



Application for Minor Subdivision

City of Macomb, Illinois

Presubmission: Before submitting an application for a minor subdivision the applicant shall schedule an appointment with the community development coordinator, or said designee, to discuss the procedure for approval and all requirements that may apply.

1. **Proposed Name of Subdivision:** _____

2. **Address/ Property ID** _____

3. **Property Owner**

Name: _____

Address: _____

Telephone/ E-mail: _____

4. **Developer/ Subdivider (If other than owner)**

Name: _____

Address: _____

Telephone/ E-mail: _____

5. **Engineer**

Name: _____

Address: _____

Telephone/ E-mail: _____

6. **Land Surveyor**

Name: _____

Address: _____

Telephone/ E-mail: _____

7. **Land Trust Statute (Names and % interests of beneficial owners):**

Name: _____ **% Interest:** _____

Name: _____ **% Interest:** _____

Name: _____ **% Interest:** _____

Name: _____ **% Interest:** _____

(If in need of more space please attach a list to the back)

Required attachments:

1. **Copies of Minor Subdivision plat:** Three full sized copies of the Minor Subdivision 18" x 24".

*** Please refer to the packet attached to this application for all the general provisions requirements of a Minor Subdivision plat.**

- 2. Owner's Certificate:** The owner's certificate shall be dated and signed by the owner or the duly authorized attorney and notarized. The owner's certificate may be shown on the face of the plat or attached thereto.
- 3. Surveyor's Certificate:** Prepared in accordance with 765 ILCS, as amended and as may hereinafter be amended, including the surveyor's seal and statement that all monuments are set as shown.

Application is hereby made for the approval of a Minor Subdivision. **I understand that submittal of the application and plat does not guarantee approval by the Macomb Planning Commission or Board of Alderman.**

Signature of Applicant

Signature of Owner, (if different from Applicant)

Date

**RETURN COMPLETED FORM TO:
CITY OF MACOMB
COMMUNITY DEVELOPMENT OFFICE
SECOND FLOOR, CITY HALL
232 EAST JACKSON STREET
MACOMB, ILLINOIS 61455**

IF YOU HAVE ANY QUESTIONS ON COMPLETEING THIS FORM, PLEASE FEEL FREE TO CALL (309) 833 -4944

Secs. 17-187, 17-188. Reserved.

**DIVISION 1A. MINOR SUBDIVISION AND CERTIFICATE OF EXEMPTION
PROCEDURE**

- Sec. 17-189. Purpose and intent
- Sec. 17-190. Minor subdivision defined.
- Sec. 17-191. Minor subdivision application.
- Sec. 17-192. Distribution of minor subdivision for comment.
- Sec. 17-193. Approval of minor subdivision.
- Sec. 17-194. Conditional approval of minor subdivision.
- Sec. 17-195. Restriction on frequency of minor subdivision approval.
- Sec. 17-196. Certificate of exemption.
- Sec. 17-197. When certificate of exemption may apply.
- Sec. 17-198. Application.
- Sec. 17-199. Approval and issuance.
- Sec. 17-200. Reserved.

Sec. 17-189. Purpose and intent

- (a) *Purpose.* The purpose of this section is to establish the procedures and requirements for minor subdivisions and certificates of exemption.
- (b) *Intent of minor subdivision.* The intent of the administrative subdivision is to eliminate the requirement that all subdivision plats be approved by the city council under the following circumstances:
 - (1) The subdivision involves only a minor change in the configuration of land.
 - (2) The subdivision will not likely impact surrounding property in a manner significantly different than if the property had not been subdivided.
 - (3) The subdivision otherwise conforms to all other applicable regulations.

(Ord. No. 14-51, § 2, 12-1-14)

Sec. 17-190. Minor subdivision defined.

A minor subdivision is a division of land into two or fewer lots:

- (a) Which does not require, under these regulations, the design or construction of any public improvements, provided that if all required public improvements are in existence but do not meet current design standards, the community development

coordinator and public works director, or their designees, may approve a waiver of the design standards;

- (b) Which is in conformity with the comprehensive plan and zoning ordinance of the City or Macomb;
- (c) Which is otherwise in conformity with all applicable laws and regulations unless previously waived by the entity with jurisdiction; and
- (d) Which is located within the city or is otherwise under an annexation agreement which requires future annexation to the City of Macomb.

(Ord. No. 14-51, § 2, 12-1-14)

Sec. 17-191. Minor subdivision application.

- (a) *Presubmission.* Before submitting an application for a minor subdivision the applicant shall schedule an appointment with the community development coordinator, or said designee, to discuss the procedure for approval and all requirements that may apply.
- (b) *Submittal.* The subdivider shall submit a complete application for minor subdivision approval, together with all required documents and the subdivision review fee. The application shall be in the form as approved by the community development coordinator and the minor plat shall be in the form and with the contents specified as follows:

General Provisions:

- (1) The minor plat shall show reasonable conformity to the preliminary plat.
- (2) A three-inch × three-inch vertical blank space shall be provided in the upper right hand corner of all subdivision plats that are to be recorded, i.e. final plats, minor plats, replats, etc.
- (3) Name of subdivision.
- (4) Names, signatures and addresses of the property owner, developer or subdivider, engineer and land surveyor.
- (5) If the owner is a land trust then the beneficial owners and their percentage interests shall be disclosed in accordance with state statutes. This information must be submitted with the application, but does not have to appear on the face of the plat.
- (6) Standard engineering scale (not greater than 1 in. = 100 ft.). Standard Engineering Scale shall be one of the following: 1 in. = 10 ft.; 1 in. = 20 ft.; 1 in. = 30 ft.; 1 in. = 40 ft.; 1 in. = 50 ft.; 1 in. = 60 ft.; 1 in. = 100 ft. (Note: The plat shall be drawn at such a scale and limited to essential information such that it will be readable and uncluttered.)
- (7) North arrow.
- (8) Date of preparation, including most recent revision.
- (9) The location of the subdivision expressed in each of the following ways:

- a. By quarter section, section, township, range, county and state;
 - b. By distances and bearings from the astronomic or assumed north with reference to a corner or corners established in the United States Public Land Survey System; and
 - c. By a graphically depicted and a written legal description of the exterior boundaries of the subdivision.
- (10) The description and location of all survey monuments.
 - (11) Survey data sufficient to reproduce any line or re-establish any monument in the subdivision.
 - (12) All highways, streets, alleys, blocks, lots, parcels, public grounds, easements and rights-of-way within, or adjacent to, the subdivision and all required access control zones. Proposed street names shall be coordinated with the city clerk, and if necessary any additional city personnel.
 - (13) The length of all boundary lines of all streets, blocks, lots, public grounds, easements, rights-of-way and information sufficient to derive the length of these lines. Where the boundary line is an arc of a circle, the radius and the length of the arc shall be shown. All dimensions shall be shown to hundredths of a foot, except in the case of riparian boundaries, which may be shown to the nearest foot.
 - (14) The width of all rights-of-way and easements adjacent to, impacting or serving the subdivision and all detention basins within an adequate distance, as defined by the community development coordinator and public works director.
 - (15) Floodplain information if applicable.
 - (16) Easements or lands dedicated to the public for channel maintenance purposes.
 - (17) Lot numbers shall be consecutive and contain a minimum of three digits, with alphabetic extensions as necessary, in subdivisions that contain more than one phase.
 - (18) A proposed addressing scheme shall be shown on the plat for all platted lots. The street addresses shall be assigned by the city clerk.
 - (19) The following notation:

"The property subdivided is within the corporate limits of the City of Macomb," or "The property subdivided is within 1-1/2 miles of the corporate limits of the City of Macomb."

- (20) An owner's certificate, stating that the owner of the land described in the attached plat is the sole owner of the land and has caused the land to be surveyed. The owner's certificate shall be dated and signed by the owner or the duly authorized attorney and notarized. The owner's certificate may be shown on the face of the plat or attached thereto.
- (21) The surveyor's certificate prepared in accordance with 765 ILCS, as amended and as may hereinafter be amended, including the surveyor's seal and statement that all monuments are set as shown. The surveyor's certificate shall be shown

on the face of the plat.

(22) The location of all public improvements required by the regulations and a statement that the improvements do meet current design standards, or if they do not, the extent to which the improvements do not meet current design standards.

(23) The minor subdivision plat shall also include the following signature block:

APPROVED:

Approval of the minor subdivision plat is hereby recommended under the authority as granted by the City Council of the City of Macomb.

Date: _____

By: _____

Community Development Coordinator

Date: _____

By: _____

Public Works Director

Date: _____

By: _____

Mayor

Date: _____

By: _____

City Clerk

(c) *Conditional approval.* The owner may designate in the application that he/she seeks conditional approval of the minor subdivision subject to the design and construction required public improvements only as specified by the owner. Such public improvements shall be noted on the plat and included in the application as planned for construction. Construction plans for the improvements shall be submitted with the plat.

(d) *Subsidiary drainage plat.* The owner shall submit with the minor plat a "Subsidiary Drainage Plat" in accordance with the Plat Act, 765 ILCS 205/0.01 et. seq., as amended from time to time.

(Ord. No 14-51, § 2, 12-1-14)

Sec. 17-192. Distribution of minor subdivision for comment.

(a) *Internal distribution.* The community development coordinator shall distribute, within five working days of receipt of a complete application for minor subdivision approval and all required documents, a copy of the application and minor subdivision plat or affidavit for certificate of exemption to the public works director, the building inspector and the city attorney.

(b) *Outside distribution.* The community development coordinator shall forward copies of the minor plat to the agencies to whom the community development

coordinator distributes preliminary plats, as necessary, unless written approval from such entity is submitted with the application. Outside agencies shall submit written comments within ten working days of receipt unless granted a longer period by statute or the community development coordinator.

- (c) *Public notice.* The community development coordinator or their designee shall post a sign on the property subject to the application for minor subdivision approval within one business day of receiving the application. The sign is to be posted in a location where it shall be conspicuous and viewable to the public and shall designate the property as being subject to a pending application for minor subdivision with the City of Macomb. If 70 percent of the record property owners of property within 250 feet of the subject property sign a petition as provided by the office of building and zoning objecting to the proposed minor subdivision and submit this petition to the community development coordinator within 14 days of the posting of the sign then the minor subdivision application shall be denied and the application shall be subject to the Chapter 17, Article IV, Division 1 Subdivision Procedure.

(Ord. No. 14-51, § 2, 12-1-14)

Sec. 17-193. Approval of minor subdivision.

- (a) *Time for approval.* The Community development coordinator, with concurrence from public works director shall approve or disapprove the minor subdivision plat and the city attorney shall approve the form of the owner's certificate within 30 working days, or such extended period as may be required for approval by other entities, of the receipt of a complete application for minor subdivision approval, all required documents and subdivision fee. If it is not approved within this time period, unless the applicant requests that action be delayed, the minor subdivision shall be deemed to have been disapproved. If a minor subdivision is not approved, the community development coordinator should notify the owner in writing within seven days of denial.
- (b) *Approval.* When the community development coordinator, with concurrence from public works director finds that the minor subdivision plat meets the criteria for a minor subdivision set forth in these regulations for a minor subdivision and the fees have been paid, then the community development coordinator shall approve the minor subdivision plat. The signature of the community development coordinator, public works director, mayor and city clerk on the plat shall be evidence of these approvals.
- (c) *Length of time approval valid.* Unless the minor subdivision plat has been recorded within 90 days of final written approval with the McDonough County Recorder's Office, the approval shall be null and void.

(Ord. No. 14-51, § 2, 12-1-14)

Sec. 17-194. Conditional approval of minor subdivision.

- (a) *Conditional approval.* If the community development coordinator, with concurrence from public works director, finds that the minor subdivision plat

meets the criteria set forth in these regulations for a minor subdivision, including payment of all fees, except that required public improvements noted in the minor subdivision plat application as planned for installation are not yet installed, and the city attorney finds that the owner's certificate is satisfactory in form, then the community development coordinator shall conditionally approve the minor subdivision plat. Such approval shall be conditioned upon the design and construction of the required public improvements within ninety (90) days of the date of conditional approval.

- (b) *Construction of public improvements.* If the owner submits satisfactory proof of design and construction of said public improvements within 90 days of the date of conditional approval, and the public works director shall determine that said public improvements now meet current design standards, then the community development coordinator, public works director, mayor and city clerk shall approve the minor subdivision in accordance with these regulations. If such proof is not submitted within 90 days, then the conditional approval shall lapse and the application for minor subdivision approval shall be considered denied.
- (c) *Sidewalk waiver.* If sidewalks do not exist within or adjacent to the proposed minor subdivision as required by these regulations, an administrative waiver from immediate sidewalk construction may be requested, and alternate development agreements may be required. The decision to grant the sidewalk waiver shall be made by the community development coordinator, with concurrence from public works director.

(Ord. No. 14-51, § 2, 12-1-14)

Sec. 17-195. Restriction on frequency of minor subdivision approval.

The same property may not be subdivided by use of the minor subdivision approval process more frequently than once in any five-year period.

(Ord. No. 14-51, § 2, 12-1-14)

Sec. 17-196. Certificate of exemption.

The certificate of exemption is intended to allow minor conveyances of property between contiguous land owners through an administrative review process.

Sec. 17-197. When certificate of exemption may apply.

The owner of subdivided land may apply for a certificate of exemption if:

- (a) The total acreage of the parcel or parcels to be divided is less than one acre;
- (b) The change in any one existing lot or parcel is no more than 25 feet wide on any side at any point;
- (c) The land removed from one parcel or lot and affixed to another does not exceed 10,000 square feet;
- (d) The total number of lots is not increased from the number existing prior to the subdivision;

- (e) The land division is exempt from the plat requirements of the Plat Act, 765 ILCS 205/0.01 et. seq.; and
- (f) The land is public acquisition for the widening of existing streets or for constructing other public works.

(Ord. No. 14-51, § 2, 12-1-14)

Sec. 17-198. Application.

- (a) *Affidavit.* The application for minor subdivision shall be accompanied by an affidavit for certificate of exemption that shall be signed by the owner and state that the minor subdivision meets the requirements for a certificate of exemption. It shall be accompanied by:
 - (1) A sketch showing the proposed division;
 - (2) Name of the proposed subdivision;
 - (3) Legal description of the proposed lots after the subdivision;
 - (4) Legal description of the proposed lots before the subdivision;
 - (5) The current permanent index numbers assigned by the County Assessor to the existing lot(s).

The form of the affidavit may be prescribed by the community development coordinator and approved by the city attorney.

- (b) *Utility approval.* All utility companies and public entities with roads, sewers, drainage facilities or easements within or adjacent to the proposed area to be platted must approve the configuration of the proposed subdivision and must be submitted with the affidavit for a certificate of exemption.

(Ord. No. 14-51, § 2, 12-1-14)

Sec. 17-199. Approval and issuance.

- (a) The community development coordinator, with concurrence from the public works director, shall approve the affidavit for certificate of exemption and the city attorney shall approve the form of the owner's certificate within ten working days of receipt of a complete application, documents and subdivision fee. If it is not approved within this time period, unless the applicant requests that action be delayed, the certificate of exemption shall be deemed to be disapproved. If not approved, the Community development Coordinator shall notify the owner in writing within seven days of denial.
- (b) When the community development coordinator, with concurrence from the public works director, finds the certificate of exemption meets the criteria for approval, then the community development coordinator shall approve the certificate of exemption on behalf of the city council. Their signatures on the certificate of exemption shall be evidence of its approval.
- (c) If the certificate of exemption has not been recorded with the McDonough

County Recorder's Office within 90 days of approval, it shall be null and void.

- (d) The certificate of exemption shall not be recorded except contemporaneously with deeds indicating the transfer of the parts of the existing lot(s) as approved by the minor subdivision. However, the certificate of exemption may be issued to correct deeds previously recorded. The certificate shall recite sufficient information to identify the deeds which created the subdivision to which it relates and may be recorded.

(Ord. No. 14-51, § 2. 12-1-14)

Sec. 17-200. Reserved.

DIVISION 2. PLANNED UNIT DEVELOPMENTS

Sec. 17-201. Purpose and intent.

Sec. 17-202. Guidelines.

Sec. 17-203. Exceptions from district regulations.

Sec. 17-204. Procedure.

Sec. 17-205. Schedule of construction.

Sec. 17-206. Recording of final plan.

Sec. 17-207. Contents of applications.

Secs. 17-208—17-220. Reserved.

Sec. 17-201. Purpose and intent.

Planned development regulations allows for development of innovative design by permitting some relaxation of the requirements of the underlying zone district regulations and of the subdivision regulations. A planned development is a special use that may be granted by the city council should it determine that the planned development is in the best interest of the community and complies with all the standards established in this chapter.

The intent of the planned development option is to:

- (1) Afford greater choice in the types of development available to the public by allowing a development that would not be possible under the strict application of the other requirements of this chapter;
- (2) Allow for a more creative approach to the use of land and related physical facilities that results in better development, design and the construction of aesthetic amenities;
- (3) Promote preservation of common open space and provide more usable and suitably located recreation areas and facilities;
- (4) Encourage a pattern of development to preserve natural vegetation, topographic and geographic features; and architectural and historic landmarks;