedroom	.402	.620	.420	1.040	.327	2.650	4.419
Attached Single-family:							
1 Bedroom	--	--	--	--	--	1.050	1.050
2 Bedroom	.051	.075	.011	.086	.021	1.741	1.899
3 Bedroom	.217	.212	.022	.234	.051	1.775	2.277
4 Bedroom	.333	.316	.166	.482	.180	2.333	3.328
Apartments							
Efficiency	--	--	--	--	--	1.000	1.000
1 Bedroom	--	--	--	--	--	1.190	1.190
2 Bedroom	.038	.065	.021	.086	.035	1.500	1.659
3 Bedroom	.208	.157	.037	.194	.082	2.330	2.814

NOTE: There are only three (3) significant categories provided in this chart. Because of the similarity of yields of all types of attached single-family, only one category is provided. The same is true

with apartments, thus only one category. Because of the short history of some newer types of single units, both detached and attached, individual evaluations may be necessary.

(1) In the event a subdivider or developer files a written objection to the Table of Estimated Ultimate Population listed herein, he shall submit his own demographic study showing the estimated additional population to be generated from the subdivision of or planned development.

(2) and In that event, final determination of the density formula to be used in such calculations shall be made by the Village President and Board of Trustees based upon such demographic information submitted by the subdivider or developer and from other sources which may be submitted to the Village President and Board of Trustees by the park districts, school districts or others.

(3) It is recognized that population density, age distribution and local conditions change over the years, and the specific formula for the dedication of land, or the payment of fees in lieu thereof, as stated herein, is subject to periodic review and amendment as necessary.

(b) *Reservation of additional land.* Where the Village Master Plan or the standards of the Village call for a larger amount of park and recreation land or school sites in a particular subdivision or planned development that the developer is required to dedicate, the land needed beyond the developer's contribution shall be reserved for subsequent purchase by the appropriate public body, provided that such acquisition is made within two (2) years from the date of approval of the final subdivision plat or planned development.

(c) *Combining with adjoining developments.* Where the subdivision or planned development is less than forty (40) acres, public open space or a school site which is to be dedicated should, where possible, be combined with dedications from adjoining developments in order to produce usable recreation areas or school sites without hardship on a particular developer.

(d) *Topography and grading.* The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for the purposes designated by the governmental unit which will ultimately be responsible for the site. Grading on sites dedicated for park and recreational uses shall not differ greatly from surrounding land.

(e) *Improved sites.* All sites shall be dedicated in a condition ready for full service of electrical, water, sewer and streets (including enclosed drainage and curb and gutter) as applicable to the location of the site, or acceptable provision made therefore.

ARTICLE VI. DESIGN STANDARDS

6.01. Street layout and design.

(a) *Intent.* The arrangement, character, extent, width, grade and location of all streets shall conform to the provisions of this Appendix B, and shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographical conditions, to runoff of storm water, to public convenience and safety, and in their appropriate relations to the proposed uses of the area to be served.

(b) *Design criteria.* The following general design criteria for streets shall be followed.

(1) Developments planned to be constructed adjacent to existing ones must be designed to accept the alignment and corresponding widths of existing pavements.

(2) All right-of-way widths shall conform to the following minimum dimensions:

Street Classification	Minimum Right-of-Way (feet)
Arterial or Primary	100
Collector or Secondary	70
Minor residential:	
1. Cul-de-sac	60
2. Dedicated (other than #1 above)	60
3. Private (PUD)	--
Minor industrial	60
Major business	70
Marginal access streets	50
Frontage road (Dedicated)	50
Half Streets	1/2 the total right-of-way of proposed street.

(3) Where a street centerline within a single block deflects more than ten (10) degrees, a curve will be required. Minimum centerline radius shall be:

a. Arterial and collector streets . . . . 30 feet
b. Local streets and cul-de-sacs . . . . 150 feet

(4) Proposed subdivisions containing more than thirty (30) acres shall have street layouts on a curvilinear pattern; however, in such subdivisions consideration shall be given to the need for an interconnecting grid system of thoroughfares or collector streets at approximately one-half (1/2) mile intervals. Subdivisions containing thirty (30) acres or less may be curvilinear or rectangular. Where reverse curves occur on collector streets, the distance from the PT (end of one curve) to the PC (beginning of next curve) shall be not less than one hundred (100) feet.

(5) The maximum length of straight center line or extension of a tangent to a curve shall be one thousand three hundred twenty (1,320) feet for collector streets and six hundred sixty (660) feet for minor streets.

a. In no case shall the deflection angle be less than ten (10) degrees.
b. This shall not apply to straight streets on the boundary of a subdivision.

(6) All center line grades shall be at least 0.333 percent, and not exceed on:

a. Arterial and collector streets . . . . 4 percent
b. Local streets and culs-de-sac . . . . 6 percent

(7) Vertical curves shall be used whenever a change in center line gradient occurs, except where the algebraic difference in gradients is one percent or less.

a. The length of vertical curve on minor streets shall be forty (40) feet for each one percent of algebraic differences of grade but in no case shall such length be less than one hundred (100) feet.
b. The length of vertical curve on collector streets shall be fifty (50) feet for each one percent of algebraic difference of grade but in no case shall such length be less than two hundred (200) feet.

(8) Minor residential streets shall be so aligned that their use by through traffic will be discouraged.

(9) Street jogs with centerline offset of less than one hundred twenty-five (125) feet shall be avoided.

(10)It must be evidenced that all street intersections and confluences encourage safe and efficient traffic flows.

(11) Alleys are not permitted.

(12) The maximum length of a cul-de-sac shall be five hundred (500) feet measured along the centerline from the intersection at origin to end of right-of-way, unless there are fewer than sixteen (16) lots abutting the cul-de-sac. Each cul-de-sac shall have a terminus of nearly circular shape with a minimum right-of-way diameter of one hundred twenty (120) feet.

(13) Half streets dedication or construction shall be prohibited, except in the cases of completing an existing half street. Wherever an existing or dedicated half street is adjacent to a tract to be subdivided, the other half of the street shall be delineated within such tract. A half street, where included, shall be graded at one level and the regrading or new construction shall conform to the grade of the adjacent half street.

(14) Reserved strips of land, designed to block the extension of platted or existing streets or direct street
access are prohibited.

(15) No street names may be used which will duplicate or be confused with names of existing streets in
the Palatine Postal District.

a. Existing street names must be projected wherever possible.
b. Streets within a development cannot be named after the subdivider or the name of the project unless said street is within said development and cannot be extended into other developments.

6.02. Pedestrian ways.

(a) *Pedestrian ways.* Pedestrian ways shall be at least ten (10) feet wide.

6.03. Easements.

(a) *General requirements.*

(1) Easements across lots or centered on rear or side lot lines shall be provided for utilities and street lighting and drainage or other public use, where necessary and shall be at least ten (10) feet wide.

(2) The easements shall be so laid out so that a proper continuity may be had from lot to lot and block to block.

(3) Provisions for extension of easements to adjacent areas shall be made.

(4) Approval of the utility easement layout for public utility companies shall be required on the final plat.

(b) *Utility, sewer and design easements.* Easements for utilities, sewer and/or drainage shall be provided by clearly indicating on the face of the plat the following language or as specified by the administrator:

Easement provisions.

Whenever the words "public utilities" or "public utilities easement" shall appear on this plat, the Village of Palatine, a municipal corporation, Cook County, Illinois, and its successors or assigns, jointly and severally shall hold a perpetual easement under, over and across the surface of the property shown within the lines on the plat marked as such for the installation, construction, use, repair and maintenance of all public utility equipment, including but not limited to, facilities used in connection with the transmission and distribution of electricity and sounds and signals, water and sewage mains and piping, the right to cut, trim or remove trees, bushes and roots, as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over grantees facilities or in, upon or over the property within the lines marked "easement" without the prior written consent of the grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to unreasonably interfere with the proper operation and maintenance thereof.

(c) *Cable communications easements.* Easements for cable communications shall be provided by clearly indicating on the face of the plat the following language or as specified by the administrator:

Easement Provision.

An easement for serving the subdivision and other property with electric sounds and signals and communications service is hereby reserved and granted to

ANY CABLE COMMUNICATIONS FIRM OR COMPANY GRANTED A CABLE COMMUNICATIONS FRANCHISE BY THE VILLAGE OF PALATINE

their successors and assigns, to install, operate, maintain and remove, from time to time facilities used in connection with the transmission and distribution of electricity, sounds and signals including but not limited to television, data and radio signals and communications in, over, under, across, along and upon the surface of the property shown within the dotted lines on the plat and marked "Easement", and the property designated on the plat for streets and alleys, together with the right to install required service connections over or under the surface of each lot, within the boundaries of said easement, to serve improvements thereon, the right to install required service connections over or under the surface of each lot, within the boundaries of said easement, to serve improvements thereon, the right to cut, trim or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property, within the boundaries of said easement, for all such purposes. Obstructions shall not be placed over the Village of Palatine's facilities or in, upon or over the property within the dotted lines marked "Easement" without the prior written consent of the Village of Palatine. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof. Provided that any resubdivision of land having existing overhead transmission facilities shall include an easement for the easement for the construction of facilities.

(d) *Easement provisions for Single Family Developments or Multiple Family Developments with common areas shall be provided by clearly indicating on the plat the following language or as specified by the administrator.*

**Blanket Easements for Single Family Developments or
Multi-Family Developments with Common Areas**

An easement for serving the subdivision and other property with electrical and communications services, gas, cable television, storm water drainage and sanitary sewers is hereby reserved for and granted to

**Commonwealth Edison Company
and
Ameritech
and
Northern Illinois Gas Company
and
Any Cable Communications Firm or Company Granted
a Cable Communications Franchise by the Village of Palatine
and
The Village of Palatine, Grantees**

their respective successors and assigns, jointly and severally, for the placement, installation, use, operation, maintenance, repair, relocation, replacement and removal of watermains, storm sewers, sanitary sewers, drainage ditches and swales, retention ponds, gas mains, electrical lines, telephone lines, facilities used in connection with underground transmission and distribution of electricity and sounds and signals, including but not limited to television, data and radio signals, together with all braces, guys, anchors, manholes, valves and all other equipment and appurtenances necessary in connection upon and under the subdivision in, under, across, along and upon the surface of the property shown within the dotted lines on the plat and marked easement, and the property designated on the Plat as a common area or areas, and the property designated on the plat for streets and alleys, whether public or private, together with the right to install required service connections over or under the surface of each lot and common area or areas to serve improvements thereon or on adjacent lots, common area or areas, the right to cut, trim, or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposed. Obstructions shall not be placed over the grantees' facilities or in, upon or over the property within the dotted lines marked "easement" without the prior written consent of grantees, except garden, shrubs and landscaping may be placed over any sub surface facilities that do not unreasonably interfere with the safety, usefulness of unreasonably restrict to, or prevent the prompt maintenance of repair of any such sub surface facilities. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

The term "common area or areas" is defined as a lot, parcel or area of real property, the beneficial use and enjoyment of which is reserved in whole as an appurtenance to the separately owned lots, parcels or areas within the planned development, even though such may be otherwise designated on the plat by terms such as "out lots", "open space", "open area", "common ground", "parking and common area". The term "common area or areas" includes real property surfaced with interior driveways and walkways, but excludes real property physically occupied by a building, Service Business District or structures such as a pool or retention pond, or mechanical equipment.

Relocation of facilities will be done by Grantees at cost of Grantor/Lot Owner, upon written request.

The granting of the foregoing easement confers no obligation on the Village of Palatine to maintain, repair, replace, relocate or remove any of the foregoing utilities. The easement provision is subject to the terms and conditions of the Declaration of Covenants and Restrictions recorded herewith as Document Number .

(e) Blanket easement provisions for Single Family Developments without common areas shall be provided by clearly indicating on the plat the following language or as approved by the administrator.

**Blanket Easements for Single Family Developments,
Without Common Areas**

An easement for serving the subdivision and other property with electrical and communications services, gas, cable television, storm water drainage and sanitary sewers is hereby reserved for and granted to

**Commonwealth Edison Company
and
Ameritech
and
Northern Illinois Gas Company
and
Any Cable Communications Firm or Company Granted
a Cable Communications Franchise by the Village of Palatine
and
The Village of Palatine, Grantees**

their respective successors and assigns, jointly and severally, for the placement, installation, use, operation, maintenance, repair, relocation, replacement and removal of watermains, storm sewers, sanitary sewers, drainage ditches and swales, retention ponds, gas mains, electrical lines, telephone lines, facilities used in connection with underground transmission and distribution of electricity and sounds and signals, including but not limited to television, data and radio signals, together with all braces, guys, anchors, manholes, valves and all other equipment and appurtenances necessary in connection upon and under the subdivision in, under, across, along and upon the surface of the property shown within the dotted lines on the plat and marked "easement", and the property designated on the plat for streets and alleys, whether public or private, together with the right to install required service connections over or under the surface of each lot to serve improvements thereon or on adjacent lots, the right to cut, trim, or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposed. Obstructions shall not be placed over the grantees' facilities or in, upon or over the property within the doted lines marked "easement" without the prior written consent of grantees, except garden, shrubs and landscaping may be placed over any sub surface facilities that do not unreasonably interfere with the safety, usefulness of unreasonably restrict to, or prevent the prompt maintenance of repair of any such sub surface facilities. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

Relocation of facilities will be done by Grantees at cost of Grantor/Lot Owner, upon written request.

The granting of the foregoing easement confers no obligation on the Village of Palatine to maintain, repair, replace, relocate or remove any of the foregoing utilities. The easement provision is subject to the terms and conditions of the Declaration of Covenants and Restrictions recorded herewith as Document Number .

(f) Easements for Condominium Developments shall be provided by clearly indicating on the plat the following language or as approved by the administrator.

Blanket Easements for Condominium Developments

An easement for serving the subdivision and other property with electrical and communications services, gas, cable television, storm water drainage and sanitary sewers is hereby reserved for and granted to

**Commonwealth Edison Company
and
Ameritech
and
Northern Illinois Gas Company**

and
Any Cable Communications Firm or Company Granted
a Cable Communications Franchise by the Village of Palatine
and
The Village of Palatine, Grantees

their respective successors and assigns, jointly and severally, for the placement, installation, use, operation, maintenance, repair, relocation, replacement and removal of watermains, storm sewers, sanitary sewers, drainage ditches and swales, retention ponds, gas mains, electrical lines, telephone lines, facilities used in connection with underground transmission and distribution of electricity and sounds and signals, including but not limited to television, data and radio signals, together with all braces, guys, anchors, manholes, valves and all other equipment and appurtenances necessary in connection upon and under the subdivision in, under, across, along and upon the surface of the property shown within the dotted lines on the plat and marked "easement", the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", and the property designated on the plat for streets and alleys, whether public or private, together with the right to install required service connections over or under the surface of each lot and Common Elements or areas to serve improvements thereon or on adjacent lots, or Common Elements, the right to cut, trim, or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposed. Obstructions shall not be placed over the grantees' facilities or in, upon or over the property within the dotted lines marked "easement" without the prior written consent of grantees, except garden, shrubs and landscaping may be placed over any sub surface facilities that do not unreasonably interfere with the safety, usefulness of unreasonably restrict to, or prevent the prompt maintenance of repair of any such sub surface facilities. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

The term "Common Elements" shall have the meaning set forth in the "Condominium Property Act", Chapter 765 ILCS 605/2(c) as amended from time to time.

"Common elements" also includes real property surfaced with interior driveways and walkways, but excludes real property physically occupied by a building, Service Business District or structures such as a pool or retention pond, or mechanical equipment.

Relocation of facilities will be done by Grantees at cost of Grantor/Lot Owner, upon written request.

The granting of the foregoing easement confers no obligation on the Village of Palatine to maintain, repair, replace, relocate or remove any of the foregoing utilities. The easement provision is subject to the terms and conditions of the Declaration of Covenants and Restrictions for the _____ Condominiums recorded herewith as Document Number _____.

(g) Any resubdivision of land having existing overhead transmission facilities shall include an easement for the continuation of such facilities.

(h) *Consent.* Any person who submits the final plat to the Village Council for final approval shall be deemed to have given consent to the terms of the declaration of easements set forth in this section 6.03.

6.04. Drainage Easement.

(a) Where subdivisions abut Salt Creek, Buffalo Creek or tributaries thereto, an easement shall be dedicated to the village for drainage and future maintenance of such watercourse.
(b) Easement shall [have a] width of not less than fifty (50) feet on each side, as measured from the centerline of the creek.
(c) The width of easement along tributaries may be reduced from the aforementioned width with the consent of the Mayor and Village Council. (Ord.No. 0-5-97, §2, 1-13-97)

6.05. Block standards.

(a) *Length.* The maximum lengths of blocks shall be one thousand eight hundred (1,800) feet.
(1) Blocks over nine hundred (900) feet long shall have pedestrian ways at their approximate centers.
(2) The use of additional access ways to schools, parks or other destinations may be specified by the Planning and Zoning Commission.

(b) *Shape.* No specific rule concerning the shape of blocks is made, but blocks must fit readily into the overall plan of subdivision and their design must evidence consideration of lot planning, traffic flow and public open space areas.

6.06. Lot standards.

(a) *Design criteria.* The following general design criteria for lots shall be followed.

(1) Minimum lot dimensions in subdivisions designed for single-family detached dwelling developments shall be:

a. Seventy-five (75) feet wide, (eighty-five (85) feet for corner lots) at the established building setback line, and at the front lot line along outside street curvatures.
b. Not less than fifty (50) feet at the front line along inside street curvatures.
c. Not less than one hundred ten (110) feet in average depth, and not less than nine thousand (9,000) square feet (ten thousand (10,000) square feet for corner lots) in area where permitted under the provisions of the zoning ordinance.
d. All lots shall be in full compliance with the zoning ordinance of the Village of Palatine.
e. This lot area may be reduced to nine thousand (9,000) square feet (ten thousand (10,000) square for corner lots) if the president and board of trustees determines that adequate land has been provided within or near the subdivision for park, recreation or other public purposes.

(2) Acute-angled lot corners shall be avoided. In general, lots should be as nearly rectangular in shape as practicable, with minimum rear lot lines of thirty (30) feet.

(3) All lots, except those in planned developments, shall abut on a publicly dedicated street.

(4) Side lines of lot shall be at right angles or radial to the street line, or substantially so.

(5) Double-frontage lots are not permitted except:

a. Where lots back upon a major thoroughfare.
b. Where topographic or other conditions render subdividing otherwise unreasonable.
c. That such double-frontage lots shall have an additional depth of at least twenty (20) feet in order to allow space for a protective screen along the back lot line.

(6) Lots abutting upon a water course, drainage way, channel, or stream shall have an additional depth or width as required, to assure house sites of nine thousand (9,000) square feet that are not subject to flooding.

(7) In the subdividing of any land within the village or within one and one-half (1 1/2) miles of the corporate limits, due regard shall be shown for all existing contours and all natural features, such as tree growth, water courses, historic spots, or similar conditions which, if preserved, will add attractiveness and value to the proposed development and to the village.

(b) *Lot grading.*

(1) Grading of lots and roadways within the Village of Palatine shall be accomplished in such a manner as to prevent ponding in excess of eighteen (18) inches in the event of complete failure of the storm sewer system and shall not result in the flooding of any primary structures. The only exceptions to allowing the maximum of eighteen (18) inches are for storm water detention/retention basins.

(2) Except in special cases, longitudinal grading on all grassed areas of lots will be kept within the range of one-half (0.50) percent and five (5.00) percent.

(3) Driveway grades on all lots, as measured from the top of curb to finished garage floor, shall be kept within the range of two (2.00) percent and ten (10.00) percent.

(4) Drainage easements will be provided along the rear and/or sides where surface waters from more than one lot are conveyed down a property line.

(5) Where the slope between adjacent properties is one foot horizontal to one foot vertical or greater, retaining walls or other improvements approved by village engineer shall be required.

(6) A minimum of six (6) inches of top soil must be provided on all lots and parkways in lot grading for required land improvements.

(7) Parkways are to be sodded or seeded with Class I seed at rate and method as indicated in Section 642 of the Standard Specifications.

(c) *Addressing of lots, buildings or structures.*

(1) Numbering system. All lots, buildings, and structures in the village shall be numbered as follows:

a. Palatine Road shall be the dividing line for streets running north and south; and
b. Plum Grove Road shall be the dividing line for streets running east and west.
c. The odd numbers shall be on the east and south sides of the streets.
d. The even numbers shall be on the west and north sides of streets.
e. One number or unit shall be allowed for each thirteen (13) feet of frontage commencing with number one at the dividing lines.
f. The village clerk shall keep a chart, showing the proper street number of every lot in the village, which shall be open to inspection by anyone interested.

(2) Location. It shall be the duty of the owner and occupant of every house building in the village to have placed thereon numerals showing the number of the building.

a. These numerals shall be clearly visible from the street.
b. These numerals shall be placed at a location near the main entrance of the principal structure.
c. If a portion of the principal structure projects out towards the street line a distance further than that of the main entrance, the numerals shall be placed at a location on this projection which is clearly visible from the street.
d. On corner lots, numerals shall be visible from the street on which the main entrance is located.
e. If the main entrance does not face the street name which the building is addressed to, then the numerals shall be displayed on the side of the building that parallels the street name. (Ord. No. 0-134-14, §1, 10/20/14)

(3) Additional regulations.

a. Structures set back to a distance of fifty (50) feet shall have numerals a minimum of four (4) inches high.

b. Structures set back a distance greater than fifty (50) feet shall have numerals a minimum of six (6) inches high.
c. Numerals shall not be placed far apart so as to make reading the address difficult. (Ord. No. 0-134-14, §1, 10/20/14)
d. Script lettering shall not be permitted as the principal means of addressing.
e. Numerals shall be clearly visible from the street and shall contrast with the background they are placed on.
f. The principle address shall be in Arabic numerals. (Ord. No. 0-134-14, §1, 10/20/14)
g. The provisions of this section 6.06(c) may be adjusted, at the discretion of the administrator, to insure adequate addressing standards are met.

(4) Administration.

a. The Fire Prevention Division will assign a number, direction, street name and suffix to each building requiring an address.
b. Once an address has been assigned, it will be entered into a database and maintained by the Information Services Department.
c. Each home, business, building or property which may require village services shall have an address.
d. No vanity address will be permitted.
e. Prohibited street names;
    1. Duplicate names.
    2. Similar sounding names.
    3. Racial, suggestive, obscene or otherwise offensive names.
    4. Confusing names such as phonetically misspelled names.
    5. No more than three (3) streets with the same "base name". Main St, Main Ave, Main Ct, Main Terr.
    6. For the delivery of essential services, the requirements of Section 6.06(c) shall be applicable to all existing buildings and businesses.

(Ord. No. 0-134-14, §1, 10/20/14)

(5) Penalty.
a. Any person, firm or corporation, failing to so number any house owned or occupied by him or it, within ten (10) calendar days after receiving notice to do so from the village manager, shall be fined ten dollars ($10.00) for each day on which the failure to number continues.

6.07. Monuments.

(a) Permanent monuments shall be placed at all corners of the subdivision and as otherwise required in the state statutes.

(1) Permanent monuments shall be of concrete with minimum dimensions of four (4) inches by four (4) inches at top, six (6) inches by six (6) inches at bottom and thirty-six (36) inches long with a copper dowel three-eighths (3/8) inches in diameter, at least two and one-half (2 1/2) inches in length, imbedded so that the top of the dowel shall be flush with the surface and at the top center of the monuments.

(2) All lot corners not marked by concrete monuments shall be marked by galvanized or wrought iron pipe or iron or steel bars at least eighteen (18) inches in length and not less than one-half (1/2) inch in diameter. The top of the pipe or bar is to be set level with the established grade of the ground after finish grading.

(b) In addition, a minimum of one permanent third (3rd) order level bench mark shall be required for each subdivision of ten (10) acres or more and at a location designated by the village engineer.

(1) The monument shall be of concrete with a minimum dimension of four (4) inches by four (4) inches at top, six (6) inches by six (6) inches at bottom and forty-eight (48) inches long with a brass plate securely fastened to the surface.

(2) On the brass plate shall be inscribed the number and the U.S.G.S. datum elevation of the bench mark.

[Editor's Note: Sec. 6.08 Floodplain Regulations was replaced in its entirety by Ord. No.0-105-08, passed on August 14, 2008]

6.08 Floodplain Regulations

Development of land in and adjacent to floodplains or containing watercourses or drainage ways shall be in accordance with following floodplain regulations of the Village of Palatine:

(a) Purpose and Intent

(1) Purpose. The purpose of these floodplain regulations is:
   a. To assure that new development does not increase the flood elevations or damage hazard or reduce flood conveyance to others upstream or downstream, or create unstable conditions susceptible to erosion; (Ord. No. 0-134-14, §1, 10/20/14)
   b. To protect new buildings and major improvements to buildings from flood damage;
   c. To protect human life and health from the hazards of flooding;
   d. To lessen the burden on the taxpayers for flood control projects, repairs to flood damaged public facilities and utilities and flood rescue and relief operations;
   e. To assure that new development does not result in any new or additional expense other than for the developer of the property for flood protection or for lost environmental stream uses and functions; (Ord. No. 0-134-14, §1, 10/20/14)
   f. To assure that new development does not result in any increase in flood velocity or impairment of the hydrologic and hydraulic functions of streams and floodplains unless a water resource benefit is realized; (Ord. No. 0-134-14, §1, 10/20/14)
   g. To assure that new development does not unreasonably or unnecessarily degrade surface or ground water quality; (Ord. No. 0-134-14, §1, 10/20/14)
   h. To make federally subsidized flood insurance available for property in the village by fulfilling the requirements of the National Flood Insurance Program;
   i. To protect, conserve and promote the orderly development of land and water resources; and
   j. To preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.
   k. To assure that new development does not violate any provision of the ordinance either during or after construction. (Ord. No. 0-134-14, §1, 10/20/14)

(2) Intent. This Section 6.08 is intended to comply with the Rules and Regulations of the National Flood Insurance Program codified as 44 CFR 59-79, as amended and promulgated by the United States Department of Housing and Urban Development, Federal Insurance Administration as provided in the Rules and Regulations of the Federal Register, Volume 41, No. 207, Tuesday, October 26, 1976, as amended, and which are hereby adopted by reference, and filed in the office of the Village Clerk, pursuant to 65 Illinois Compiled Statutes (ILCS) 5/1-2-1, 11-12-12, 11-30-2, 11-30-8, and 11-31-2. However, to the extent the provisions of this Section 6.08 are more restrictive than those required by the Federal Insurance Administration, or the Cook County Watershed Management Ordinance, this Section 6.08 shall take precedence. This section is also intended to comply with Public Act 85-905 and the Rules and Regulations promulgated by the Illinois Department of Transportation, Division of Water Resources as well as meet the requirements of 615 ILCS 5/18(g), "An Act in Relation to the Regulation of the Rivers, Lakes and Streams of the State of Illinois" approved June 10, 1911, as amended. (Ord. No. 0-134-14, §1, 10/20/14)

(b) Floodplain Administrator

(1) The Village Engineer is hereby designated as the Floodplain Administrator of the village's floodplain regulations and ordinances as it pertains to this section 6.08.
(2) No person, firm, corporation or governmental body not exempted by law shall commence any development in the SFHA without have being first reviewed and approved by the Floodplain Administrator. Such approval shall not exempt compliance with any other sections of the Palatine Code of Ordinances.
(3) The Floodplain Administrator shall not grant approval unless all other applicable federal, state and local permits or waivers have been obtained.
(4) The Floodplain Administrator shall inspect or cause to be inspected before, during and after construction of all development within the SFHAs. The Floodplain Administrator can request of the permittee any supporting documents such as hydraulic studies, calculations, surveys, elevation and floodproofing certificates or other data or documentation necessary to assure that the development has been constructed in compliance with the approved permit.

(c) Base Flood Elevation.

(1) The corporate authorities shall obtain, review, and reasonably utilize base flood elevation data available from Federal, State, or other sources, as criteria for requiring that substantial improvements or other development conform with the provisions of Section 6.08(C), until such time as such data has been received from the Federal Insurance Administration. Base flood data received from the Federal Insurance Administration shall take precedence over data from other sources.
(2) The Village shall use the following data listed below in descending order of overall accuracy, completeness and currentness. When data of a higher order become available, data of a lower order will not be used.
    a. The base flood or 100-year frequency flood elevation for the SFHA's of Salt Creek and Buffalo Creek and their tributaries branches shall be delineated on the 100-year flood profiles in the county wide Flood Insurance Study for Cook County prepared by the Federal Emergency Management Agency and generally identified as such on map number 17031J, panels 0038J, 0039J, 0043J, 0044J, 0177J, 0179J, 0181J, 0182J and 0183J, dated August 19, 2008 and such amendments to such study and maps as may be prepared from time to time. The base flood or 100-year frequency flood elevations for the SFHA's of those parts of unincorporated Cook County that are within the one and one-half mile extra territorial jurisdiction of the Village of Palatine and may be annexed into the Village shall be as delineated on the 100-year flood profiles in the Flood Insurance Study of Cook County prepared by the Federal Emergency Management Agency FEMA-and generally identified as such on map number 17031J, panels 0063J, 0178J, dated August 19, 2008 and such amendments to such study and maps as may be prepared from time to time**.**
    b. Other detailed 100-year flood studies, if certified by IDNR/OWR.
    c. USGS Maps of flood prone areas.
    d. USGS-NIPC Hydrologic Investigation Atlases (Floods of Record).
    e. Illinois State Water Survey Floodplain Information Repository.
    (Ord. 0-137-00 §3 10-23-00)

(3) When no base flood information exists, the base flood elevation shall be determined by a licensed Professional Engineer registered in the State of Illinois: (Ord. No. 0-134-14, §1, 10/20/14)
    a. For a riverine SFHA, the BFE shall be determined from a backwater model, such as HEC-II, HEC-RAS, or a dynamic model such as HIP. The flood flows used in the hydraulic models shall be obtained from a hydrologic model, such as HEC-HMS**,** HEC-I TR-20, or HIP, or by techniques presented in various publications prepared by the United States Geological Survey for estimating peak flood discharges. Flood flows should be based on anticipated
    future land use conditions in the watershed as determined from adopted local and regional land use plans. Along any watercourse draining more than one (1) square mile, the above analysis must be submitted to the Illinois State Water Survey

Floodplain Information Repository for filing.

b. For an isolated depressional SFHA, the Base Flood Elevation shall be the historic Flood of Record plus one (1) foot, unless calculated by a detailed engineering study and approved by the Illinois Department of Natural Resources, Office of Water Resources (IDNR-OWR).
c. For an isolated depressional area which is not a SFHA, the BFE shall be the flood of record as determined by the Floodplain Administrator, unless calculated by a detailed engineering study.

(4) The flood profiles, flows and floodway data in the designated flood study, referenced in Section 6.08 (c)(2 a. of this ordinance, must be used for analysis of base conditions. If the study data appears to be in error or conditions have changed, IDNR-OWR shall be contacted for concurrence on the appropriate base conditions to use. The study shall be submitted to FEMA and IDNR-OWR for review. No development activity shall take place until formal acceptance is received from FEMA and IDNR-OWR amending the regulatory data.

(d) *Regulations of the Floodplain Areas.* All lands deemed to be in the floodplain including the floodway unless specifically noted, shall be subject to the following regulations:

(1) Permitted Uses. The following uses are permitted in the floodplain where compensatory storage has been provided for any required fill unless specifically exempted:
a. Recreation; such as, but not limited to, day camps, golf courses, parks, or picnic groves;
b. Arboreta, Wildlife Sanctuaries, or Woodland Preserves;
c. Nurseries, Orchards or other Agricultural Uses; provided that any such vegetation will not create a damaging or potentially damaging increase in flood heights or velocity or be a threat to public health and safety and welfare or impair the natural hydrologic and hydraulic functions of the floodway or channel, or permanently impair existing water quality or aquatic habitat.
d. Hiking Trails, Bike Paths and Bridle Paths;
e. Outdoor Transient Amusement Enterprises such as Circuses, Carnivals and Similar; provided they are on the site less than 30 days and are not located in the floodway or other areas essential to the conveyance of flood waters and are permitted by the underlying zoning. Parking lots for outdoor transient amusement enterprises can be located within the floodplain but not in a floodway or other areas essential for the conveyance of flood waters, provided access is restricted during times of flooding and the owner agrees to accept liability for all damages caused during flood events. Signs shall be posted to clearly identify the flood hazard. (Ord. No. 0-134-14, §1, 10/20/14)
f. Storm Sewer Outlets that**;**
i. Do not extend riverward or lakeward of the existing adjacent natural bank.
ii. Do not result in an increase in ground elevation, and
iii. Are designed so as not to cause stream bank erosion at the outfall location.
g. Drain Tiles and Drainage Systems;
h. Overhead Utility Transmission Lines; provided such facilities will not create a damaging or potentially damaging increase in flood heights or velocity or be a threat to public health and safety and welfare or impair the natural hydrologic and hydraulic functions of the flood way or channel, or permanently impair existing water quality or aquatic habitat, such structures shall not be located in the floodway and shall be designed in such a way as to not catch debris. No above ground facilities or structures other than those necessary to support the overhead utility may be placed in the floodplain.
i. Underground Utility Lines; including those crossing a lake or stream and where the final grade after the installation of the utility lines has not changed from the grade prior to installation, and will not create a damaging or a potentially damaging increase in flood heights or velocity or be a threat to public health and safety and welfare or impair the natural hydrologic and hydraulic functions of the

floodway or channel, or permanently impair existing water quality or aquatic habitat. In the case of stream crossing the top of the pipe or encasement is buried a minimum of three (3) feet below the existing stream bed. Any utility crossing carrying material which may cause water pollution as defined by the Environmental Protection Act, 415 ILCS 5 (1996 State Bar Edition) shall be provided with shut-off valves on each side of the body of water to be crossed. New and replacement public sanitary sewer systems and water supply systems shall be located and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into the flood waters. All sanitary manhole rims shall be placed above the Flood Protection Elevation, or in the alternative, such manholes shall be provided with watertight, lock-type covers. Other public utilities such as gas, electric communications, etc shall be located and constructed to minimize or eliminate flood damage. No above ground facilities related to the underground utility shall be placed in the floodplain. (Ord. No. 0-134-14, §1, 10/20/14)

j. Fencing of any Type; in any yard, provided that any such fencing shall not be located in the floodway, in a floodplain without a detailed study, or other areas essential to the conveyance of flood waters;

k. Sidewalks, Driveways, Patios and Similar Structures; provided they are constructed at grade. In Instances of an Existing Depressed Driveway for an attached garage; the relocation of said driveway by filling in the depressed area to grade level and construction of a new driveway on the premises. Compensatory storage shall not be required in these cases;

l. Roadways and Parking Lots where required by regulations for zoning districts other than residential and any modifications thereto and do not result in the filling in of any floodplain areas and where the depth of flooding at the 100-year frequency flood event will not exceed 1 foot. New parking lots built below the Base Flood Elevation shall clearly post the potential flood hazard. Applications involving filling require a special use for said fill and compensatory storage must be provided. (Ord. No. 0-134-14, §1, 10/20/14)

m. Lighting Standards and Similar Structures provided that they will not create a damaging or potentially damaging increase in flood heights or velocity or be a threat to public health and safety and welfare or impair the natural hydrologic and hydraulic functions of the flood way or channel, or permanently impair existing water quality or aquatic habitat.

n. Open Structures such as Playground Equipment and Pavilions; provided that they are properly anchored and without washrooms or other sanitary sewage facilities and are not located in the floodway or other areas essential to the conveyance of flood waters.

o. Floodproofing; of existing non-residential structures.
    i. A Professional Structural Engineer, registered in the State of Illinois, shall develop and/or review the structural design, specifications and plans for construction, and shall certify that the building or floodproofing alterations have been designed so that below the flood protection elevation, the structure and attendant utility facilities are water-tight and capable of resisting the effects of the base flood. The building design or floodproofing alterations shall take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy and impacts from debris or ice.
    ii. Floodproofing measures shall be operable without human intervention and without an outside source of electricity.
    iii The Floodplain Administrator shall maintain the engineer's certificate and a record of the specific "as built" elevation to which the building was floodproofed.
    iv. A building permit must be secured for any flood-proofing work.

p. Elevation of existing structures, residential or non-residential buildings, by fill shall be in accordance with the following:
    i. The fill must extend at least ten (10) feet beyond the foundation before the grade slopes below the Base Flood Elevation for buildings, unless it

is demonstrated that the building is and the building site are reasonably safe from flooding per design standard requirements in Technical Bulletin 10-01 issued by FEMA.

ii. Be placed in layers no greater than six-inches deep before compaction; and

iii. No compensatory storage is required for the floodplain volume displaced by the building however compensatory storage is required for this fill.

(Ord. No. 0-134-14, §1, 10/20/14; Ord. No. O-35-19, 04/08/19)

q. Elevation of existing Structures, residential or non-residential buildings, by means other than filling shall be in accordance with the following:

i. The building or improvements shall be elevated on crawl space, stilts, piles, walls, or other foundation that is permanently open to flood waters and is resistant to damage by hydrostatic pressures of the base flood or 100-year frequency flood. The permanent openings shall be no more than one foot above grade, and consist of a minimum of two openings. The openings must have a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding below the Base Flood Elevation. Such openings shall be designed and constructed in accordance with the Federal Insurance Administration Technical Bulletin 1-93.

ii. An adequate drainage system must be installed to remove floodwaters from the area internal to the structure foundation within a reasonable period after the flood waters recede.

iii. The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice and floating debris.

iv. All areas below the flood protection elevation shall be constructed of materials resistant to flood damage in accordance with the Federal Insurance Administration Technical Bulletin 2-93. The lowest floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment**,** ductwork, service equipment and utility meters shall be located at or above the flood protection elevation. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other water proofed service facilities may be located below the flood protection elevation provided they are waterproofed.

v. No area below the flood protection elevation shall be used for storage of items or materials or modified or occupied at a later date for habitable space.

vi. Designs for meeting these requirements shall be prepared, signed and sealed by a licensed Professional Structural Engineer or a licensed architect registered in the State of Illinois.

(Ord. No. 0-134-14, §1, 10/20/14)

r. Reconstruction of a building or structure destroyed or damaged by fire, or other act of nature where:

i. Any building or structure so destroyed may be restored in its entirety if such building or structure and the use thereof conformed to all the regulations of the district in which such building or structure was located before such damage or destruction, and shall continue to so conform after restoration of such building or structure.

ii. If all or substantially all of such building or structure is designed or intended for a use which is not permitted in the district in which it is located, said building or structure may be restored unless the damage exceeds 40% of its market value before it was damaged, in which case it shall conform to this ordinance.

iii. The replacement structure shall not exceed the outside dimension of the building or structure destroyed or damaged and shall be designed to

include floodproofing measures included in Section 6.08(C)(1)(o), in the case of non-residential buildings or elevated to two (2) feet above the base floodplain elevation in case of residential structures in accordance with Section 6.08(C)(1)(p). (Ord. No. 0-134-14, §1, 10/20/14)

s. Improvements or Additions to existing Buildings or Structures; provided that any such improvement shall be located wholly at or above the flood protection elevation and outside of the floodway, and shall meet the requirements specified in Section 6.08 (d)(1) p or q of this ordinance and all of the National Flood Insurance Program requirements for substantial improvements. Improvements shall not exceed 40% of the market value of the structure before the improvement or repair is started and shall be counted cumulatively for a ten (10) year period beginning at the start of the first improvement. (Ord. No. O-35-19, 04/08/19)

t. Removal of Topsoil; in accordance with Section 6.09 of the Subdivision Regulations.

u. Minor maintenance dredging of a stream channel where:
   i. The affected length of stream is less than 1000 feet.
   ii. The work is confined to reestablishing flows in natural stream channels, or
   iii. The cross sectional area of the dredged channel conforms to that of the natural channel upstream and downstream of the site.

v. Construction of shore line and stream bed protection that;
   i. Does not exceed 1000 feet in length or 2 cubic yards per lineal foot of stream bed.
   ii. Materials are not placed higher than the existing top of bank.
   iii. All materials utilized shall be properly sized or anchored to resist anticipated forces of current and wave action.
   iv. Materials shall be placed in a way which would not cause erosion or the accumulation of debris on properties adjacent to or opposite the project.
   v. Materials shall be placed so that the modified cross-sectional area of the channel will conform to that of the natural channel upstream and downstream of the site. In no case shall cross-sectional area of the natural channel be reduced. The bank may be graded to obtain a flatter slope and to lessen the quantity of material required.
   vi Vegetative stabilization and gradual side slopes are the preferred mitigation methods for existing erosion problems. Where high channel velocity sharpens or wave action necessitates the use of alternate stabilization measures, natural rock, rip-rap or natural rock filled gabions are preferred material. Artificial materials such as concrete, construction rubble, and sheet piles should be avoided, unless there are no possible alternatives.

w. Structures or facilities related to the use of or requiring access to, the water or shoreline such as pumping facilities, piers, boat ramps and other functionally water dependent uses, provided that any such structure or facility shall not be located in the floodway, in a floodplain without a detailed study, or other areas essential to the conveyance of flood waters and the proposed structure or facility is the minimum necessary to meet current or future needs as a water dependent use. (Ord. No.0-118-11, §2, 10/10/11)

x. Specific construction approved by IDNR-OWR.

(Ord. O-35-19, 04/08/19)

(2) Special Uses. The following may be permitted in the floodplain upon approval of the Mayor and Village Council of the Village of Palatine and subject to the procedures and provisions of Section 14.05 of the Zoning Ordinance. Special uses in the floodplain requested in conjunction with an application for a Plat of Subdivision or a Planned Development shall be processed as a part of that application.

   a. Residential Front, Side or Rear Yards for new or substantially improved construction; except that no principle structures or fill shall be permitted thereon;
   b. Fencing of Any Type; in any yard, not located in the floodway, in a floodplain without

a detailed study, or other areas that are essential to the conveyance of flood water. Before an application for any permit may be approved, the applicant must file with the Floodplain Administrator, copies of all permits, duly issued, which are required by Federal and State agencies to construct the proposed fence in the floodplain. (Ord. No. 0-134-14, §1, 10/20/14)

c. Structures or facilities related to the use of or requiring access to, the water or shoreline such as pumping facilities, piers, boat ramps and other functionally water dependent uses to be located within a floodway provided;

i. The proposed structure or facility is the minimum necessary to meet current or future needs as a water dependent use.

ii. The proposed structure or facility will not create a damaging or potentially damaging increase in flood heights or relocations or be a threat to public health and safety and welfare or impair the natural hydrologic and hydraulic functions of the floodway or channel.

iii. The proposed structure or facility will not permanently impair or degrade the aquatic habitat nor will prevent the migration of indigenous fish species that require access to upstream areas as part of their life cycle, such as for spawning.

iv. A permit or a letter indicating a permit is not required must be obtained from IDNR-OWR.

(Ord. 0-118-11, §3, 10/10/11)

d. Filling in of Land where,

i. Compensatory storage is provided by and through the removal of 110% of the volume of existing material from opposite to or adjacent to the areas filled and occupied, or it shall be demonstrated by the applicant's engineer that through a determination of flood discharges and water surface elevations that the location selected is hydraulically equivalent and is capable of storing flood waters. All such excavations shall be constructed to drain freely and openly to the watercourse. All floodplain storage lost below the existing 10 year flood elevation shall be replaced below the proposed 10 year flood elevation: All floodplain storage lost above the existing 10 year flood elevation shall be replaced above the proposed 10 year flood elevation. There shall be no reduction in floodway surface area as a result of a floodway modification, unless such modification is necessary to reduce flooding at an existing structure.

ii. All applicable Federal, State and Local permits must be obtained. (Ord. No. 0-134-14, §1, 10/20/14)

iii. New structures may be permitted on such filled land provided that the elevation of the filled land is at least two (2) feet above the base flood elevation and all applicable Local, State and Federal requirements regarding the construction of the structure are met. New buildings must be constructed on properly designed and compacted (ASTM D-698 or equivalent) that encompass the entire lot for single family residential or extends beyond the building walls for multi-family, commercial or industrial development at least ten (10) feet for buildings without basements and at least twenty (20) feet before dropping below the Base Flood Elevation and has appropriate protection from erosion and scour. Any structures built on fill in or near the floodplain shall meet the requirements of Federal Insurance Administration Technical Bulletin 10-01 and shall be certified as meeting such requirements by a qualified design professional. (Ord. No. 0-134-14, §1, 10/20/14)

iv. The design of the fill or the fill standard must be approved by a registered engineer. Land so filled shall not be considered floodplain provided upon completion of the filling activity, sufficient data is submitted to FEMA in order to amend the regulatory flood data. This certification from FEMA that the filled land is no longer within the regulatory floodplain must be received before a building permit for a new structure can be issued. (Ord. No. 0-134-14, §1,

10/20/14)

e Flood control structures, dikes, dams and other public works or private improvements for the purpose of backing up water provided:

i. The project is determined to be in the public interest by providing flood control, public recreation or regional stormwater detention.

ii. The proposed project will not create a damaging or potentially damaging increase in flood heights or relocations or be a threat to public health and safety and welfare or impair the natural hydrologic and hydraulic functions of the floodway or channel.

iii. The project will not permanently impair or degrade the aquatic habitat nor will prevent the migration of indigenous fish species that require access to upstream areas as part of their life cycle, such as for spawning.

iv. The project will not cause or contribute to degraded water quality. The design of the project should include gradual bank slopes, appropriate bank stabilization measures and a pre-sedimentation basin.

v. A non-point source control plan shall be implemented in the upstream watershed to control the effects of sediment runoff as well as minimize the input of nutrients, oil and grease, metals and other pollutants.

vi. Any increase in upstream flood stages greater than 0.0 foot when compared to the existing conditions, for all events up to and including the 100-year frequency event shall be contained within the channel banks (or within existing vertical extensions of the channel banks) such as within the design protection grade of existing levees or floodwalls or within recorded flood easements.

vii. A permit or a letter indicating a permit is not required must be obtained from IDNR-OWR, Dam Safety Section for a Dam Safety Permit or waiver for any structure built for the purpose of backing up water in the stream during normal or flood flow. All dams and impoundment structures shall meet the permitting requirements of 17 Adm. Code 3702 (Construction and Maintenance of Dams).

f. Facilities for Volume Control Practices and for the Storage and Detention/Retention of Storm Water:

i. Volume Control practices and Stormwater detention facilities shall not be located in the floodway or other areas essential for the conveyance of floodwaters. (Ord. No. 0-134-14, §1, 10/20/14; Ord. No. O-35-19, 04/08/19)

ii. The plans and specifications for the facility shall be approved by the Floodplain Administrator and shall provide all storage capacity for the 100 year storm event above the base flood elevation,

iii. All berming or other raised earthen structures are subject to the required amount of compensatory storage and shall not affect the flow of water,

iv. The facility shall demonstrate adequate engineering and design features so as to prevent stagnant water or other adverse environmental effects;

g. Signs; according to the rules and regulations as stated in Article VIII of the Zoning Ordinance and provided they are not located in the floodway or other areas essential to the conveyance of flood waters.

h. Detached Garages or Storage Sheds Without Toilets or Other Sanitary Sewerage Facilities, provided they are properly anchored and made flood resistant, in accordance with the Federal Insurance Administration Technical Bulletin 2-93, are less than 700 square feet total for all accessory structures in size, are not located in a floodway or other area essential to the conveyance of flood waters and meet all applicable State and Federal regulations. The maximum square footage for any one replacement detached garage structure, which is necessary to comply with the required parking, identified in Appendix A of the Village of Palatine Code of Ordinances, cannot exceed 600 square feet, or as further determined by Article VI of Appendix A of the Village of Palatine Code of Ordinances. The maximum square footage for any one replacement storage shed is 100 square feet. For all replacement detached garages, which are necessary to comply with required parking identified in Appendix A of the Village of Palatine Code of Ordinances or storage sheds, which are replacing existing structures in a similar location and like encroachment into the floodplain as the existing detached garage or

storage shed on the Subject Property, the proposed replacement structure shall comply with the following:

1): the proposed new replacement structure shall not adversely impact the subject or surrounding properties or encroach any further into the floodplain, as determined by the Village Engineer,

2): pursuant to the Village review of the submitted topographical survey or other required engineering plans in support of the proposed new replacement structure, a determination of no further adverse impact to the subject or surrounding properties or further encroachment into the floodplain must be made by the Village Engineer, in review of the submitted plans, in order to continue the Special Use process,

3): if the Village determines that the proposed new structure would have an adverse impact or further encroachment into the floodplain, a standard Variation process would be required in order to continue forward with the Special Use process.

(Ord. No. 0-134-14, §1, 10/20/14; Ord. No. O-35-19, 04/08/19)

i. Retaining Walls; provided that they are not located in the floodway or other areas essential to the conveyance of flood waters.

j. Bridges and Culverts; provided:
   i. Construction shall not result in an increase of upstream flood stages greater than 0.1 foot when compared to the existing conditions for all flood events up to and including the 100-year frequency event; or the upstream flood stage increases will be contained within the channel banks (or within the vertical extensions of the channel banks) such as within the design protection grade of existing levees or flood walls or within recorded flood easements.
   ii. If the proposed construction will increase upstream flood stages greater than 0.1 feet, the applicant must contact IDNR-OWR, to obtain a permit for a dam or waiver.
   iii. The engineering analysis of upstream flood stages must be calculated using the flood study flows, and corresponding flood elevations for tailwater conditions for the required flood study. Culverts must be analyzed using the US DOT, FHWA Hydraulic Chart for the selection of Highway Culverts. Bridges must be analyzed using the US DOT/FHA Hydraulics of Bridge Waterways calculation procedures.
   iv. The hydraulic analysis for the backwater caused by the bridge showing the existing condition and proposed regulatory profile must be submitted to IDNR-OWR for concurrence that a CLOMR is not required.
   v. Lost floodplain storage shall be compensated for per Section 6.08 (d) (2) d. of this ordinance.
   vi. Velocity increases must be mitigated per Section 6.08 (d) (4) d. of this code of ordinances.
   vii. All excavations for the construction of the crossing shall be designed per Section 6.08 (d) (4)e. of this code of ordinances.

k. Modification or Reconstruction of Existing Bridges, Culverts and Approach Roads; provided:
   i. The proposed reconstruction or modification shall be constructed with no more than 0.1 foot increase in backwater over the existing flood profile for all flood frequencies up to and including the 100-year event, if the existing structure is not a source of flood damage.
   ii. Where the existing bridge or culvert and roadway approach is a source of flood damage to buildings or structures in the upstream floodplain, the applicant's engineer shall evaluate the feasibility of redesigning the structure to reduce the existing backwater, taking into consideration the effects on flood stages on upstream and downstream properties.
   iii. The determination as to whether or not the existing crossing is a source of flood damage and should be redesigned must be prepared in accordance with the Department of Transportation Rules 92 ***17*** Ill. Adm. Code 708 ***3708*** (Floodway Construction in Northeastern Illinois) and submitted to IDNR-OWR for review and concurrence before a permit is issued.

l. Above Ground Swimming Pools and Spas; provided they are not located in the

floodway or other areas essential to the conveyance of flood waters. Compensatory storage must be provided for lost storage volume.

m. Raised Patios or Decks, provided they are not located in the floodway or other areas essential to the conveyance of flood waters.

n. Activities incidental to and customarily associated with any of the foregoing.

o. Dredging of a stream channel that does not meet the criteria of Section 6.08 (d) (1) t. of this ordinance.

p. Construction of shore line or stream bank stream bank protection that does not meet the criteria of Section 6.08 (d) (1) u. of this ordinance.

(3) Restrictions on Usage. No provision of this Section 6.08 shall be construed to permit any of the following in the floodplain.

a. New Structures and Buildings; with the exception of those listed in Section 6.08(d)(1) and (2). New Structures and Buildings cannot be elevated by any means other than by fill. (Ord. No. 0-134-14, §1, 10/20/14)

b. Sanitary Landfills, Dumps, Junkyards, and Outdoor Storage of Inoperable Vehicles within the 500-year floodplain.

c. Outside storage of recreational vehicles, even if in compliance with section 7.03 (d) (1) ii of Appendix B of the Palatine Code of Ordinances, in excess of 180 consecutive days unless they are fully licensed and ready for highway use.

d. On-site Sewage Disposal Systems or Water Treatment Facilities; -within the 500 Year Floodplain.

e. Those structures or facilities which produce, use or store highly volatile, flammable, explosive, toxic and/or water-reactive materials within the 500-year floodplain.

f. Hospitals, Nursing Homes and Housing which are likely to contain occupants who may not be sufficiently mobile to avoid death or injury during a flood event within the 500-year floodplain.

g. Police Stations, Fire Stations, Vehicle and Equipment Storage Facilities and Emergency Operations Centers which are needed for flood response activities before, during, and after the flood event within the 500-year floodplain.

h. Public or Private Utility Facilities such as wells, pumping stations and other facilities which are vital to maintaining or restoring normal services to flooded areas before, during, and after a flood event within the 500-year floodplain. New sanitary lift stations shall also be located above the Flood Protection Elevation and shall be located to ensure access for maintenance during the Base Flood Event. Existing sanitary lift stations to be repaired or rehabilitated shall have all above ground equipment elevated above the Flood Protection Elevation. Where possible, ground openings and vents shall be adjusted above the Flood Protection Elevation or be constructed with lock-type, watertight structure lids to protect against the Base Flood. (Ord. No. 0-134-14, §1, 10/20/14)

(4) Standards for Regulatory Floodway Construction. The only development in the floodway or SFHA where a floodway has not been determined, which will be allowed are uses included as permitted uses**,** 6.08 (c) (1); or special uses**,** 6.08 (c) (2); which will not cause a rise in the base flood elevation, and which will not create a damaging or potentially damaging increase in flood heights or velocity or be a threat to public health safety and welfare or impair the natural hydrologic and hydraulic functions of the floodway or channel, or permanently impair existing water quality or aquatic habitat. Construction impacts shall be minimized by appropriate mitigation methods as called for in the ordinance.

a. Carrying Capacity and notification. For all projects involving channel modification, fill, or stream maintenance (including levees), the carrying capacity of the channel shall be maintained. In addition, the Village shall notify adjacent communities in writing 30 days prior to the issuance of a permit for the alteration or relocation of the channel.

b. Preservation of flood conveyance so as not to increase flood stages upstream. For appropriate uses other than bridge or culvert crossings, on-stream structures or dams, all effective regulatory floodway conveyance lost due to the project will be replaced for all flood events up to and including the 100-year frequency flood. In calculating effective regulatory floodway conveyance, the following factors shall be taken into consideration:

i. Regulatory floodway conveyance, 'K'=(1.486/n) ARe0.67, where "n" is

Manning's roughness factor, "A" is the effective area of the cross-section, and "R" is the ratio of the area to the wetted perimeter. (see Open Channel Hydraulics, Ven Te Chow, 1959, McGraw-Hill Book Company, New York)

ii. The same Manning's "n" value shall be used for both existing and proposed conditions unless a recorded maintenance agreement with a federal, state, or local unit of government can assure the proposed conditions will be maintained or the land cover is changing from a vegetative to a non-vegetative land cover.

iii. Transition sections shall be provided and used in calculations of effective regulatory floodway conveyance. The following expansion and contraction ratios shall be used unless an applicant's engineer can prove to IDNR-OWR through engineering calculations or model tests that more abrupt transitions may be used with the same efficiency:

(a) When water is flowing from a narrow section to a wider section, the water should be assumed to expand no faster than at a rate of one foot horizontal for every four feet of the flooded stream's length.

(b) When water is flowing from a wide section to a narrow section, the water should be assumed to contract no faster than at a rate of one foot horizontal for every one foot of the flooded stream's length.

(c) When expanding or contracting flows in a vertical direction, a minimum of one foot vertical transition for every ten feet of stream length shall be used.

(d) Transition sections shall be provided between cross-sections with rapid expansions and contractions and when meeting the regulatory floodway delineation on adjacent properties.

(e) All cross-sections used in the calculations shall be located perpendicular to flood flows.

(f) Erosion/scour protection shall be provided inland upstream and downstream of the transition sections.

c. Preservation of Floodway Storage so as not to increase downstream flooding. Compensatory storage provided by and through the removal of 110% of the volume of existing material from opposite to or adjacent to the areas filled and occupied, and is capable of storing flood waters. Artificially created storage lost due to a reduction in head loss behind a bridge shall not be required to be replaced. The compensatory storage shall be placed between the proposed normal water elevation and the proposed 100-year flood elevation. All regulatory floodway storage lost above the existing 10-year flood elevation shall be replaced above the proposed 10-year flood elevation. All such excavations shall be constructed to drain freely and openly to the watercourse. There shall be no reduction in floodway surface area as result of a floodway modification, unless such modification is necessary to reduce flooding at the existing structure.

d. Preservation of Floodway Velocities so as not to increase stream erosion or flood heights. For all permitted and special uses, except bridges or culverts or on stream structures, the proposed work will not result in an increase in the average channel or regulatory floodway velocities or stage, for all flood events up to and including the 100-year frequency event. However, in the case of bridges or culverts or on stream structures built for the purpose of backing up water in the stream during normal or flood flows, velocities may be increased at the structure site if scour, erosion and sedimentation will be avoided by the use of rip-rap or other design measures.

e. Excavation in the floodway. When excavation is proposed in the design of bridges and culvert openings, including the modifications to and replacement of existing bridge and culvert structures, or to compensate for lost conveyance for any permitted or special uses in the floodway, transition sections shall be provided for the excavation. Expansion and contraction ratios meeting the criteria of Section 6.08 (d) (4) b. iii. shall be used unless the applicants engineer can demonstrate through engineering calculations or model tests to the satisfaction of IDNR-OWR that more abrupt transitions can be used with the same efficiency.

f. Conditional Letter of Map Revision. If the proposed development would result in a change in the regulatory floodway location or the 100-year frequency flood elevation, a Conditional Letter of Map Revision (CLOMR) must be obtained prior to any filling,

grading, dredging or excavating in the floodway. No further development activities shall take place until a final Letter of Map Revision (LOMR) is issued by FEMA with concurrence from IDNR-OWR.

g. Professional Engineer's Supervision. All engineering analyses shall be performed by or under the supervision of a Registered Professional Engineer.

h. Analysis Criteria; The flood profiles, flows and floodway data in section 6.08 (b) shall be used for analysis. If the 100-year floodway elevation at the site of the construction is affected by backwater from a downstream receiving stream with a larger drainage area, the proposed construction shall be shown to meet the requirements of this section for the 100-year frequency flood elevations of the regulatory conditions and conditions with the receiving stream at normal water elevations. If the applicant learns from IDNR-OWR, the Village of Palatine, or a private owner that a downstream restrictive bridge or culvert is scheduled to be removed, reconstructed, or modified, or a regional flood control project is scheduled to be built, removed, constructed or modified within the next five years, the proposed construction shall be analyzed and shown to meet the requirements of this section for both the existing conditions and the expected flood profile conditions when the bridge, culvert or flood control project is built.

(5) Regulation of Riverine SFHAs where the Floodway has not been Determined; Where no floodway has been designated within a riverine floodplain, the entire floodplain shall be regulated as floodway unless the developer has an engineering study performed to determine the floodway that is submitted to FEMA and IDNR-OWR for acceptance as the designated floodway. No development activity shall take place until formal acceptance is received from FEMA and IDNR-OWR.

(6) Density Calculations. The floodplain areas may be utilized in calculating the floor area or lot size density for an entire tract of land (hereinafter referred to as "density transfer") in accordance with the following conditions and restrictions except that no structures shall be permitted thereon:

a. Density transfers shall not be permitted for tracts of land less than five (5) acres in size; provided that owners of two (2) or more tracts of contiguous land may agree to have such tracts considered as a single unit in order to qualify for density transfers hereunder.

b. A plat of survey shall be submitted with each application for density transfer, together with a certification by a registered professional engineer in the State of Illinois, certifying as to that portion of floodplain which covers the subject tract or tracts of land. Precise location of the floodplain shall be shown on a topographic map at a contour interval of not greater than two (2) feet.

c. The maximum allowable density which may be transferred shall be computed in accordance with the following table:

Percentage of Total Tract In Floodplain	Portion of Tract in Floodplain Which May Be Used In Calculating Density for the Entire Tract
Less than 25%	100%
25% to 50%	75%
50% to 75%	50%
75% or More	25%

d. Other Restrictions. The Mayor and Village Council of the Village of Palatine may prescribe such other reasonable limitations, conditions and restrictions upon transfer of density in each case as are in the interest of preserving the public safety, health, comfort and welfare.

(e) *Regulations of the Areas Less than One (1) Foot above the Base Flood Elevation.*

(1) Conditions of Use. Because certain meteorological events can produce flood elevations greater than the established base flood elevation or conditions may occur downstream that create higher flood elevations all lands adjacent to the floodplain and less than one (1) foot above the level of the base flood elevation, are subject to the regulations of Section 6.08 (d), unless said lands are filled and elevation thereof raised to an elevation of one (1) foot or more above the base flood elevation.

(2) Construction Within Adjacent Areas. In the event said lands are filled and elevation thereof raised to an elevation of one (1) foot or more above the base flood elevation, or shall be not less than one (1) foot above the base flood elevation, no building or structure shall be constructed or moved within said area unless all of the following conditions are met:

a. The proposed site of the building or structure shall be filled so that the elevation of the lowest ground elevation measured at a minimum distance of twenty (20) feet from the foundation of the building or structure is at least one (1) foot above the base flood elevation.
b. Any structures built on fill placed in areas one(1) foot or less above the base flood elevation shall meet the requirements of Federal Insurance Administration Technical Bulletin 10-01 and shall be certified as meeting such requirements by a qualified design professional.
c. Compensatory storage is not required for fill placed above the base flood elevation.
d. All construction shall be in accordance with the Code of Ordinances of the Village of Palatine.

(f) *Regulations of Isolated Depressional Areas*. Isolated depressional areas are areas inundated by the base floods which are not regulatory floodplain. All new structures and improvements on a parcel containing an isolated depressional area shall require an administrative special use and must comply with the following:

(1) The lowest opening for all new structures and substantial improvements shall be at or above the flood protection elevation.

(2) A development plan prepared by an Engineer shall be submitted which details improvements necessary to drain the depressional area into an established sewer or channel with sufficient downstream capacity to carry the 100 year flow. No compensatory storage is required.

(3) The overland flow route must be shown on the plat and easements sufficient to carry the 100 year flow must be provided.

(g) Seeding and Stabilization Plan;
For all activities located in the floodplain, a seeding and stabilization plan shall be submitted by the applicant.

(h) Soil Erosion and Sedimentation Measures;
For all activities in the floodplain in which there is the potential for erosion of exposed soil, soil erosion and sedimentation control measure meeting the criteria of Section 6.09, Appendix B of the Palatine Code of Ordinance shall be implemented.

(i) *Variations of Floodplain Regulations.*
No variances shall be granted to any development located in a regulatory floodway. However, when a development proposal is located outside of a regulatory floodway, and whenever the standards of this section place undue hardship on a specific development proposal, the applicant may apply to the Floodplain Administrator for a variance. The Floodplain Administrator shall advise the Mayor and Village Council of the Village of Palatine of any such variations.

(1) No variance shall be granted unless the applicant demonstrates that:

a. The development activity cannot be located outside the SFHA;
b. An exceptional hardship would result if the variance were not granted;
c. The relief requested is the minimum necessary;
d. There will be no additional threat to public health, safety, beneficial stream uses and functions, especially aquatic habitat, or creation of a nuisance;
e. There will be no additional public expenses for flood protection, lost environmental stream uses and functions, rescue or relief operations, policing, or repairs to stream beds and banks, roads, utilities, or other public facilities;
f. The development will not create a damaging or potentially damaging increase in flood heights or velocity or threat to public health, safety and welfare or impair the natural hydrologic and hydraulic functions of the floodway or change or impair existing water quality or aquatic habitat.
g. The activity is not in a regulatory floodway;
h. The applicant's circumstances are unique and do not represent a general problem, and
i. The granting of the variance will not alter the essential character of the area involved including existing stream uses.

(2) The Floodplain Administrator shall notify an applicant in writing that a variance from the requirements of this Section that would lessen the degree of protection to a building will:
a. Result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage;
b. Increase the risks to life and property; and
c. Require that the applicant proceed with knowledge of these risks and that he will acknowledge in writing that he assumes the risk and liability.

(3) Variances requested in connection with restoration of a historic site or historic building as defined as "Historic Structure" in this section may be granted using criteria more permissive than the requirements of Sections 6.08 (f)a and b, subject to the conditions that;

a. The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure; and
b. The repair or rehabilitation will not result in the structure being removed as a certified historic structure.

(j) *Disclaimer of Liability.*
The degree of flood protection required by this Section is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This Section does not imply that development, either inside or outside of the SFHA, will be free from flooding or damage. This Section does not create liability on the part of the Village or any officer or employee thereof for any flood damage that results from reliance on this Section or any administrative decision made lawfully thereunder.

(k) *Penalty*
Failure to comply with the requirements of a permit or conditions of a variance resolution shall be deemed to be a violation of this Section. Upon due investigation, the Floodplain Administrator may determine that a violation of the minimum standards of this Section exist. The Floodplain Administrator shall notify the owner in writing of such violation.

(1) If such owner fails after ten (10) days notice to correct the violation:
a. The Village may make application to the Circuit Court for an injunction requiring conformance with this Section or make such other order as the Court deems necessary to secure compliance with this Section.
b. Any person who violates this Section shall, upon conviction thereof, be fined not less than fifty dollars ($50.00) or more than one-thousand dollars ($1,000.00) for each offense.
c. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
d. The Village may record a notice of violation on the title to the property.

(2) The Floodplain Administrator shall inform the owner that any such violation is considered a willful act to increase flood damages and, therefore, may cause coverage by a Standard Flood Insurance Policy to be suspended.

(3) The Floodplain Administrator is authorized to issue an order requiring the suspension of the subject development. The stop-work order shall be in written, clearly posted on the subject property, shall indicated the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order. The stop-work order constitutes a suspension of the permit.

(4) No development permit shall be permanently suspended or revoked until a hearing is held by the Administrative Hearing Officer. Notification and procedures for the hearing shall be in conformance with Chapter 2 Article XXX (Administrative Hearing Division) of the Palatine Code of Ordinances.

(5) Nothing herein shall prevent the Village from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

(l) *Abrogation and Greater Restrictions*
This section is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. Where this section and other ordinances, easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail. The section intended to repeal the original ordinance or resolution which was adopted to meet the National Flood Insurance Program regulations, but is not intended to repeal the resolution which the Village passed in order to establish initial eligibility for the program.

(m) *Separability*
The provisions and sections of this section shall be deemed separable and the invalidity of any portion of this section shall not affect the validity of the remainder.

(n) *Procedure.*
(1) Permits and appeals. The procedure for issuance of building permits, special use permits, and appeals shall be those provided for in Article XIV of the zoning ordinance. Before an application for any permit may be approved under this Section 6.08, the applicant must file with the Floodplain Administrator copies of all permits, duly issued, which are required by federal and state agencies to construct the proposed project in the floodplain."
(2) Professional Engineer Review. If the development site is within a floodway or in a floodplain on which a detailed study has not been conducted which drains more than one square mile, then the permit shall be reviewed by a Registered Professional Engineer under the employ or contract of the Village of Palatine to ensure that the development meets the requirements of section 6.08. In the case of an appropriate use, the Professional Engineer shall state in writing that the development meets the requirement of section 6.08.
(3) The Floodplain Administrator shall be responsible for obtaining from the applicant copies of all other local, state and federal permits, approvals or permit not required letters that may be required for this type of activity. No permits shall be issued unless all required local, state and federal permits or waivers have been obtained. (Ord.No. 0-83-96, 5-29-96, §9)
(Editor's Note: Ordinance 0-83-96 replaces portions of Sec. 6.08 previously amended by Ordinances 0-2-94 and 0-83-95.)

6.08.1 Wetlands and Riparian Environment Protection Regulations.

Any development or redevelopment within, adjacent to or will impact a Wetland or a Riparian Environment shall meet the requirements of Sections 6.03 through 6.08 of the Cook County Watershed Management Ordinance.
(Ord. No. 0-134-14, §1, 10/20/14)

6.09. Erosion and sedimentation control.

(a) Any development or redevelopment requiring a watershed management permit as specified in Section 201 of the Cook County Watershed Management Ordinance shall comply with the requirements of Article 4 of the Cook County Watershed Management Ordinance. (Ord. No. 0-134-14, §1, 10/20/14)

6.10. Resubdivision of land and upgrading of existing improvements.

(a) *Resubdivision.* In case of resubdivision or areas to be resubdivided where any of such improvements are already installed which meet the requirements of this appendix, no further provisions to duplicate such installation shall be required; provided, however, that where such installations have become worn or broken, defective or do not meet village standards, the subdivider shall be required to repair and correct such defects or deficiencies.

(b) *Upgrading existing improvements.*

(1) If property for which an application to subdivide has been presented abuts on or contains an existing public street which has width of pavement less than required by this appendix, the subdivider shall be required to dedicate additional land sufficient and to provide additional pavement to bring roadway widths up to the minimum standards of this appendix before the approval of the property for subdivision or resubdivision.

(2) The village engineer shall determine that proper adjustment is made where the widenings merge with the existing narrow pavement at the boundary of the property and to require that the lanes are painted to designate driving and parking lanes.

ARTICLE VII. PROTECTION OF EXISTING TREES

7.01. Procedure for the protection of existing trees.

(a) *Protection of existing trees.* When determining the location of improvements within a development and the location of structures on lots, the developer shall make every reasonable effort to save healthy trees having a diameter of four (4) inches or greater (measured at twelve (12) inches above ground level).

(b) *Preliminary plat procedure.* As part of the preliminary plat procedure, the developer shall submit a plat certifying the location, size and species of all healthy trees having a diameter of four (4) inches or greater (measured at twelve (12) inches above the ground level) for areas within twenty-five (25) feet of any proposed improvement. For remaining areas covered by the preliminary plat, only the general locations of the trees is required.

(1) The developer shall indicate on such plat which trees are proposed to be saved in accordance with this section 7.01.

(2) The trees to be saved in accordance with this section 7.01 shall be agreed upon as part of the preliminary plat of approval.

(c) *Final plat procedure.* As part of the final plat procedure contained herein, the developer shall submit:

(1) A proposed grading plan for the site indicating the location, size and species of the trees to be saved in accordance with the preliminary plat approval.

(2) A plan establishing the methods to be used for preserving the trees that are to be saved. Such plan shall include the following provisions:

a. All grading and construction equipment shall be forbidden from encroaching within the tree's drip line.
b. Crushed limestone or other materials detrimental to the tree shall not be dumped within the tree's drip lines or at any higher location where drainage toward the tree could affect the health of the tree.
c. Installation of tree protection fencing shall be based on the following formula:
    i. For less than twelve inches (12”) diameter, fencing shall be installed at the dripline of the tree to be preserved.
    ii. For trees greater than twelve inches (12”) diameter, fencing shall be installed at one foot (1’) diameter distance from the tree trunk in every direction for every one inch (1”) of DBH of the tree to be preserved.
    iii. Location of the fencing shall be shown around each tree proposed to be preserved on the tree preservation plan (0-154-01 §1, 11-12-01)
d. The developer's proposed methodology for saving existing trees in accordance with preliminary plat approval shall be reviewed by the administrator. If, in the reasonable opinion of the administrator, the developer has not taken the necessary precaution in preserving such existing trees, no building permit will be issued until such time as the developer satisfactorily amends the plans for the preservation of such existing trees.

(d) *Destroyed or razed trees.* In the event that a tree designated on the approved plan for saving should be damaged, destroyed or razed by the developer during the construction process, the developer shall replace such tree with a tree of a species approved by the village and having a diameter not less than the tree so destroyed or razed (no one replacement tree shall exceed six inches (6”) in diameter measured at twelve inches (12”) above the ground, however several smaller diameter trees having a combined iameter equal to the tree damaged, razed or destroyed shall be planted for trees larger than six inches (6”) in the approximate location of the tree so damaged, destroyed or razed. In addition to planting the required replacement trees, the developer shall pay an amount equal to $100 per one inch (1”) in diameter measured twelve inches (12”) above the ground for each tree so damaged, destroyed or

razed. The developer shall post an improvement security in accordance with section 9.02 of this appendix to guarantee the planting of the replacement trees. Such guarantee shall be held one year after planting to guarantee the tree is in a healthy acceptable condition. (0-154-01 §2, 11-12-01)

(e) *Statement of intent.* The developer of residential subdivisions of three (3) lots or less shall not be required to submit a plat certifying the location, size and species of all healthy trees having a diameter of four (4) inches or greater measured twelve (12) inches above grade level but shall instead submit a statement of intent regarding the removal and or preservation of all existing healthy trees on the property. (Ord. No. O-159-91, § 1, 11-11-91)

ARTICLE VIII. REQUIRED LAND IMPROVEMENTS

8.01. General requirements.

(a) *[Standards.]* The owner or subdivider shall install storm and sanitary sewers, water supply system, street grading and pavement, sidewalk, pedestrian ways, public utilities and street lighting in accordance with applicable ordinances of the village and with the 1964 Report and Master Plan for Sanitary Sewer Extensions, the 1964 Report and Master Plan for Storm Drainage, and the 1975 and 1981 Report and Master Plan for Water Supply and Distribution.

(b) *Soils investigations and physical tests.*

(1) If the proposed subdivision contains questionable soil, and in the opinion of the village engineer, soil investigators borings or other soil tests are necessary to determine the nature and extent of such questionable material, the subdivider, builder or land developer shall retain the services of a competent testing laboratory to perform the needed investigations. Such testing laboratory shall be subject to the approval of the village.

(2) Copies of the completed reports compiled by the testing laboratory shall be filed with the village engineer.

(c) *Supervision.* The design engineer engaged by the subdivider, builder or land developer shall be represented by his agent at the site of construction at all times when construction or required land improvements is in progress; failure to comply with this requirement shall constitute grounds for immediate stoppage of said construction by the administrator.

(d) *Inspection.*

(1) All required improvements, public and private, shall be inspected by the village engineer during the course of construction and at completion for compliance with this appendix and the approved plans and specifications.

(2) Builders and developers are required to notify the department of engineering a minimum of forty-eight (48) hours prior to beginning any underground or surface improvements (sewer, water, paving, including parking lots, etc.) to arrange for the appropriate inspections.

8.02. Public utilities.

(a) *Location.* All public utility lines for telephone, electric service and cable TV shall be placed in easements and entirely underground in all new subdivisions. (Ord. No. 0-38-94 4/11/94)

(1) Where telephone and electric service and cable TV lines are placed underground entirely throughout a subdivided area, said conduits or cable shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services.

(2) All above ground public utility appurtenances shall be located in public utility easements in rear or interior side yards.

(3) All gas mains shall be placed within street right-of-ways or within easements.

(b) *Notification.* Underground work, either the installation of or the repair of existing sewer and water systems cannot commence until the appropriate public utilities are staked and the village engineer has been notified to arrange for inspections.

(c) *Conveyance of improvements.* Title to all public improvements required in this Article VIII shall, at the time same are accepted by the president and board of trustees, be conveyed and transferred to the Village of Palatine by sufficient documents of transfer. (Ord.No.0-5-97, §3, 1-13-97)

8.03. Street pavement standards.

(a) *General.*

(1) All street pavements within the village shall be constructed in accordance with:

a. Standard Specifications for Road and Bridge Construction, State of Illinois, Department of Transportation, Current Edition.
b. Manual for structural Design of Portland Cement, concrete Pavement, Illinois Department of Transportation, Current Edition.
c. Manual of Instructions for the Structural Design of bituminous pavement on projects involving MFT and FAUS Funds, Illinois Department of Transportation, Current Edition.

(2) Design requirements for the pavement will be related to the classification of the street based on the zoning classification of the area adjacent to the subject street and/or the street classification as set forth in the street classification map. The classification of new streets as well as variations to street classifications shown on Table 1 for a given street, must be submitted to the village engineer for his review prior to submittal of the preliminary plat to the Planning and Zoning Commission.

(3) At the request of the village engineer, a copy of all design assumptions and computations on which the proposed design is based shall be submitted.

(4) The Pavement Design and Right-of-Way Chart (Table 1) is intended to show minimum right-of-way widths, and the minimum design standards for a particular street classification. If, in the opinion of the village engineer, traffic use or geometric considerations for a road or part of a road warrants a greater right-of-way width, a wider pavement width and/or a greater structural number than listed on the chart may be required.

(5) The village engineer shall submit his written reasons to the Planning and Zoning Commission prior to the approval of the preliminary plat. Variations to the requirements of Table I shall be considered only as a variation.

TABLE 1

Pavement Design and Right-of-Way Width Chart

Street Classification	Minimum Right-of-way width (feet)	Width face of curb to face of curb	Minimum Crown (inches)	Minimum Structural Number
Arterial or primary	100	48 ft. or 2--24 ft. w/median strip	7 4.50	4.0 4.0
Collector or Secondary	70	36 ft.	6	3.5
Minor residential				
1. Cul-de-sac*	60	27 ft.	5	3.0
2. Dedicated (other than #1 above)	60	27 ft.	5	3.0
3. Private (PUD)	--	27 ft.	5	3.0
Minor industrial	70	36 ft.	6	4.0
Minor business	70	36 ft.	6	3.5
Marginal access streets	50	24 ft.	5	3.0
Frontage road (dedicated)	50	24 ft.	5	3.0

NOTE:*The pavement diameter (back-to-back) of circular ended cul-de-sac shall be a minimum of ninety (90) feet.

(6) Private streets in planned developments shall, at a minimum, meet the minimum requirement for street width and structural number for minor residential streets, shall have curb and gutter on both sides of the street, and shall have a minimum centerline radius of curvature of one hundred fifty (150) feet.

(b) *Pavement design.*

(1) All pavement shall be designed in accordance with the previously referenced standards and manuals.

a. The design thickness shall be dependent on the soil support value and the projected traffic factor, however, in no case shall structural numbers be less than those shown in Table 1.
b. Actual or projected traffic counts along with sufficient soil boring data will be required for the structural design.

(2) Subgrade. All subgrade material shall have a minimum Illinois bearing ratio (IBR) of three (3.0).

a. Subgrade material having an IBR less than three (3.0) shall be removed and replaced with a suitable fill material, or the pavement must be designed to compensate for soil conditions.
b. The soil support IBR values selected for use by the designer shall represent a minimum value for the soil to be used.
c. The results of all IBR tests are to be submitted to the village engineer review.

(c) *Flexible pavements.* The design of all flexible pavement shall be based on the minimum structural design number for the type of street in question.

(1) A minimum of two and one-half (2 1/2) inches of compacted asphalt is required on all pavements with a structural number of 3.00--3.99. This surface shall consist of one inch Class I surface course and one and one-half (1 1/2) inch Class I binder course.

(2) Pavements with a structural number of 4.00--4.99 will require three (3) inches of asphalt. This surface shall consist of one inch Class I surface course and two (2) inches of Class I binder course.

(3) The final surface course is to be applied when all other improvements, public and private, have been completed in their entirety and prior to start of the twelve-month maintenance period.

a. Prior to laying of the surface course any defects or damage to the curb and gutter or pavement base must be corrected to the satisfaction of the village engineer.
b. The streets shall then be thoroughly cleaned and a bituminous tack coat shall be applied at a rate of 0.05 to 0.10 gallons/sq. yard to assure uniform and complete adherence of the surface course.

(4) To facilitate plowing of snow during the winter months, all manholes, valve vaults, catchbasins, inlets, etc., located within the pavement area are to be ramped with compacted temporary asphalt patch material for the period between the time the road is opened for general traffic and the time the final surface course is applied. This ramp is to be maintained for the duration of the above specified period.

(d) *Rigid pavements.* The design of all rigid pavement shall be based on the minimum structural design number for the type of street in question.

(1) Concrete pavement shall be reinforced with rigid wire mesh (six (6) inch by six (6) inch #6 rigid fabric).

(2) Portland cement concrete shall be proportional according to the applicable sections of the state specifications and shall be designed for a minimum twenty-eight (28) day compressive strength of thirty-five hundred (3,500) psi.

(3) Air entrainment shall be four (4) through seven (7) percent and slump between two (2) and four (4) inches.

(4) Concrete pavement shall be constructed on a minimum four (4) inch crushed aggregate subbase having a gradation of CA-06.

(e) *Sight distances.* The design engineer shall show at the points of intersection of proposed roads with existing roads that the minimum stopping sight distance indicated below for the legal speed limits as provided on existing roads.

Legal Speed Limit	Minimum Stopping Distance
25—30 mph	200 ft.
31—40 mph	275 ft.
41—50	350 ft.
51—55	475 ft.

(f) *Sub grade preparation.*

(1) The subgrade of all roads shall be graded and rolled in accordance with Section 212 of the "Standard Specifications for Road and Bridge Construction", State of Illinois Department of Transportation.

a. Particular attention is directed to the requirements for the replacement of soft and unstable material as contained in Article 202.03.
b. Embankment shall be placed and compacted in accordance with Section 207 of said specifications.

(2) Compaction tests, (performed by the sand cone method ASSHTO T-191 or with an approved nuclear density-moisture meter) shall be taken in each fill section, with the maximum distance between tests of three hundred (300) feet. Density shall be ninety-five (95) percent of the maximum density.

(3) Proctor tests performed in accordance with ASSHTO T-99 shall be taken on each different type of borrow material.

(4) The proctor and density tests must be submitted for review and approval by the village engineer.

(5) Upon approval of these tests, an inspection of the subgrade will be made by the Village Engineer, and the subgrade must be approved prior to placing any curb and gutter or base material.

(g) *Allowable pavement construction material.* Table 2 indicates the approved materials which can be used for roadway construction within the Village of Palatine listed with these materials are the coefficients to be used for approved pavement structural number. The coefficients, when multiplied by the thickness of the materials, will yield the structural number. In no case shall pozzolanic base course material be used. Porous pavement shall not be used for any dedicated public street. (Ord. No. 0-134-14, §1, 10/20/14)

TABLE 2
Allowable Pavement Construction Materials
Strength Requirements

Structural Materials	M.S.*	I.B.R.	P.S.I.	Coefficient
Bituminous surface				
Class I	1700			0.40
Base course:				
Aggregate. Type B				
Crushed (100%)		80		0.13
Aggregate, Type A		80		0.13
Waterbound				
Macadam		110		0.14
Bituminous aggregate, mixture	900--1700			0.24--0.33
Bituminous mixture, Class I	1700			0.40
Portland cement concrete (new)			3500**	0.50

*Marshall stability.
**Twenty-eight-day design compressive strength.

(h) *Curb and gutter.*

(1) Curb and gutter shall be provided on all streets and shall be portland cement concrete not less than overall width and having a thickness at the gutterflag of not less than eleven (11) inches. Barrier curbs shall be used on all arterial, collector, industrial, and commercial streets and Type A curb on all residential streets unless otherwise specified by the village engineer. Concrete shall have a minimum twenty-eight (28) day compressive strength of three thousand five hundred (3,500) pounds, shall contain not less than six (6) bags of cement per cubic yard of concrete and shall contain not less than three (3) percent nor more than six (6) percent entrained air. Slump shall not be less than two (2) inches, nor more than four (4) inches.

(i) *Subsurface pavement drains.*

(1) Subsurface pavement drains may be required at any location where water may collect in the structural elements of the pavement and other engineering solutions may not adequately remove or prevent the entrance of water. Subdrains may be required because of:

a. A high water table;
b. Active springs or seeps beneath the pavement; or
c. Excessive amount of surface water entering or collecting in the structural section.

(2) The location of these areas requiring subdrains may be determined prior to the preparation of the engineering plans. However, the final determination shall be made during the construction phase.

(3) Subdrains shall meet the following requirements:

a. It shall have adequate capacity to quickly carry away any water that enters the pavement structural section.
b. It must maintain this capacity through the life of the pavement.

(4) The subdrain shall be of the two (2) layer system unless it can be shown to the satisfaction of the village engineer that another design can satisfy requirements in (4)(a)1 above.

(5) Collector pipes shall be minimum six (6) inches in diameter and shall be of the following materials:

a. Perforated concrete pipe confirming to A.S.T.M. C-444.
b. Extra quality concrete drain tile conforming to A.S.T.M. C-412.
c. Extra strength perforated clay pipe conforming to A.S.T.M. C-444.
d. Heavy duty drain tile conforming to AAHSTO M-179.

(6) Subdrains are to discharge into the storm sewer system.

(7) An option to use of subsurface pavement drains and subject to the approval by the village engineer, non-woven fabric material suitable for this type of application may be used.

8.04. Sidewalks and pedestrian ways.

(a) No sidewalk or pedestrian way within the village shall be constructed on soil which is unstable, or which in the opinion of the village engineer is unsuitable for sidewalk construction. Wherever unstable ground is encountered either before the preparation of detailed plans or during the construction phase of the proposed improvements, said unstable materials shall be removed in their entirety and shall be replaced with satisfactory material which shall be adequately compacted to the satisfaction of the engineer.

(b) Sidewalks and pedestrianways shall be constructed of portland cement concrete to a width of not less than four and one-half (4 1/2) feet and a thickness of five (5) inches. Sidewalks shall be offset one foot from the abutting lot line and shall be constructed on both sides of the street. Concrete shall have a minimum twenty-eight (28) day compressive strength of three thousand five hundred (3,500) pounds, shall contain not less than six (6) bags of cement per cubic yard of concrete and shall contain not less than three (3) percent nor more than six (6) percent entrained air. Slump shall not be less than two (2) inches nor more than four (4) inches.

8.05. Trench construction for utilities.

Trench construction for the installation of utilities in new subdivisions, planned developments, and the replacement of existing utilities is specified in the Supplement to these subdivision regulations. These regulations shall also apply to public utility companies, in regard to the installation, replacement or repair of their facilities.

8.06. Water distribution system.

(a) *General.*

(1) No residential, commercial or industrial subdivision shall be approved unless it is served by the village's water supply system.

(2) In the case of any buildings, be they residential, commercial or industrial, constructed prior to the adoption of this ordinance and served by a private well system, the following shall apply:

a. As soon as a village water main is contiguous to and available to serve a building or an area on a private well system, the owner must properly abandon the private well system and connect to the village's public water supply system within one year of the availability of the public water supply system.
b. All water supply systems which are installed in the public ways or easements serving a central system shall be deemed to be dedicated to the Village of Palatine upon acceptance of the subdivision.
c. In all cases where a central water supply system is installed pursuant to the provisions of this section 8.05, said water supply system shall be deemed dedicated to the Village of Palatine upon acceptance of the subdivision.

(b) *Design.* Water distribution mains shall be of adequate size and shall serve the entire development.

(1) Design. Water mains shall be designed according to the "Standard Specifications for Water and Sewer Main Construction in Illinois" or according to the "Recommended Standards for Water Works". The more stringent requirements of either shall apply.

(2) Installation.

a. Said mains shall, in general, be installed in the street right-of-way, but in no case shall mains be installed within fifteen (15) feet of a building.
b. All water mains shall be installed with a minimum depth of cover of five and one-half (5 1/2) feet, measured from final grade to the top of the pipe.
c. Mains shall be extended to the property line of the development along public rights-of-way and at any other location indicated by the village engineer.
d. All excavation, backfilling, restoration of surfaces and all related work shall be completed in accordance with the supplement to these subdivision regulations.

(3) Size. The minimum size shall be six (6) inches, internal diameter, in residential areas and eight (8) inches, internal diameter in all other areas.

(4) Gridiron or looping of mains.

a. Each six (6) inch water main shall be looped (except culs-de-sac or stubbed streets unless deemed necessary by the village engineer) so that runs between connections to six (6) inch or larger size mains shall not be greater than one block, not to exceed eighteen hundred (1,800) feet.
b. Each eight (8) inch water main shall be looped so that runs between connections to mains eight (8) inches or larger shall not be greater than fourteen hundred (1,400) feet in a commercial area or eighteen hundred (1,800) feet in residential areas.
c. Each ten (10) inch water main shall be looped so that runs between connections to mains ten (10) inches or larger shall not be greater than twenty-two hundred (2,200) feet.
d. Each twelve (12) inch and larger water main shall be looped so that runs between connection to mains twelve (12) inches or larger shall not be greater than three thousand (3,000) feet.
e. If the design engineer's report shows spacing greater than the above for the required residual pressure, that spacing shall supersede the above requirements.

(c) *Allowable materials.* Allowable materials shall be those specified in the supplement to these subdivision regulations.

(1) Valves. Valves shall be located on water mains so as to effectively isolate the sections from the system with minimum disruption.

a. Valves shall be installed so that not over nine hundred (900) feet of main will be shut off at any given time.
b. If a tee is installed, two (2) valves may be used.
c. The design engineer shall, by diagrams and/or written reports, set forth his/her basis for location of water main valves.
d. No more than thirty (30) single family dwelling units shall be without water with the shutting off of any three (3) valve locations.

(2) Gate valves. Resilient seat gate valves are to be used on mains up to and including twelve (12) inches. Butterfly valves. Butterfly valves may be used on mains larger than twelve (12) inches.

(3) Valves shall meet the requirements as specified in the supplement to these subdivision regulations.

(4) Valve vaults. Valve vaults are required on all valves.

(5) Valve boxes. Valve boxes shall be used on hydrant auxiliary valves only.

a. Valve boxes shall have a base compatible with the size and type of valve to be operated and shall extend to finished grade ground level.
b. Valve box covers shall be marked "water".

(6) Thrust blocks. Thrust blocks are required at all valves, hydrants, tees and bends.

a. Engineering drawings shall indicate the location of each concrete thrust block to be installed.
b. Where undisturbed earth is not available or not likely to be available to back up pressure type concrete thrust blocks, the village engineer shall specify tie rods with or without anchor type concrete thrust blocks and submit design data for such specifications.

(7) Air release valves. Air release valves shall be placed on the water main at high point as deemed necessary by the village engineer to serve as air vents preventing air locking of the water main. Air relief valves shall meet the requirements specified in the supplement to these subdivision regulations.

(d) *Fire hydrants.* Whenever a water main is to be installed, the village fire prevention bureau must approve the hydrant spacing plan prior to commencement of work.

(1) Design.

a. Fire hydrants shall match the hydrants generally installed in the village's water system, and shall be furnished by a manufacturer considered standard by the village, and specified in the supplement to these subdivision regulations.
b. Only breakaway hydrants shall be used.
c. Each fire hydrant shall be the compression type with a five and one-fourth (5 1/4) inch minimum size main valve assembly, O-ring seals, two (2) two and one-half (2 1/2) inch hose nozzles and a four and one-half (4 1/2) inch pumper nozzle with National Standard threads, a National Standard operation nut, and a breakaway ground level flange, and conforming to the latest revised requirements of AWWA Specification C 502.
d. Each hydrant shall be provided with a six (6) inch auxiliary gate valve and a two (2) foot length of six (6) inch pipe between the hydrant and valve.
    i. Two (2) three-fourth (3/4) inch threaded steel rods with hex nuts shall be installed to tie the auxiliary gate valve to the water main and connecting tee.
    ii. Auxiliary valves shall be provided with valve boxes with covers marked "water".

(2) Location.

a. Fire hydrants shall be located no more than three hundred (300) feet from any point on the exterior of a building.
b. If the location or configuration of the building requires it, then private fire hydrants shall be installed.
c. The fire hydrant servicing a fire department connection (standpipe or sprinkler) shall be no more than one hundred and fifty (150) feet from that connection.
d. Dead-end six (6) inch main extension serving hydrants in cul-de-sacs shall not be more than five hundred (500) feet long, except that six (6) inch extensions in commercial and industrial areas shall not exceed three hundred (300) feet.
e. Where water transmission lines or off-site water lines are installed in existing rights-of-way (or in easements to existing rights-of-way), hydrants must be installed in at three hundred foot intervals.
f. In other locations, six hundred (600) foot intervals are required with tees for future hydrants being provided within three hundred (300) feet of fire hydrants.

(e) *Fire protection system.*

(1) Fire flows. The design engineer shall show in a separate report that at several locations and at any other location that may be selected by the proposed water main system, together with that proposed in the master plan for the village, will supply the fire flows required below in excess of domestic consumption demands, using a "C" factor of one hundred (100) for cast iron or ductile iron, ignoring fittings, and with a minimum residual pressure of twenty (20) psi.

a. Residence;
    i. Dwellings, detached and semi-detached--one thousand to one thousand five hundred (1,000--1,500) GPM.
    ii. Dwellings, attached (townhouses); each unit separated by an approved firewall--three thousand to four thousand (3,000--4,000) GPM.
b. Business:
    i. Business and office uses--two thousand five hundred to three thousand (2,500--3,000) GPM.
    ii. Commercial and mercantile buildings, including warehouses--three thousand to six thousand (3,000--6,000) GPM.
c. Manufacturing: Three thousand to six thousand (3,000--6,000) GPM.
d. Institutional: Three thousand (3,000) GPM.

(2) Private booster pumps for fire protection.

a. No pump shall be installed without specific approval of the village fire prevention bureau.
b. Pumps shall be designed in conjunction with an inside standpipe system as to not require an excessive amount of water to be drawn from the village water supply.
c. If calculations show that the resulting residual pressure in the public water main at the point of connection to the private system is less than twenty-five (25) psi., then pressure tanks or gravity tanks must be provided with the capacity to supply not less than two hundred and fifty (250) gallons per minute in buildings for one standpipe and not less than five hundred (500) gallons per minute in buildings where two (2) or more standpipes are required, for a period of at least thirty (30) minutes.
d. The pressure at the base outlet shall not be less than fifty (50) pounds per square inch.

(f) *Water services.*

(1) The plans, except for residential developments with individual services for each unit, shall show the calculated static water pressure at the lowest and highest ground elevations on the site. Calculations shall be presented showing that the proposed water service are of a large enough size to supply an adequate flow of water at the outlet of the meter, assuming the service is "fairly rough pipe", as specified in the "Illinois State Plumbing Codes", current edition.

(2) The developer shall provide and have installed service saddles, corporation stops, curb stops, service boxes and water service tubing as required in section 19.20 of the municipal code.

(3) Water service lines shall be laid at a minimum depth of five (5) feet below the finished grade ground level.

(4) All service line shutoffs shall be located in parkways, or in appropriate easement areas.

(5) A "W" shall be marked in the curbing when poured opposite to the water service as a permanent record of location.

8.07. Sanitary sewer system.

(a) *General.*

(1) Except as otherwise provided herein, no residential, commercial or industrial subdivision or development shall be approved unless it is served by sanitary sewers connected to the village's sewer system.

(2) In the case of any existing buildings, be they residential, commercial or industrial, constructed prior to the adoption of this appendix and served by a septic system, the building can remain on the septic system so long as it is operating properly. If the system fails or requires repairs, renovations or maintenance beyond normal pumping of the tank, and a public sanitary sewer main is available to the property on which the building is located, in accordance with Section 905.20 (e) of the Private Sewage Disposal Code of the State of Illinois then said owner or owners must properly abandon the septic system and connect to the village's public sanitary sewer system. (Ord. No. 0-134-14, §1, 10/20/14)

(3) All sanitary sewer mains which are installed in the public ways or in easements serving a central system shall be deemed to be dedicated to the village upon the acceptance of the public improvements within the subdivision by the village. (Ord. No. 0-134-14, §1, 10/20/14)

(b) *Design.* Sewer mains shall be of adequate size and shall serve the entire development.

(1) General requirements.

a. Sewer mains shall be designed according to the latest edition of the "Standard Specifications for Water and Sewer Main Construction in Illinois" or according to "Recommended Standards for Sewage Works". The more stringent requirements of either shall apply.
b. Before commencing the sewer layout, the developer shall confer with the village to determine the required size and grades for any trunk sewers traversing and subdivision to fit the village's available capacities of off-site downstream existing facilities to the Metropolitan Water Reclamation District of Greater Chicago interceptor together with the estimated increment of flow caused by the subdivision or development on such facilities. Construction required to accommodate said increment shall be submitted as part of engineering plans. (Ord. No. 0-134-14, §1, 10/20/14)
c. All sanitary sewers shall be constructed in accordance with the provisions of Division II and Division III of the latest edition of the Standard Specifications for Water and Sewer Main Construction in Illinois and Article 7 of the Cook County Watershed Management Ordinance, as modified and/or more specifically defined in these paragraphs and sections. In case of conflict, the provisions of the following paragraphs shall apply. (Ord. No. 0-134-14, §1, 10/20/14)

(2) Installation.

a. Said mains shall, in general, be installed in the street right-of-way or in an easement adjacent thereto. In no case shall mains be installed within ten (10) feet of a building.
b. Sanitary sewers shall be extended to the edge of the development along public rights-of-way and at other points indicated by the village engineer.

(3) Size. The minimum size of mains shall be eight (8) inch internal diameter.

(4) Sewer services. Sanitary sewer service laterals of a minimum of six (6) inch internal diameter shall be provided for each lot, parcel or tract prior to the construction of street pavements. Services shall extend to the property line.

a. Service connection shall consist of a one-eighth (1/8) sewer pipe bend set in the bell of the wye or tee and the necessary lengths of the pipe.
b. Service sewers shall have a minimum cover of thirty (30) inches on private property, and forty-eight (48) inches in public rights-of-way.
c. Two (2) or more structures are not permitted to use a joint building service sewer.
d. A minimum velocity of two and one-half (2.5) Ft/Sec. shall be maintained.

(5) Sewer alignment. Alignment shall follow the general layout of the street.

a. Curvilinear sewer alignment for sewers twenty-four (24) inches in diameter or less shall be limited to curved street areas and only simple curves shall be used.
b. The minimum radius shall be no less than three hundred (300) feet provided that the allowable deflection of the pipe joints is not exceeded.
c. A minimum velocity of two (2.00) ft/sec. shall be maintained in curvilinear sewers and the hydraulics of the curvilinear alignment shall be taken into account and if necessary minimum slopes indicated in section 8.07(8) may have to be increased. (Ord. No. 0-134-14, §1, 10/20/14)

(6) Manholes. Manholes shall be installed not more than four hundred (400) feet apart for sewers fifteen (15) inches in diameter or less, and five hundred (500) feet for sewers eighteen (18) inches to thirty (30) inches in diameter.

a. Manhole diameter. Manhole diameter shall be four (4) feet for sewer diameter twenty-four (24) inches, and five (5) feet for sewer diameter twenty-seven (27) inches to forty-two (42) inches, inclusive.
b. Inspection manholes. An inspection manhole having a minimum diameter of forty-eight (48) inches is required for all commercial and industrial buildings.
   i. The manhole shall be constructed on the building service sewer before it connects to the sewer main, and preferably shall not be closer than five (5) feet to the building.
   ii. There shall be no flow into the inspection except the flow from the building or buildings for which the inspection manhole is intended.
c. Exterior drop pipes. An exterior drop pipe should be provided for a sewer entering a manhole at an elevation of twenty-four (24) inches or more above the manhole invert.
   i. The minimum diameter of the drop pipe shall be forty-eight (48) inches.
   ii. The diameter of the drop pipe shall preferably be larger than, or the same diameter as, the entering sewer and in no case shall be smaller than two (2) nominal diameters.
   iii. For sewer mains thirty-six (36) inches or larger, the requirements for a drop pipe do not apply if the spring line of the incoming pipe is at or below the spring line of the main sewer.

(7) Lift stations. If a lift station is part of the engineering design, it shall be shown in the plan elevation and the specifications for such lift station shall be submitted with engineering plans.
a. Lift stations shall be of the dry well or wet well type, and shall conform in all respects to the standards established by the State of Illinois Environmental Protection Agency and the Metropolitan Water Reclamation District of Greater Chicago. (Ord. No. 0-134-14, §1, 10/20/14)
b. A separate source of power shall be furnished to each sewerage lift station. This shall be from another electrical source or provided by a separately powered engine.
c. Engine, enclosure and mounting shall be subject to approval by the village engineer.
d. The lift station shall be connected to the village's SCADA system and shall allow for remote operation of the lift station from the village's control room and shall provide alarms of various system failures and relay such operational information as deemed necessary by the village engineer. (Ord. No. 0-134-14, §1, 10/20/14)
e. Lift stations and force mains are not desirable nor recommended and shall be resorted to only after all engineering studies have been exhausted.

(8) Slopes. Minimum and maximum slopes are tabulated below. The slopes are those that produce minimum and maximum velocities of two (2.0) ft/sec. and fifteen (15) ft/sec. based on Kutter's formula with n=0.013 and the pipe flowing full, as provided in the rules and regulations of the Illinois Sanitary Water Board.

Sewer Size (inches)	Minimum Slope Percent	Maximum Slope Percent
6	0.63	33.0
8	0.40	22.0
10	0.28	15.0
12	0.22	11.0
14	0.17	9.0
15	0.15	8.3
16	0.14	7.8
18	0.12	6.5
21	0.10	5.1
24	0.08	4.2

(c) *Allowable materials.* Allowable materials shall be those specified in the supplement to these subdivision regulations.

(d) *Construction requirements.* General requirements shall be those specified in the supplement to these subdivision regulations.

(e) *Wyes or tees.* Wyes or tees for existing or future lateral connections shall be inserted in the sewer at the appropriate location as required by the village engineer, and shall be constructed so as to be an integral part of the main sewer pipe.

(f) *Inspection and tests.* Inspections and tests shall be those specified in the supplement to these subdivision regulations.

8.08. Storm water drainage and management.

(a) All developments and redevelopments that meet the requirements for Site Stormwater Management as defined in Table 2, Section 501 of the Cook County Watershed Management Ordinance shall meet all requirements of Article 5 of the Cook County Watershed Management Ordinance. (Ord. No. 0-134-14, §1, 10/20/14)

(1) When the area of the development or redevelopment is less than the minimum required for stormwater detention, the village engineer, at his/her option, may exempt the developer from the foregoing live detention storage requirements when, in his/her opinion, immediate downstream flooding conditions will not be aggravated. In such cases, however, the developer shall substitute a cash payment according to the fee schedule supplement to the municipal code. (Ord. No. 0-134-14, §1, 10/20/14)

(2) If it is not technically feasible and is documented as infeasible, to provide volume control storage onsite, offsite volume control practices may be constructed provided;

   a. it meets all the requirements of Section 503 of the Cook County Watershed Management Ordinance, and;
   b. it is approved by the Mayor and Village Council of the Village of Palatine.

(3) If it is not practical to provide a detention facility onsite, an offsite detention facility may be constructed provided;

   a. it meets all the requirements of Section 504 of the Cook County Watershed Management Ordinance, and;
   b. it is approved by the Mayor and Village Council of the Village of Palatine.

(Ord No. O-35-19, 04/08/19)

(b) *Design.* The following shall govern the design of any improvement with respect to the drainage and detention of storm water runoff.

(1) Layout. Streets, blocks, depths of lots, parks and other public grounds shall be located and laid out in such a manner as to preserve and utilize natural streams, channels and detention basins, including wherever possible the larger stream and floodplains within parks or other public grounds.

(2) Backyard swales. Backyard swales are permitted in residential areas subject to the following regulations:

   a. No continuous swale shall have a length exceeding one hundred and 50 (150).
   b. Minimum grade of the flowline shall be one percent.
   c. No change in alignment of a backyard swale shall exceed forty-five (45) degrees.

8.09. Street lighting.

(a) *Installation.* Street lighting shall be installed according to:

(1) The National Electric Code, village adopted edition; and

(2) The American National Standard Practice for Roadway Lighting, current edition.

(b) *Street lighting system.*

(1) The street lighting system consists of the poles, arms, luminaires, wire and other material and work necessary to complete the street lighting installation.

(2) The street lighting system is to be constructed within the right-of-way or easements for public improvements to be accepted by the village and in locations shown on the approved plan for planned developments or other private developments.

(c) *Street lighting spacing.* Street lights are to be located at all intersections, as well as along street blocks as indicated in Table 1.

(d) *Location.* Street lights shall be located on alternate sides of the street unless, in the judgement of the village engineer, it is impractical to do so.

(1) All street light poles shall be set two (2) feet (three (3) feet, six (6) inches along state and county highways) back from the curb line.

(2) At intersections with only one standard, the bracket, if applicable, shall be pointed toward the center of the intersection.

(3) Where two (2) standards are located at an intersection, the bracket of each shall be perpendicular to a street, as determined by the village engineer.

(e) *Design requirements and approval.* The complete lighting system shall be designed by a registered engineer of the State of Illinois and shall be submitted to the village engineer for approval. In special cases, the village engineer may designate higher poles, two (2) masted poles, festoon outlet boxes, breakaway supports or vary the spacing as he/she deems necessary to meet special conditions. (Ord. No. 0-134-14, §1, 10/20/14)

TABLE 1
Street Lighting Requirements

Street Type	Mounting Ht.	Pole Ht.	Bracket Span	Foundation Depth	Spacing Along Center Line	Luminaire LED lumens**
Primary Or Major	35'-0" or 30'- 0"	32'-2" or 28'-0"	15' truss or 8' elip.	2' diameter by 6' deep 2' diameter by 5' deep	150' "	8,000 horizontal mounted. "
Collector Or secondary	14' or 30'-0"	14' or 28'-0"	N/A or 8' elip.	1.5' diameter by 4'deep 2' diameter by 5' deep	100' or 150	6,000 vertical mounted or 8,000 horizontal mounted.
Minor residential cul-de-sac*	14'	14'	N/A	1.5' diameter by 4' deep	300'	5,000 vertical mounted.
Private PUD	14'	14'	N/A	1.5' diameter by 4' deep	300'	5,000 vertical

						mounted.
Minor industrial	30'-0"	28'-0"	8' elip.	2' diameter by 5' deep	150'	8,000 horizontal mounted.
Minor business	14'	14'	N/A	1.5' diameter by 4' deep	100'	6,000 vertical mounted.
Frontage road	14'	14'	N/A	1.5' diameter by 4' deep	100'	6,000 vertical mounted
Dedicated (other than above)	As determined by the village engineer.					

*A street light shall be required at the turn-around of all cul-de-sacs.
**The luminaire size shall be 8,000 lumens at all intersections with state or county highways.
(Ord. No. 0-134-14, §1, 10/20/14)

(f) *Materials and workmanship.* Materials and workmanship shall [be] in accordance with the requirements specified in the supplement to these subdivision regulations.

8.10. Parkways.

(a) *Grading of parkways.* All parkways within a dedicated street shall be covered with a minimum of four (4) inches of topsoil, fine graded and seeded or sodded to the satisfaction of the village engineer.
(b) *Planting of trees.* Trees shall be planted along all streets unless suitable trees are in existence.

(1) Requirements for trees.

a. All new trees shall be balled and bagged and shall have a trunk diameter of not less than two and one-half (2 1/2) inches (measured twelve (12) inches above grade.)
b. Requirements 8.10(b) and (c) will be satisfied if an equivalent number of trees of the same size or larger are planted in a horticulturalistic manner in the front yards of adjacent lots. (Ord. No. 0-134-14, §1, 10/20/14)
c. Specified varieties shall be specimen type trees and shall be first class representatives of their normal species and varieties.

(2) Allowable tree types. Allowable tree types are those that are specified in the supplement to these subdivision regulations.

(3) Prohibited tree types. Chinese elms, box elder, willow, silver maple, poplar, ash and similar fast growing brittle wood species which are usually subject to attack by insects and diseases are prohibited. (Ord. No. 0-134-14, §1, 10/20/14)

(4) Number of species per block. No fewer than four (4) species of approved trees shall be planted with no more than twenty-five (25) percent of any one species allowed on any one block.

(c) *Planting locations for trees.* Trees shall be planted along all streets at a maximum interval of forty (40) feet unless suitable trees are in existence.

(1) Lateral location of trees within parkways, medians and right-of-way areas.

a. The lateral location of trees being planted in parkways shall reflect the ultimate pavement width of the roadway.
b. Where possible, trees planted in parkways shall be planted in the lateral center of the parkway or as close to it as possible, unless specifically approved otherwise.

(d) *Use of the parkway.* Facilities used for the purpose of stormwater volume control, stormwater storage or water quality control with the exception of pipe storage or manufactured structures specifically designed to trap oil, sediment and other debris shall not be located within a public parkway. (Ord. No. 0-134-14, §1, 10/20/14)

ARTICLE IX. IMPROVEMENT PROCEDURES

9.01. Procedure for approval of improvements design.

(a) *Approval of improvements design.* Before submitting the final plat for approval and before commencing work on the construction and installation of any improvements required by this appendix, the developer or owner shall submit necessary documentation for the construction and installation of the required improvements to the village engineer for review and approval.

(1) Necessary documents. The following documents are required at the time engineering plans are submitted to the village engineer for review and approval:
   a. Two (2) sets of engineering drawings.
   b. Two (2) sets of specifications.
   c. Two (2) copies of the plat of survey.
   d. Metropolitan Water Reclamation District of Greater Chicago watershed management permit applications and E.P.A. sewer permit applications, where required. (Ord. No. 0-134-14, §1, 10/20/14)
   e. E.P.A. water permit application.
   f. Two (2) copies of the storm sewer calculations.
   g. Two (2) copies of the storm drainage plan.
   h. Two (2) copies of the retention facility calculations.
   i. Two (2) copies of the hydraulic gradient profiles of the storm sewer design, if the design is based on the hydraulic gradient.
   j. Two (2) copies of the engineer's estimate of cost.
   k. Two (2) copies of the water main calculations for consumption and fire flow demand when the design is less than the minimum design required by this ordinance.
   l. Two (2) copies of the pavement thickness design calculations.
   m. One copy of county and state highway department permit applications if applicable.

(2) Engineering designs. The engineering drawings which are submitted must include the following information:

   a. A title sheet showing the name of the project, section, township and range, an index of sheets, a tabulation of symbols, location of benchmarks, and a graphic location with respect to nearest traveled streets and roads.
   b. General plan layout of the project indicating all requirements.
   c. A detailed grading plan indicating the elevations of all house foundations, lot corner, and points of change in gradient.
      i. Direction of flow of surface waters will be delineated with arrows and the gradient of the land indicated above the arrows.
      ii. Curb elevation will be indicated opposite each lot corner and all changes in gradient.
   d. A detailed plan of street improvements showing horizontal and vertical locations of all street and sidewalk improvements and including horizontal and vertical locations of all points of tangency points of vertical curvature, points of vertical intersection, and points of vertical tangency. Radii of intersection of streets will be shown on this plan.
   e. A detailed plan of storm sewer improvements showing horizontal and vertical locations of all manholes, catch basins, inlets, headwalls, and the like and indicating lengths, types and grades and gradients of all storm sewers and swales. Manholes will be dimensioned from lot corners.
   f. A detailed plan of sanitary sewer improvements showing horizontal and vertical locations of all manholes and indicating lengths, type and grade and gradients of all sanitary sewers. Manholes will be dimensioned from lot corners.
   g. A detailed plan of water system improvements indicating horizontal and vertical location of

all fire hydrants and valve vaults and showing lengths, sizes and locations of all water mains.

h. Plans and profiles drawn at a scale not to exceed one inch equals one hundred (100) feet horizontally and one inch to ten (10) feet vertically indicating additional horizontal and vertical locations of streets, sewers, appurtenances, and the existing grade.
i. Such additional details as are necessary to clarify the extent or manner of construction.
j. Summary of all quantities.
k. Engineer's cost estimate of all improvements.
l. An erosion and sedimentation control plan as further defined by section 6.09 of the appendix and in accordance with the current edition of the "procedures and standards for Urban Soil Erosion and Sedimentation Control in Illinois". Also included on the soil and erosion plans should be the locations and species of existing trees greater than four (4) inches in diameter that are to be saved.
m. General detail sheet showing:
    i. Pavement cross section.
    ii. Curb, gutter and sidewalk details.
    iii. Cross section of detention facilities including sedimentation basins.
    iv. Street lights.
    v. Manholes, vaults, inlets and castings.
    vi. Hydrants.
    vii. Typical trench cross sections for sanitary sewer, storm sewer and watermains.

(b) *Requirements for installation of improvements.*

(1) Upon approval of the final plat of the proposed subdivision or planned development by the Village Council, and prior to the recording of the plat, appropriate bonds, escrow monies, recapture fees, fees in lieu of park and school land dedication, irrevocable letters of credit for public improvements and any other related fees must be deposited with the village clerk.

(2) When the appropriate subdivision improvement security is posted and all permit fees paid to the village and the supporting permits issued by the Metropolitan Water Reclamation District of Greater Chicago, Environmental Protection Agency, Highway Departments, or other public agencies, are issued, the installation of the required improvements can begin. (Ord. No. 0-134-14, §1, 10/20/14)

(c) *Preliminary inspections.* All improvements constructed under the terms of this appendix shall be subject to periodic inspections by the village engineer.

(1) Fees for these inspections shall be at the rate of one-half (1/2) a percent of the cost of such improvements, paid by the owner or developer.

(2) The minimum fee for any inspection shall be fifty dollars ($50)

9.02. Subdivision Improvement Security.

(a) *Agreements and guarantees.* Prior to the recording of the final plat:

(1) Project Improvement Agreement. The Subdivider shall execute a written agreement approved by the village to construct and install the Project Improvements required in Article VIII hereof in accordance with the plans and specifications approved by the village.

(2) Improvement security. The Subdivider or Site Developer shall submit to the village manager a good and sufficient security for the completion of the Public Improvements as defined herein together with the cost of reasonable inspection fees. The security shall take the form of either a cash bond, a letter of credit or a surety bond (herein, "Security Instrument"). The amount of the Security Instrument shall be one hundred fifteen percent (115%) of the project engineer's estimate of the cost of such improvements. The estimate is subject to the review and approval of such amount by the village engineer. As a condition of approval of all final plats of subdivision or planned development ordinances, the Subdivider or Site Developer shall be responsible to pay the village attorneys fees, outside consultants and staff expenses, and costs in the event the village must seek to collect monies from a

surety company or lender issuing the letter of credit. To accomplish this, the Subdivider or Site Developer shall place with the Village the sum of ten thousand ($10,000) dollars in an escrow fund. The unspent balance of the escrow shall be returned to the Subdivider upon completion and acceptance of the Public Improvements pursuant to Section 9.03. (Ord. O-34-17, 4/3/17)

a. Said Security Instrument shall provide that monies in such estimated amounts are on deposit with a bank, other financial institution or bond company and restricted for the purpose of the installation and satisfactory completion of said improvements.

b. The village treasurer and village attorney shall within 30 days of submittal of a Security Instrument other than a Letter of Credit or cash bond, review and make a recommendation to the village council as to whether to accept the Security Instrument and thereafter the village council shall approve the Security Instrument prior to acceptance of the same and said approval shall be a condition of the recordation of any final plat.

c. The acceptable form of an irrevocable letter of credit in said amount issued by a financially secure and reputable financial institution shall be in substantially the following form:

AMOUNT _____ DATED _____

NO. _____

To: Village of Palatine,
a municipal corporation,
Cook County,
Palatine, Illinois 60067

WE HEREBY AUTHORIZE YOU TO DRAW ON _____
(Name of Bank)

_____DRAFTS AT SIGHT FOR ANY SUM OR SUMS NOT EXCEEDING A TOTAL

OF _____ (amount)

FOR ACCOUNT OF _____

Drafts shall be signed by the Village of Palatine Finance and Operations Director and must be accompanied by his/her written certification that the funds drawn are to be used to pay for the construction and installation of the public improvements and soil erosion control measures set forth on the Plans and Specification for public improvements for _____, dated _____, submitted by _____, and approved by the village engineer and identified as No.: _____, which have not been completed in accordance with the following schedule:

_____

_____

together with the cost of removal of all debris, rubbish, materials, apparatus, tools and equipment as well as excess excavated materials, and the restoration of the premises where said construction and installation work is performed to the same condition it was in before said work was commenced; and such certification shall be binding and conclusive, and _____ shall honor such drafts and pay such funds without further inquiry.

All drafts hereunder must be marked drawn under _____, _____, Illinois. Letter of Credit No.: _____, dated _____.

The amount of each draft drawn under this credit must be endorsed hereon and the presentation of each draft, if negotiated, shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required; if the draft is not

negotiated, this credit must accompany the draft. This credit is subject to Uniform Customs and Practice for Documentary Credits (as revised), International Chamber of Commerce.

We hereby engage with the drawers, endorsers and bonafide holders of drafts drawn under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated or presented on or before _____.

Name of Bank: _____
Address: _____
City-State: _____
By: _____
Name Title
Signature: _____

The Corporate Authorities may enter into such supporting agreement by and among the village, the Subdivider and the mortgage house or savings and loan association as the Corporate Authorities shall deem necessary or desirable to further secure the proper and satisfactory completion of said Project Improvements.

(3) Performance Guarantee. In addition to the Security Instrument described in section 9.02(a) (2), the Subdivider or Site Developer shall maintain at least (10) percent of the amount required in paragraph (2) as a Performance Guarantee. The Corporate Authorities may accept either a certificate of deposit or other United States government security in lieu of cash or may receive a cash deposit or a surety bond in such amount. Such cash or other Security Instrument shall be retained by the village for a period of one year following the final acceptance of all the Project Improvements to insure and protect against defects or faults discovered during such one year period.

(b) *Reduction of improvement security.* A letter of credit or cash bond shall be the only security, that may be reduced from time to time (maximum of once per month) upon a resolution of the Corporate Authorities approving such reductions and concurrently granting their preliminary approval to corresponding portions of the improvements.

(1) Consistent with Section 9.02(a)(3) there shall be withheld and reserved from each reduction an amount which in total amounts to not more than ten (10) percent of the original estimate of the Project Improvements as certified by the village engineer.

(2) Upon satisfactory completion of all Project Improvements, and satisfaction of the requirements of section 9.03 of this Appendix and the deposit with the village of adequate security for a Performance Guarantee as set forth in Section 9.02(a)(3), the Corporate Authorities, upon resolution, may release the Security Instrument and initiate the one year Performance Guarantee period.

(3) If all Project Improvements are acceptable after the one-year Performance Guarantee period, the Performance Guarantee shall be refunded to the Subdivider, without interest.

(4) The village may use all or any portion of the Performance Guarantee to cure or correct any damage, defects or faults discovered during the one-year period should the Subdivider or Site Developer not promptly or properly correct said damage, defects or faults. In the event that the village uses all or any portion of the Performance Guarantee to cure or correct any damage, the village shall notify the Subdivider or Site Developer of the deficiency and within fourteen (14) days the Performance Guarantee shall be replenished to its original amount which Performance Guarantee shall remain in effect for the remainder of the one year period.

(5) Surety bonds shall remain in the original amount through the one (1) year performance period.

(c) *Outside corporate limits.* Subdividers of land outside the village limits shall be subject to the requirements of this Section 9.02.

(d) *Provisions applicable to all subdividers and site developers.* If the Subdivider or Site Developer deposits a cash bond or letter of credit as security, then the final plat of subdivision may be recorded in units or phases. Project Improvements for such unit or phase shall be adequate as deemed necessary by the village engineer, to serve each and every lot within the unit or phase so recorded and such improvements shall be consistent with the Project Improvements plans for the entire subdivision. Building permits may be issued for lots contained in each unit or phase upon recordation of the final plat of subdivision for such unit or phase. Upon deposit of sufficient security for the Project Improvements necessary to serve the land for which a final plat of subdivision has been recorded, including sufficient security for the construction of any improvements located outside the land for which the final plat of subdivision has been recorded, the Subdivider shall be issued building permits. In the event the Subdivider elects to place a security, other than a cash bond or letter of credit, then the Subdivider must record all of the property in one final plat of subdivision without the option of recording the development in phases.

9.03. Acceptance and approval of required Project Improvements.

(a) *Acceptance.* Each development is required by this ordinance to contain the necessary Project Improvements as set forth in this Appendix. The village shall determine which Project Improvements the village will accept dedication of in connection with the following types of developments:

(1) Planned Developments: All improvements in a planned development that are specifically designated and authorized by the Corporate Authorities.

(2) Residential Subdivisions: The underground and surface improvements within the rights-of-way of public streets, easements or outlots in a residential subdivision.

(3) Office Research or Industrial Parks: All improvements with office, research or industrial parks.

(4) Other Types of Developments: Only those Project Improvements specifically designated and authorized by the Corporate Authorities for acceptance.

(b) *Approval.* When all required Project Improvements are completed in their entirety, the Subdivider shall request the village, in writing, to accept or approve said Project Improvements and the Subdivider must, in such written request, guarantee them for a period of one year from the date of acceptance or approval.

(1) Prior to request for approval, the village engineer must be in receipt of:

a. Video tapes of all sanitary sewer eight (8) inches or greater in diameter. Tapes shall be of type and size compatible to be used by the village.

b. As built engineering plans showing:

i. Actual location and size of storm sewers, sanitary sewer and water mains showing actual locations of all inlets, manholes, valve vaults, hydrants and other appurtenance. Actual invert and rim elevations are to be given for all inlets and manholes.

ii. Locations and dimensions of roadways, sidewalks and easements.

iii. Locations and sizes of all water and sanitary sewer services.

iv. Actual location of street lights and underground cables.

v. Contour lines of any detention facilities along with calculations indicating actual storage capacity.

vi. Elevations of the tops of all foundations and the corners of all lots.

vii. Location points of all sanitary service connections to the sewer main.

viii. Request for Final Inspection and Approval. Approved by the Metropolitan Water Reclamation District for all applicable permits.

ix. An Illinois Environmental Protection Agency operating permit for all water main construction.

x. Letter of acceptance from the township, county, and/or state highway department when applicable.

(2) Upon receipt of the written request, the village engineer will authorize and schedule a final inspection to take place as soon as reasonably possible after receipt of the written request.

a. Final inspections shall not be scheduled between November 15 and April 1 unless, in the opinion of the village engineer, weather conditions permit.

b. All deficient improvements which do not totally conform to this appendix (either incomplete, damaged, or poor workmanship of improvements) will be inventoried.

c. The inventory of deficiencies will be forwarded to the Subdivider for processing within 60 days of written request.

d. When the deficiencies are corrected, the Subdivider shall request a second inspection. Scheduling of the second inspection shall be the same as for the first inspection.

e. If the length of time between the first and second inspection is greater than four (4) months, or if the noted deficiencies are not correct at the time the second inspection is made, the request for acceptance will be cancelled.

f. If cancelled, a second request letter will be required. The second request for acceptance is subject to the following conditions:

i. The Subdivider will be required to pay the cost incurred by the person conducting the inspection.

ii. The punch-list of deficiencies recorded during the previous inspections will be voided and a complete reinspection is required.

g. The Project Improvements shall be deemed to be "complete" when the village engineer submits, in writing, evidence that all Project Improvements have been completed pursuant to all applicable codes and ordinances and that the Subdivider or Site Developer has satisfied the one-year Performance Guarantee period requirement.

(c) *Surface maintenance.* During the period between the installation of the final surface course on the roadways and the termination of the one year Performance Guarantee period, the village engineer may request the Subdivider to seal all cracks that appear in the pavement section with an approved hot poured rubber asphalt sealing compound.

(1) This crack sealing is limited to those cracks that normally occur due to volume and thermal shrinkage.

(2) All other type of pavement distress will have to be properly repaired to the satisfaction of the village engineer.

(3) All cracks shall be properly routed and air-blown clean in accordance with the manufacturer's recommendations and to the satisfaction of the village engineer.

(d) *Final acceptance and approval.* No Project Improvements, public or private, shall be accepted or approved by the Corporate Authorities nor shall the Project Improvements be deemed to be "complete" prior to receipt of the village engineer's report specifying that the Project Improvements comply with this appendix, approved plans and specifications and any applicable planned development ordinance requirements and that all required as-builts have been received.

[Editor's Note: Ordinance 0-33-15, passed on April 20, 2015, Effective 8/1/15, added a new Sec. 9.04 Recaptures]

9.04 Recaptures.

(a) Purpose - The Village, developers, or builders that expend funds for public improvements that the Village will ultimately own and maintain and have control over future use and access to, may seek a recapture of a portion of those funds from other properties that derive a direct benefit from the public improvement.

(b) Costs and Apportionment - The basic premise in determining whether a property receives benefit from a public improvement is that all property owners are responsible for the cost of the public improvements across the frontage of the property. Recaptures against properties not directly abutting the public improvement are permissible in the case of extraordinary construction costs such as the boring under a major highway or oversizing the public improvement over the minimum requirements necessary to service the property for which the public improvement is being constructed for.

(1) The apportionment of costs may be based on lineal footage, an area measurement or other method so long as the division is intended to fairly reflect the benefit received from the public improvement. The Village shall be the sole decider on the method of apportionment.

(2) The cost subject for recapture shall include all labor and materials for the construction of the public improvement, engineering design charges directly associated with the design of the public improvement, regulatory agency review and permit fees, as well as any testing and inspection charges involved in the construction and acceptance of the public improvement. All costs included in the recapture must be actual costs and must be substantiated as paid either by contract, invoices, cancelled checks or other documents deemed acceptable by the Village. Legal fees, building permit fees, application fees for subdivision or planned development approval, and plat recording fees cannot be included. Expenses incurred to finance the public improvement or lost potential in earnings or interest cannot be recaptured.

(3) To cover expenses incurred by the party to finance the public improvement, lost potential of earnings or interest and/or other soft costs, there shall be a one and one-half percent (1.5%) per annum interest rate calculated simply or other rate as recommended by the Village Manager and approved by the Village Council at the time the recapture is established, of said apportioned cost

from the date of passage of the recapture ordinance until ten (10) years from the date of passage of the recapture ordinance. No additional interest shall be computed after the ten (10) year period.
(4) There shall be no right to collect any recapture for any connection made by the Village of Palatine to the public improvement.

(c) Certification of Eligibility for a Recapture – Any person or entity, including the Village, that has installed public improvements in the Village at their own cost ("Installers") and that feels that other properties will also benefit from the public improvement ("Benefitted Properties"), may request the privilege to recapture costs incurred for installing said public improvement (the "Request"). In that event, the Installer shall submit, in accordance with this Section 9.04, a written notice to the Village and the Benefited Properties notifying same of the Installer's intent to seek recapture of a portion of said costs from the Benefitted Properties. The Request shall identify the public improvement, the Benefitted Properties, and the estimated apportionment of cost against each Benefitted Property. The Request will be reviewed to determine that it meets the requirements set forth in this Section, and serve as an advanced, but not a binding notice to the Benefitted Properties. The Benefited Property owner shall pay its allocated recapture amount so long as a recapture ordinance is adopted by the Village in accordance with Section 9.04 (d).

Applications for final subdivision approval in accordance with Article IV of this Appendix B, final planned development approval in accordance with Section 13.05 or 13.06 of Appendix B, or a building permit in accordance with Chapter 6 all of the Palatine Code of Ordinances shall submit a preliminary request for recapture prior to construction of the improvement. This preliminary request shall identify the public improvement, the properties the future recapture would be against, and the estimated apportionment of cost against each future benefitting property. Any applicant that fails to submit the Request at the time of said applications or permits shall not be eligible to seek recapture unless otherwise authorized by the Village Manager.
(Ord. No. 0-12-16, §1, 2/1/16)

(d) Preparation of Ordinance Documents - It is required that the party requesting a recapture prepare the ordinance and supporting documents such that the Village Council can adopt the ordinance. A formal request for and a completed draft ordinance along with all supporting documents shall be submitted for review and certification within ninety (90) days after preliminary acceptance by the Village of the public improvement in accordance with article 9.03 of this Appendix B. Preliminary acceptance will be the commencement of the one year maintenance period or final payment. (Ord. No. 0-12-16, §1, 2/1/16)

(e) Administrative Fee - The Village shall be entitled to deduct from each and every reimbursement or recapture three percent (3%) for administrative services rendered in the calculating, collecting monitoring and disbursing reimbursements and recaptures in addition to any actual direct costs incurred for these services.

(f) Payment of Recapture - Recaptures are due at the time the Village issues a permit for the right to connect to said public improvement or in the case of a Planned Unit Development or a subdivision of a parcel of land upon which there is a recapture recorded against, the full amount is due prior to the recording of the plat unless authorized by the Village Manager.

(g) Life of Recapture - The maximum period of time of a recapture ordinance shall be fifteen (15) years from the date of passage.

(h) Notification - The Village of Palatine shall cause a legal notice of the time, place and that a recapture ordinance is pending to be considered by the Village Council, to be published in a newspaper of general circulation within the Village of Palatine at least fifteen (15) days prior to the public hearing. The Village shall also send notice, by standard mail, of the meeting at which the Village Council will consider passage of the recapture ordinance to all owners of record of each parcel of property that will be affected by the recapture at least fifteen (15) days prior to the public hearing.

(i) Recording - The Village will record with the Cook County Recorder's Office the recapture ordinance against all affected parcels.

(j) Indemnification - The party for whose benefit the recapture provision shall apply, shall bear any and all costs for the defense of any legal action which might be brought by any subsequent person, entity or user challenging the Village's right to recover or seek recovery of such recapture or questioning the method of calculation for such recapture, including any related costs incurred by the Village. Further, in the event that any person refuses to make payment of such recapture, the party for whose benefit such recapture is sought shall bear any and all costs involved in pursuing said party's right to recapture against such person. The Village shall use its best efforts to collect the recapture, but it shall not be obliged to bring suit to collect same nor shall the Village or its officials be liable in any manner for failure to collect the recapture. In the event that any person challenges the Village's right to recover or seek recovery of such recapture or questions the method of calculation for the same or refuses to make payment of the same, the Village reserves the right, in its sole discretion, to connect or permit the connection to the subject public improvement to avoid the potential hardship or financial losses due to delay in the utilization of said public improvement, which shall not constitute a waiver or release of rights of the party claiming entitlement to recapture.

(k) Transferability - The party entitled to the recapture shall be only that entity identified in the ordinance. The ordinance cannot be transferred without prior approval of the Village Council. In the case of a Corporation or Limited Liability Company, that business entity must remain in good standing with the Illinois Secretary of State throughout the period of time that the recapture ordinance is in effect or at least at the time any collection on the recapture is made.

(l) Change of Address - It shall be incumbent upon the party entitled to the recapture to notify the Village of any change of address. Any recapture fees collected where the entitled party cannot be located within ninety (90) days, shall be returned to the payer less the three percent (3%) administrative fee. There will be no further attempts to collect the recapture.