



BURR RIDGE SUBDIVISION ORDINANCE

SECTION I PURPOSE AND JURISDICTION

A. Purpose

Because each new subdivision accepted by the Village becomes a permanent unit in the basic physical structure of the future community, and to which the future community will, of necessity, be forced to adhere, all subdivisions hereafter planned within the jurisdictional boundaries established herein, shall, in all respects, be in full compliance with the regulations hereinafter contained in this ordinance. These regulations are designed to provide for the orderly and harmonious development of the Village, for the coordination of streets within new subdivisions with other existing or planned streets, to secure a uniform system of utilities and services, to guide, regulate and control the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or otherwise results in the movement of earth on land situated in the Village, and otherwise to promote realization of the Comprehensive Plan. In particular, the Subdivision Ordinance of the Village of Burr Ridge is for:

- (a) implementation of the Village of Burr Ridge Comprehensive Plan;
- (b) establishing reasonable standards of design for subdivisions and for resubdivision of unimproved land and of areas subject to redevelopment;
- (c) establishing reasonable requirements governing the location, width, course, and surfacing of public streets, highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, storm water drainage, water supply and distribution, and sanitary sewers and sewage collection and treatment;
- (d) establishing procedures for approval and recording of plats;
- (e) imposition of costs, expenses, and fees of reviewing and processing plats; and
- (f) providing for enforcement and for imposition of penalties for violations in accordance with authority vested in the municipality under the provisions of the applicable Statutes of the State of Illinois, be and hereby is adopted as part of the Comprehensive Plan of the Village of Burr Ridge as follows:



B. Jurisdiction

1. Extraterritorial Jurisdiction

The Subdivision Ordinance of the Village of Burr Ridge is applicable to lands situated within the corporate limits and contiguous areas lying within one and one-half miles beyond the corporate limits and not included in any municipality.

2. Exemptions for Certain Land Divisions

- a. As per this Ordinance and the Illinois Plat Act, No. 765 ILCS 205/1 et. seq., the following shall not be considered a subdivision and shall be exempt from the requirements of this Ordinance:
 - i. the division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;
 - ii. the division of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access;
 - iii. the sale or exchange of parcels of land between separate owners of adjoining and contiguous land, but not including adjoining and contiguous lots or parcels under single ownership (the term "owners" and the term "single ownership" shall include all situations where the ownership interest, and/or any beneficial interest in a land trust, are held by the same individual(s), including any situation where adjoining and contiguous lots are held by either individual(s), and/or land trust(s) with the same beneficial interest holders, and/or by a corporation where the owner(s) of adjoining and contiguous land [either as an individual(s) and/or as the holder of a beneficial interest in a land trust] have a majority stock interest in said corporation)."
 - iv. the conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
 - v. the conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
 - vi. the conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
 - vii. conveyances made to correct descriptions in prior conveyances;



- viii. the sale or exchange of parcels or tracts of land following the division into no more than 2 parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access; and
 - ix. the sale of a single lot of less than 5 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and not involving any new streets or easements of access. (Amended by Ord. A-894-01-03)
- b. For purposes of determining the meaning of any of the exemptions provided for herein, in order to protect and promote the public health, safety and welfare such exemptions shall be strictly construed in favor of requiring subdivision or resubdivision under this Ordinance. Further, the term "lot" shall not be construed to mean the same as "parcel" or "tract", it being the intention that if a lot is in common ownership with adjoining and contiguous land (regardless of whether such adjoining land is a recorded lot), that such lot and adjoining and contiguous land shall constitute a single "parcel" or "tract" of land as those terms are used in the above exemptions.
- c. A property owner seeking an exemption under the terms herein described shall submit a written opinion to the Community Development Director describing which of the above exemptions apply to the proposed land division along with a graphic depiction of the proposed land division, a Plat of Survey depicting existing conditions of the property, and a tract search for the property. The Community Development Director shall provide a written response indicating if the land division is subject to the Subdivision Ordinance or is exempt.

C. Validity

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

D. Repeal of Conflicting Ordinances

All Ordinances or parts in conflict with the provisions of this ordinance are hereby repealed.



BURR RIDGE SUBDIVISION ORDINANCE

SECTION II RULES AND DEFINITIONS

A. RULES

The language set forth in the text of this ordinance shall be interpreted in accordance with the following rules of construction:

1. the singular number includes the plural and the plural the singular;
2. the present tense includes the past and future tenses and the future the present;
3. the word "shall" is mandatory, while the word "may" is permissive;
4. the masculine gender includes the feminine and neuter;
5. whenever a word or term defined hereinafter appears in the text of this ordinance, its meaning shall be construed as set forth in the definition thereof, and any word appearing in parenthesis directly after a word herein defined shall be construed in the same sense as that word; and
6. the following words and terms, wherever they occur in this ordinance, shall be construed as herein defined.

B. DEFINITIONS

1. **ALLEY** is a right-of-way that affords secondary means of access to properties abutting upon a street.
2. **BLOCK** is a tract of land bounded by streets, or by a combination of streets and public parks, railroad rights-of-way, or other similar natural boundaries. A block may be located in part beyond the boundary lines of the corporate limits of the Village.
3. **BOARD OF TRUSTEES** is the President and Board of Trustees of the Village of Burr Ridge, Illinois.
4. **BUILDING COMMISSIONER** is the Building Commissioner of the Village of Burr Ridge, Illinois, or a duly authorized representative of the Building Commissioner.



5. **BUILDING PERMIT** is a permit issued by the Village of Burr Ridge in accordance with the Village of Burr Ridge Building Ordinance, No. 860 for the construction, erection or alteration of a structure or building.
6. **BUILDING SETBACK LINE** is a line within a lot or other parcel of land, which denotes the required setback for buildings on a lot as per the Village of Burr Ridge Zoning Ordinance, No. 834.
7. **CERTIFY or CERTIFICATION** means formally attesting that the specific inspections and tests where required have been performed, and that such tests comply with the applicable requirements of this Ordinance.
8. **COMMUNITY DEVELOPMENT DIRECTOR** is the Community Development Director of the Village of Burr Ridge hired and appointed by the Village of Burr Ridge Board of Trustees.
9. **COMPREHENSIVE PLAN** refers to the composite of the functional and geographic elements of the Official Comprehensive Plan of the Village of Burr Ridge and Environs of any segment thereof, in the form of plans, maps, charts, text of reports, implementing ordinances, and the Official Map.
10. **CONSTRUCTION PERIOD**, see Subdivision Improvement Period.
11. **CUBIC YARDS** means the amount of material in excavation and/or fill measured by the method of "average end areas."
12. **CUL-DE-SAC** is a minor street with a single outlet and having the other end for the reversal of traffic (i.e. a turnaround).
13. **DETENTION BASIN (OR POND)** is a man-made or natural water collector facility designed to collect surface and sub-surfaced water in order to impede its flow and to release the same gradually at a rate not greater than that prior to the development of the property, into natural or man-made outlets.
14. **DEVELOPER** is any person, firm, association, partnership, private corporation, public or quasi-public corporation, or a combination of any of them, or other legal entity having sufficient proprietary interest in the land sought to be subdivided or divided to commence and maintain proceedings under the provisions of this ordinance and that under the authority of the property owner intends to subdivide, construct subdivision improvements, and subsequently to improve or sell individual lots.
15. **EASEMENT** is a quantity of land set aside over or under which a liberty, privilege, or advantage in land without profit is dedicated and is distinct from ownership of the land or is granted either to the public, a particular person, or a combination of both.



16. **ENGINEERING PLAN(S)** is a drawing or set of drawings, drawn to an engineer's scale and prepared by an Illinois Professional Engineer, that graphically depicts the location, design, and construction of the improvements for a proposed subdivision including but not limited to streets, sidewalks, utilities, stormwater management facilities, and similar subdivision improvements.
17. **EXCAVATION** means any act by which organic matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.
18. **EXISTING GRADE** means the vertical location of the existing ground surface prior to excavation or filling.
19. **FILL** means any act by which earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported or moved by man to a new location and shall include the conditions resulting therefrom.
20. **FINAL GRADE** means the vertical location of the ground or pavement surface after the grading work is completed in accordance with the site development plan.
21. **FINAL PLAT** is a map or plan of all or a portion of a subdivision and any accompanying material which is presented for final approval by the Village.
22. **FRONTAGE ROAD** is a minor street which is parallel to and either adjacent to or within the right-of-way of a thoroughfare.
23. **GRADING** means excavation or fill or any combination thereof and shall include the conditions resulting from any excavation or fill.
24. **HALF STREET** is a street or right-of-way of less than the total required width.
25. **IMPROVEMENT** is any man-made, immovable item that becomes part of, placed upon, or is affixed to, real estate.
26. **IMPROVEMENT PERIOD** see Subdivision Improvement Period.
27. **LAND IMPROVEMENT** see Subdivision Improvement.
28. **LANDSCAPING PLAN(S)** is a drawing or set of drawings, drawn to an engineer's scale and prepared by a qualified landscape architect, professional engineer, or other qualified person or firm, that graphically depicts the location, design, and construction of common landscaping improvements for a proposed subdivision including but not limited to trees, bushes, ground covers, flowers, entryway signs, subdivision fences and walls, and similar landscape improvements.
29. **LETTER OF CREDIT** is a definite financial undertaking that complies with the requirements of Article 5 of the Illinois Commercial Code, that guarantees that the



- improvements required as part of an application for subdivision are satisfactorily completed.
30. **LOT** is a designated parcel, tract, or area of land established by a plat of subdivision intended for transfer of ownership or for building development.
 31. **LOT AREA** is the size of a lot measured within the lot lines and expressed in terms of acres or square feet.
 32. **LOT, BUTT** is a lot at the end of a block and located between two corner lots.
 33. **LOT, CORNER** is a lot that has at least two sides abutting for their full lengths upon streets or as otherwise defined by the Burr Ridge Zoning Ordinance, No. 834.
 34. **LOT FRONTAGE** is that portion of a lot extending along a street line.
 35. **LOT, THROUGH** is a lot which has a pair of opposite lot lines along two substantially parallel streets.
 36. **MAINTENANCE PERIOD**, see Subdivision Maintenance Period.
 37. **MINOR STREET**, see Local Street
 38. **NATURAL DRAINAGE** means channels formed in the existing surface topography of the earth prior to changes made by unnatural causes.
 39. **RESTRICTED ACCESS STRIP** is a land area located along a lot line abutting a street within which no vehicular driveway shall be permitted.
 40. **OUTLOT** is a designated parcel, tract, or area of land established by a plat of subdivision intended for common use or ownership including but not limited to stormwater detention and retention ponds.
 41. **OWNER, PROPERTY** is the legal title holder of the property to be subdivided and developed
 42. **PARCEL** means all contiguous land in one ownership.
 43. **PARKWAY** is the unpaved strip of land within a street right-of-way and parallel to the roadway.
 44. **PATHWAY** is a hardsurfaced path designated for pedestrian and bicycle use and typically located in public parks, pathway easements, or similar publicly accessed areas. A pathway is distinguished from a sidewalk in that pathways are typically not located parallel to a public street.



45. **PEDESTRIAN WAY** is a right-of-way across or within a block designated for pedestrian use.
46. **PERFORMANCE GUARANTEE**, see Letter of Credit.
47. **PERMITTEE** means any person to whom a site development permit is issued.
48. **PERSON** means any individual, firm or corporation, public or private, the State of Illinois and its agencies or political subdivisions, and the United States of America, its agencies and instrumentality's, and any agent, servant, officer or employee of any of the foregoing.
49. **PLAN COMMISSION** is the Burr Ridge Plan Commission.
50. **PRELIMINARY PLAT** is a tentative map or plan of a proposed subdivision as described herein.
51. **PUBLIC IMPROVEMENT** see Subdivision Improvement
52. **REMOVAL** means cutting vegetation to the ground or stumps, complete extraction, or killing by spraying.
53. **RETAINING WALL** is a structure erected between lands of different elevation and to protect structures and/or to prevent washing down or erosion of earth from the upper slope level.
54. **RETENTION BASIN** is a pond or pool of water used for the permanent storage of water run-off.
55. **RIGHT-OF-WAY** is a strip of land occupied or intended to be occupied by a street, sidewalk, railroad, road, electric transmission line, gas pipeline, utility main, or another special purpose.
56. **ROADWAY** is the actual road surface area between curb faces, which may include lanes for travel, parking, deceleration, and acceleration. Where there are no curbs, the roadway is that portion between the edges of the paved, or hardsurfaced, width.
57. **SIDEWALK** is a hardsurfaced path designated for pedestrian use and usually located parallel and at the side of a roadway.
58. **SIDE-STRIP** see Parkway.
59. **SITE** means a lot or parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.
60. **SITE DEVELOPMENT** means altering terrain and/or vegetation and constructing improvements.



61. **SPECIAL MANAGEMENT AREA** is any area located in Du Page County, which consists of wetlands, floodplain, or riparian areas as defined in Article 2, Section 15-17 of the Du Page County Stormwater Ordinance.
62. **STORMWATER MANAGEMENT FACILITIES** includes detention basins, retention basins, storm sewer pipes, restrictors, swales, ditches, and all other related improvements and grading intended for the control, storage, and release of stormwater run-off.
63. **STREET** is a public or private right-of-way or easement, improved with a hardsurfaced roadway suitable for two-directional vehicular traffic which affords primary means of access by pedestrians and vehicles to abutting properties, whether designated as a street, avenue, highway, road, boulevard, or however otherwise designated.
64. **STREET, ARTERIAL** is a street designated as an arterial by the Burr Ridge Comprehensive Plan and designed with the function of providing major traffic movement between communities and which serves as a major traffic artery connecting various sections of the Village of Burr Ridge.
65. **STREET, COLLECTOR** is a street designated as a collector by the Burr Ridge Comprehensive Plan and that carries traffic from minor streets to arterial streets, including the principal entrance streets of residential developments and the principal streets for circulation within such a development.
66. **STREET, LOCAL** is a street of limited continuity. Its primary purpose is to serve abutting properties.
67. **STREET STUB** is a street or portion of a street which has a single outlet (i.e. dead-end street) but which is intended for future extension.
68. **STREET WIDTH** is the shortest distance between the improved edges of a given street.
69. **STRIPPING** means any activity which removes the vegetative surface cover including tree removal, clearing, and storage or removal of top soil.
70. **SUBDIVIDER** see Developer.
71. **SUBDIVISION** is a described area of land that is to be, or has been divided into, two or more parts and as described in the State of Illinois Plat Act. The term "subdivision" includes resubdivision, Planned Unit Developments, and, where it is appropriate to the context, the process of subdividing.
72. **SUBDIVISION DESIGN STANDARDS** are the minimum standards set forth in this ordinance, in conformance with which subdivision shall be designed and developed.



73. **SUBDIVISION ENTRYWAY MONUMENTS** are structures including but not limited to fence pillars or wall sections that are located at the entrances to a subdivision and that delineate or highlight the subdivision entryway.
74. **SUBDIVISION FENCES** are fences within a subdivision fence easement, commonly owned and maintained by property owners within a subdivision, and generally located to separate side and rear yards of private lots from thoroughfares.
75. **SUBDIVISION IMPROVEMENT** is any improvement including any sanitary sewerage system, storm sewer, stormwater retention or detention area, water supply and distribution system, roadway, side-strip, sidewalk, pedestrian way, no-access strip, off-street parking area, or other improvement which the Village of Burr Ridge may require under this Ordinance. Further, any improvement that is required to be installed under this Ordinance to service a particular subdivision shall be included in the definition of "Subdivision Improvement(s)" regardless of whether the Village may allow it to remain owned or controlled by someone other than the Village.
76. **SUBDIVISION IMPROVEMENT PERIOD** is the time period (typically 2 years) following the recording of a Plat of Subdivision and preceding the Subdivision Maintenance Period which is allotted for construction of required subdivision improvements.
77. **SUBDIVISION MAINTENANCE PERIOD** is the time period (typically 2 years) following the acceptance of subdivision improvements by the Board of Trustees in which the developer remains responsible for the maintenance of subdivision improvements.
78. **SUBDIVISION PLAN** is a scaled drawing depicting the layout of a proposed subdivision including streets, common space, and private lots. A subdivision plan may be presented in the form of an informal sketch, a preliminary plat of subdivision, or a final plat of subdivision.
79. **THOROUGHFARE** is a street designated by the Comprehensive Plan as a highway, arterial, or collector street said street having a high degree of continuity and serving as an arterial trafficway between the various districts of Burr Ridge and its environs.
80. **TURNAROUND, TEMPORARY** is a hardsurfaced portion of a street located at the closed end of a street stub that provides an area for motor vehicles to turnaround within the public right-of-way or within a temporary turnaround easement.
81. **VACANT** means land on which there are no structures or only structures which are secondary to the use or maintenance of the land itself.
82. **VILLAGE** means the Village of Burr Ridge, Cook and DuPage Counties, Illinois.
83. **VILLAGE CLERK** is the Village Clerk of the Village of Burr Ridge, Illinois.



84. **VILLAGE ENGINEER** is a professional engineer, registered in the State of Illinois, who has been duly appointed as the Village Engineer by the Board of Trustees, or who has been hired by the Village as its consulting engineer.
85. **VILLAGE FORESTER** is a person with expertise and experience in the field of landscape architecture or forestry and who has been duly appointed as the Village Forester by the Board of Trustees or who has been hired by the Village as its consulting forester.



BURR RIDGE SUBDIVISION ORDINANCE

SECTION III ADMINISTRATION

A. Administrative Bodies and Functions: The administration of this ordinance is hereby vested in the following offices of the Village of Burr Ridge:

1. Board of Trustees
2. Plan Commission
3. Community Development Director
4. Village Engineer
5. Village Forester
6. Pathway Commission

B. Administrative Authorities and Duties

1. Village of Burr Ridge Board of Trustees

The Board of Trustees of the Village of Burr Ridge, hereinafter referred to as the "Village Board" or "Board of Trustees", as established in accordance with the Revised Statutes of the State of Illinois, shall have the following authority and duties with respect to this ordinance.

- a. Receive recommendations from the Plan Commission concerning preliminary plats of subdivision; review final plats of subdivision; and to approve or disapprove all such requests.
- b. Review all variations from this Ordinance and to approve or disapprove all such requests.
- c. Review all text amendments to this Ordinance and approve or disapprove all such requests.

2. Village of Burr Ridge Plan Commission

The Plan Commission of the Village of Burr Ridge has been created as per Chapter 3, Article I of the Burr Ridge Municipal Code. Said Plan Commission has the following authority and duties relative to this ordinance:

- a. Review all applications for preliminary plats, hold public meetings thereon, and report findings and recommendations to the Village Board.



- b. Review all applications for companion variations made as part of an application for preliminary plat approval and report findings and recommendations to the Village Board.
 - c. Oversee the enforcement of this ordinance with the Official Comprehensive Plan and its amendments.
3. Community Development Director

The Village of Burr Ridge has established the position of Community Development Director and the authority and duties of the Community Development Director (or the Director's duly authorized representative) relative to this ordinance shall be as follows:

- a. Review and process all matters going before the Plan Commission or Board of Trustees relative to this ordinance;
- b. Coordinate staff review of all plats and related documents relative to compliance with this Ordinance;
- c. Ensure compliance with all regulations of this ordinance and all plats and related documents as approved by the various administrative bodies described in this ordinance;
- d. Issue notices and citations for violations of the terms of this ordinance and require that construction work be stopped when such work is not in compliance with this ordinance;
- e. Maintain records of plats and other documents related to this ordinance;
- f. Assist in providing public information relative to this ordinance;
- g. Initiate, direct, and review, from time to time, a study of the provisions of this ordinance, and make a report of recommendations to the Plan Commission and Board of Trustees.
- h. Perform all other duties as prescribed herein.

4. Village Engineer

The Village of Burr Ridge has established the position of Village Engineer and the authority and duties of the Village Engineer (or the Village Engineer's duly authorized representative) relative to this ordinance shall be as follows:

- a. Review all preliminary plats, engineering plans, and final plats to ensure that all subdivision improvements comply with the regulations of this Ordinance.



- b. Upon determination of compliance, approve all final plat engineering plans to ensure compliance with the regulations of this Ordinance.
- c. Conduct inspections as needed during the construction of public improvements to ensure compliance with the regulations of this Ordinance and provide inspection reports to the Community Development Director as may be needed;
- d. Assist in providing public information relative to this ordinance;

5. Village Forester

The Village of Burr Ridge has established the position of Village Forester and the authority and duties of the Village Forester (or the Village Forester's duly authorized representative) relative to this ordinance shall be as follows:

- a. Review all preliminary plats, landscaping plans, and final plats to ensure that proposed landscaping complies with the regulations of this Ordinance.
- b. Upon determination of compliance, approve all final landscaping plans to ensure compliance with the regulations of this Ordinance.
- e. Conduct inspections as needed during the construction of public improvements to ensure compliance with the regulations of this Ordinance and provide inspection reports to the Community Development Director as may be needed.
- c. Assist in providing public information relative to this ordinance.

6. Pathway Commission

The Pathway Commission of the Village of Burr Ridge has been created as per Chapter 3, Article IV of the Burr Ridge Municipal Code. Said Pathway Commission has the following authority and duties relative to this ordinance:

- a. Review all subdivisions for compliance with the Village's hardsurfaced pathway master plan and hold public meetings thereon.
- b. Make recommendations to the President and Board of Trustees regarding location of pathways and sidewalks within subdivisions and for waiver of required sidewalks in lieu of pathway fund donations.

C. Variations

- 1. An application for a variation of the terms of this ordinance may be made by any person, firm or corporation, or by any office, department, board, bureau, or commission requesting or intending to request a Plat of Subdivision in accordance with this Ordinance. Said application shall be submitted on forms approved by the Community



Development Director and shall be accompanied by supporting documentation as may be required by the Community Development Director.

2. Any request for variation of this Ordinance shall be submitted to the Community Development Director for processing and submittal to the Plan Commission. The application for variation shall be submitted at least two weeks prior to a regularly scheduled Plan Commission meeting unless otherwise stipulated by the Community Development Director.
3. The Plan Commission may recommend variations from the requirements of this ordinance in specific cases which, in its opinion, do not adversely affect the Comprehensive Plan or intent of this ordinance. Such recommendations shall be communicated to the Board of Trustees or governing county authorities in writing substantiating the recommended variation. The Board of Trustees may approve variations from the requirements of this ordinance when, in its opinion, such variations will not adversely affect the Comprehensive Plan or the intent of this ordinance.
4. The Board of Trustees shall not approve variations that result in requirements less than required by the DuPage or Cook County Subdivision Regulations Ordinance for subdivisions located in the unincorporated areas under the extra-territorial jurisdiction of this ordinance.

D. Enforcement

1. **Subdivision Plats:** No plat of any subdivision shall be entitled to be recorded in the Recorder's Office or have any validity until it shall have been approved in a manner prescribed in this ordinance. The Community Development Director is hereby appointed as the enforcing officer of this ordinance, and it shall be the Director's duty to enforce the provisions hereof. The Community Development Director may call upon any department or official of the Village to furnish such information and assistance as he may be deemed necessary for the observance or enforcement of this ordinance, and it shall be the duty of such department or officer to furnish such information and assistance whenever required.
2. **Planned Unit Developments:** All planned unit developments granted under the provisions of the Burr Ridge Zoning Ordinance shall also be considered and deemed to be subdivisions for all the purposes of this Subdivision Ordinance and shall be under the jurisdiction of this Subdivision Ordinance, except where the context clearly indicates otherwise, and all required subdivision improvements provided for in this Ordinance shall be required in said planned unit developments except as may otherwise be provided for in the Village ordinance granting the special use for any such planned unit developments.

All planned unit developments in unincorporated Cook and DuPage Counties shall also be considered and deemed to be subdivisions for all the purposes of this Subdivision Ordinance and shall be under the jurisdiction of this Subdivision



Ordinance if any portion of any such planned unit development is within 1-1/2 miles of the Village's boundaries.

E. Record of Plats

All such plats of subdivision, after the same have been submitted and approved as provided in this ordinance, shall be filed and kept by the Community Development Director among the records of the Village.

F. Validity

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not effect the validity of the remaining portions of this Ordinance.

G. Violation and Penalty

Any person, firm or corporation who violates, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance, shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each offense. Every such person or corporation shall be deemed guilty of a separate offense for every day on which such violation, neglect or refusal shall continue.



BURR RIDGE SUBDIVISION ORDINANCE

SECTION IV PROCEDURES FOR REVIEW OF PROPOSED PLATS OF SUBDIVISION

A. General Procedures for Plats of Subdivisions

1. Request for Plat of Subdivision Required

Before subdividing any tract or parcels of land in the Village and the unincorporated areas within one and one-half miles beyond the Village limits, an owner or subdivider shall submit a request for subdivision to be acted upon by the Village authorities in accordance with the procedures and requirements described herein. Said request shall include the name, address, and other contact information for the developer of the subdivision, the project engineer, project landscape architect, and other professionals preparing plans for the subdivision. The developer shall be the owner or duly authorized representative of the owner.

2. Informal Review by Plan Commission

The review process for a plat of subdivision shall begin with submittal of a sketch plan for informal review by the Community Development Director and the Plan Commission. The sketch plan shall depict the proposed arrangement and dimensions of lots and streets within the subdivision, a tree survey and tree preservation plan as per Section IX.F herein, a topographic survey of the area, the surrounding street system, and the arrangement of lots and buildings adjacent to the property being subdivided. The Community Development Director may waive the informal review if the Plan Commission previously approved a subdivision plan in conjunction with an annexation, rezoning petition, or similar action.

3. Preliminary Plat Review

After the informal review by the Plan Commission, a preliminary plat may be submitted. The preliminary plat shall follow the procedures outlined herein.

4. Waiver of Preliminary Plat

The preliminary plat requirements of this ordinance may be waived by the Community Development Director if the Community Development Director determines that the subdivision will not adversely impact the character of the surrounding area and if the subdivision complies with any one of the following circumstances:



- a. The proposed subdivision is a resubdivision of previously subdivided property previously subdivided in compliance with the requirements of this Ordinance; and the Village Engineer certifies that: 1) all subdivision improvements required by this Ordinance have been installed; 2) such improvements have been accepted by the Village and any other governmental body with jurisdiction over the improvements; 3) no fault exists with respect to maintenance of such improvements; and 4) adequate provision has been made for storm water management in accordance with this Ordinance and any other applicable law, regulation or ordinance.
- b. The subdivision does not include any new streets or easements of access and the proposed subdivision complies with the Village of Burr Ridge Zoning Ordinance and Comprehensive Land Use Plan.
- c. The subdivision is in substantial compliance with a subdivision plan approved by the Board of Trustees as part of a Planned Unit Development, Annexation Agreement, or similar approval.

5. Final Engineering and Landscaping Plan Review

Upon approval of the preliminary plat of subdivision, the developer may submit final engineering and landscaping plans as per Section IV.D herein. Final engineering plans shall be subject to the review and approval of the Village Engineer. Final landscaping plans shall be subject to the review of the Village Forester and approval by the Community Development Director. All final engineering plans shall comply with the requirements of Section VIII of this Ordinance and all landscaping plans shall comply with Section IX of this Ordinance.

6. Waiver of Final Engineering and Landscaping Plan Approval

- a. Upon certification from the Village Engineer that the proposed subdivision does not include any subdivision improvements required by this Ordinance or by any other requirement of the Village of Burr Ridge, the requirement for final engineering plans shall be waived.
- b. Upon certification from the Community Development Director that required landscaping improvements do not constitute the need for a final landscaping plan, the requirement for final landscaping plans shall be waived. For example, if required landscaping is limited to a small number of parkway trees, landscaping plans may not be necessary.

7. Final Plat Review

Upon approval of the final engineering and landscaping plans, the developer may submit the final plat of subdivision for review and approval as per the procedures described herein.



8. Review and Revisions to Plats and Plans
 - a. The Community Development Director shall coordinate the review of all preliminary plats, final engineering plans, final landscaping plans, and final plats of subdivision including collection of written reports from said persons and forwarding of reports to the developer.
 - b. Within 30 days after receipt of all required documentation for a preliminary plat, final engineering plans, final landscaping plans, or final plat, the Community Development Director shall either approve said plats or plans or shall provide written comments listing required revisions to the plats or plans.
 - c. Within 90 days after written request for revisions to a plat or plan by the Community Development Director, the developer shall re-submit said plat or plans. Failure to re-submit within 90 days shall result in an additional fee as per Ordinance No. 339 as amended.

B. Procedures for Preliminary Plat Reviews

1. The developer shall file with the Community Development Director an application for approval of the preliminary plat. Such application shall be in a form determined from time to time by the Community Development Director and shall include documents, information and material desirable to evidence compliance with applicable ordinances and laws. The application shall include all information as required by Section IV.C herein.
2. Only after receiving all required information as listed herein, the Community Development Director, Village Engineer, Village Forester and Village Attorney shall proceed with the review of the Preliminary Plat of Subdivision. The developer shall make all changes necessary to make the plat conform to the policies and ordinances of the Village of Burr Ridge.
3. Prior to consideration of the preliminary plat by the Board of Trustees, the Community Development Director shall submit the preliminary plat to the Pathway Commission. The Pathway Commission shall review the plat and make recommendations to the Board of Trustees regarding location of sidewalks and pathways within and adjacent to the proposed subdivision.
4. Upon determination by the Community Development Director that the preliminary plat documentation is complete, the preliminary plat shall be scheduled for review by the Plan Commission. The subdivider shall provide additional documentation or copies of previously submitted documentation to be distributed to the Plan Commission and the Board of Trustees by the Community Development Director prior to the scheduled Plan Commission meeting.



- 5 The Community Development Director shall notify the owner or subdivider as to the time and place of the Plan Commission meeting at which time the subdivider will be afforded an opportunity to be heard. The subdivider shall notify the president of the school board of each school district, the Fire Protection District Chief, and the Director of the Park District in which the land is located of the time, date and place of the meeting of the Plan Commission at which approval of the plat will be considered. The notice to the school, fire, and park districts shall be served by certified mail, return receipt requested, or by personal delivery and the owner or subdivider shall submit to the Village evidence of service of said notice at least three days in advance of the meeting.
- 6 The Plan Commission shall approve or disapprove the application for preliminary plat approval within 90 days from the date of filing the application or the filing by the applicant of the last item of required supporting documents, whichever date is later, unless such time is extended by mutual consent.
- 7 When the preliminary plat has been acted upon by the Plan Commission, it shall be referred to the Board of Trustees. If the Plan Commission approves the plat, it shall so indicate in a letter to the Board of Trustees, and if it disapproves such plat, it shall furnish the Board of Trustees and the applicant a written statement setting forth the reason for disapproval and specifying with particularity the aspects in which the proposed plat fails to conform to this ordinance and Official Map, and with the intent of the Comprehensive Plan. The Board of Trustees shall accept or reject said plat within 30 days after its regular stated meeting following the action of the Plan Commission unless additional time is agreed to by the subdivider.
- 8 Upon approval of the preliminary plat by the Board of Trustees, a Notice of Approval shall be stamped upon four prints thereof, and required signatures affixed. The Notice of Approval shall be in substantial compliance with Appendix III-A of this Ordinance. A copy of the approved preliminary plat shall be provided to the developer.
- 9 Approval of the preliminary plat by the Plan Commission and Board of Trustees shall be conditioned upon compliance with all other requirements of this Ordinance unless specifically waived or modified by action of the Board of Trustees. Further, the developer/owner of any property being subdivided shall remain fully responsible for compliance with all the requirements of the Village Subdivision Ordinance, and the laws regulating subdivision in Illinois despite any preliminary review and approval which may be granted by the Village or Village staff during the review process.

C. Required Documentation for a Preliminary Plat of Subdivision

1. Application for a preliminary plat of subdivision shall not be considered complete until all of the following information is received by the Community Development Director:



- a. Preliminary Plat of Subdivision prepared by an Illinois Registered Land Surveyor; and including all information as described in Section IV.C.2, below
- b. Payment of all required fees as per Ordinance No. 339 as amended.
- c. Topographic and profile studies, drawn to same scale as, and as overlays to, the Preliminary Plat of Subdivision showing source of data and certification by a registered professional engineer and owner of the land or his duly authorized attorney regarding the drainage of surface waters as required by the Illinois Plat Act. Profile studies for subdivisions in Du Page County of 3 acres or larger or for subdivisions of any size which affect a Special Management Area as defined herein, shall be compiled from a datum consisting of two independent benchmarks as established by the Du Page County Department of Stormwater and Development. Subdivisions of any size adjacent to F.I.R.M floodplain areas shall be tied to two independent FEMA benchmarks.
- d. Boundary line survey prepared and certified by a registered surveyor, pursuant to Section IV.A.3 of this Ordinance.
- e. Written authorization of agent, if any, to represent owner, expressly, precisely and definitively stating the extent of the authority of any agent; provided, however, that the Village shall not be required to honor such agency and may require any principal to act for itself.
- f. Disclosure of beneficial ownership of land trust, if any, and other matters subject to Burr Ridge Ordinance No. 214, and any amendments thereto.
- g. Proof of ownership in the form of a full and complete title opinion or title insurance policy issued by a title insurance company licensed to do business in Illinois. Said title opinion or policy shall disclose, among other matters, the record owners and any liens and encumbrances affecting the proposed subdivision and shall bear a date not more than seven (7) days prior to the date of filing of the application for preliminary plat approval. Evidence, satisfactory to the Village, of status of title at times subsequent to filing the application may be required by the Village. In addition, the applicant shall from time to time, subsequent to filing the application and prior to approval or disapproval of the preliminary and final plats as required by law, submit evidence in writing and satisfactory to the President and the Village as to any and all changes of ownership of, title or interests in, encumbrances of, and of any matter which may affect ownership to title to, the real estate included in the proposed preliminary or final plat.
- h. Soil and Water Conservation District application pursuant to Ill. Rev. Stat.



- Ch. 5, Sec. 127.2a, evidencing that application has been made directly to the District.
- i. A vicinity map, in sufficient detail to enable easy location in the field of the site for which plat approval is sought, and including the boundary line and approximate acreage of the site, existing zoning and a legend and scale.
 - j. Existing topography of the site and adjacent land within approximately 100 feet of the boundaries, drawn at no greater than one-foot contour intervals and clearly portraying the conformation and drainage pattern of the area, including rights-of-way. Parcels within Du Page County must follow the Ordinance requirements of the Du Page County Stormwater Ordinance.
 - k. The location of existing buildings, structures, utilities, water bodies, wetlands, riparian areas, flood plains, drainage facilities, vegetative cover, paved areas and other significant natural or man-made features on the site and adjacent land within approximately 100 feet of the boundary or as required by the Du Page County Stormwater Ordinance for parcels located within Du Page County.
 - l. The proposed phasing of development of the site, including stripping and clearing, rough grading and construction, and final grading and landscaping. Phasing should identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas and the sequence of clearing, installation of temporary sediment control measures, installation of storm drainage, paving streets and parking areas and establishment of permanent vegetative cover.
 - m. These submissions shall be prepared in accordance with the standards and requirements contained in "Procedures and Standards for Soil Erosion and Sedimentation Control in Northeastern Illinois" prepared by the Northeastern Illinois Erosion and Sedimentation Control Steering Committee and the Illinois Urban Manual, which standards and requirements are hereby incorporated into this ordinance by reference.
 - n. The Community Development Director, upon recommendation of the Village Engineer, may waive specific requirements for the content of submissions upon finding that the information submitted is sufficient to show that the work will comply with the objectives and principles of this ordinance.
 - o. Documentation evidencing submittal of the preliminary plat to appropriate state, county or township highway agency for its approval pursuant to Illinois Revised Statutes, Chapter 109, Paragraph 2, as amended. Documentation evidencing that notice and a copy of the proposed



preliminary plat has been given to the president of the school board of each school district in which any of the subdivided land is located stating that the plat has been submitted to the Village for review and approval.

- p. Documentation evidencing that notice and a copy of the preliminary plat has been given to the chief executive officer of the Fire Protection District and Park District in which any of the land to be subdivided is located stating that the plat has been submitted to the Village for review and approval.
 - q. Documentation evidencing compliance with stormwater management review pursuant to Chapter 8 of the Burr Ridge Municipal Code.
 - r. Documentation evidencing compliance with the State of Illinois Endangered Species Act.
 - s. Any other items required by law from time to time.
2. The preliminary plat and required accompanying maps shall show the following:

(Identification and Description)

- a. Proposed name of the subdivision -- not a duplication of a name of any plat heretofore recorded in the Village or in DuPage County or Cook County.
- b. Location by section, town, and range, or by other approved legal description.
- c. Boundary line survey on an accompanying map which is prepared and certified by a registered surveyor, and topographic survey data on an accompanying map which indicates source of survey data.
- d. Name and address of the owner or subdivider of the proposed subdivision and designer of such subdivision.
- e. Graphic scale equal to one inch equals 50 feet or larger unless otherwise approved by the Community Development Director. North point (designated as true north).
- f. Date of preparation with number and date of all revisions.

(Existing Conditions)

- g. Boundary lines of proposed subdivision in accordance with 2-c above.
- h. Total acreage therein and a summary table of lot sizes as per Appendix III-B of this Ordinance.



- i. Existing zoning districts in proposed subdivision and adjacent tracts.
- j. Location, widths, and names of all existing or previously platted streets or other rights-of-way 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 corporate lines within the tract and to a distance of 100 feet beyond the tract and the distance to the nearest street if beyond 100 feet from the tract.
- k. If required by the Community Development Director, the location and size of existing sewer lines, water mains, culverts, or other underground facilities within the tract and to a distance of 100 feet beyond the tract - also indicating such data as locations and surface and invert grade elevations of catch-basins, manholes, and fire hydrants.
- l. Location map, if required by the Community Development Director drawn at a scale of not less than one inch equals 1,000 feet, showing boundary lines of adjoining unsubdivided or subdivided land within an area bounded by nearest arterial streets or other natural boundaries, but not less than one-half mile beyond the subdivision boundaries in subdivisions located beyond the Village limits, identifying type of use and ownership of surrounding land and showing alignments of existing streets.
- m. As required by the Community Development Director, topographic data as required in Section IV.C.1.b herein. Soil boring data, wetland reconnaissance reports, and seepage tests may be required at locations and depths as determined by the Village Engineer.
- n. Locations or references to locations of existing monuments or survey markers used in preparation of survey and grade elevation of each monument and marker.

(Subdivision Design Features)

- o. The preliminary plat shall be in substantial accord with the Comprehensive Plan as amended from time to time.
- p. Layout of streets showing right-of-way widths and street names (not duplicating or similar to the name of any streets heretofore used in the Village or its environs unless such street is an extension of or in line with an already named street in which event that name shall be used) and showing proposed through streets extended to boundaries of subdivision. The detailed requirements related to designation of streets and addresses is set forth herein at Section VII.K.
- q. Locations and widths of alleys, pedestrian ways, drainage easements, conservation easements, natural area easements, and utility easements.



- r. Layout, total number of lots, and scaled dimensions on the lot containing the minimum width and depth and on the lot containing the maximum width and depth. Additional lot dimensions may be required to determine compliance with the minimum lot size requirements of the Burr Ridge Zoning Ordinance.
- s. Minimum front, corner side, interior side, and rear yard building setback lines for each lot indicating dimensions.
- t. The Village of Burr Ridge zoning districts proposed for the subdivision.
- u. Areas (other than those listed in 2.q and 2.r above), if any, intended to be dedicated or reserved for common purposes such as stormwater management indicating in each the approximate acreage. Such areas shall be identified as outlots and designated by letter (e.g. "Outlot A").
- v. Proposed location of sewer lines and storm water drains and proposed methods of sewage and waste disposal and surface water drainage, including the required topographic and profile studies having on their face the certification regarding the drainage of surface waters required under Section 2 of the Illinois Plat Act (Chapter 109, Section 2, III, Rev. Stats.).
- w. When required by the Village Engineer, the subdivider shall submit proposed detailing grading plans of blocks and lots. No land will be approved for subdivision which is subject to periodic flooding or which contains inadequate drainage facilities or other topographic conditions which may increase danger to health, life or property or aggravate erosion or flood hazard unless the subdivider agrees to make improvements which will, in the opinion of the Village Engineer and Plan Commission, make such land safe for development and occupancy.
- x. If the land being subdivided or any part thereof is zoned for a planned development, areas which are allocated as open space shall be designated as an outlot with a letter of the alphabet and shall be legally described.

D. Procedures for Final Engineering and Landscaping Plan Review

After the approval of the preliminary plat and prior to filing an application for approval of a final plat, the subdivider shall submit to the Community Development Director three complete copies of all final engineering plans and specifications. The final engineering plans shall be prepared under the direction of and shall bear a seal from an Illinois Registered Professional Engineer. The Community Development Director shall forward two complete sets of such plans to the Village Engineer. Final engineering plans are required for all subdivisions that include any subdivision improvements and shall comply with the following requirements:

Section IV
Procedures for Review of Proposed Plats of Subdivision



1. The final engineering plans shall include information and supplemental documentation to show compliance with Section VIII herein and as may be required by the Village Engineer to show compliance with other Village, County, State, or Federal regulations.
2. The final engineering plans shall include a detailed, line item cost estimate for all required subdivision improvements. Said cost estimate shall be prepared by an Illinois Registered Professional Engineer. This cost estimate shall include all required landscaping as described in Section IX of this Ordinance.
3. The final engineering plans shall conform to the preliminary plat approved by the Plan Commission and all other policies and ordinances of the Village of Burr Ridge. The developer shall make all necessary changes to make the final engineering plans conform to the requirements herein.
4. The Village Engineer has the responsibility for the final review of engineering plans and for recommending the approval of such plans to the Board of Trustees when the Village Engineer has confirmed that the plans comply with the requirements herein.
5. The final engineering plans shall not be approved by the Village Engineer until such time that all required permits and approvals from other public agencies have been obtained. Said public agencies may include but are not limited to the Illinois Environmental Protection Agency, Army Corps of Engineers, Du Page County Department of Stormwater and Development, Du Page County Public Works Department, Cook or DuPage County Highway Department, Hinsdale Sanitary District and the Metropolitan Water Reclamation District of Greater Chicago.
6. The Final Plat of Subdivision shall not be submitted until such time that the Village Engineer has approved the final engineering plans or that the Village Engineer has determined that the final engineering plans are substantially complete and will be approved prior to approval of the final plat by the Board of Trustees.

E. Procedures for Final Landscaping Plan Review

At the same time that the final engineering plans are submitted, the subdivider shall submit to the Community Development Director three complete copies of all final landscaping plans and specifications. The Community Development Director shall forward one complete set of such plans to the Village Forester and Village Engineer for review in conjunction with the final engineering plans. The final landscaping plans shall comply with the following:

1. The final landscaping plans shall include all information and supplemental documentation as may be required to show compliance with the requirements of Section IX herein as may be determined by the Community Development Director.



2. The final landscaping plans shall include a detailed, line item cost estimate for all required landscaping improvements prepared by an Illinois Registered Professional Engineer. This cost estimate shall be incorporated into the cost estimate for the final engineering plans.
3. The final landscaping plans shall conform to the preliminary plat approved by the Plan Commission and all other policies and ordinances of the Village of Burr Ridge. The developer shall make all reasonable changes requested by the Community Development Director to make the final landscaping plans conform to the requirements herein.
4. The Community Development Director has the responsibility for the final review of landscaping plans and for recommending the approval of such plans to the Board of Trustees when the Community Development Director has confirmed that the plans comply with the requirements herein.
5. The Final Plat of Subdivision shall not be submitted until such time that the Community Development Director has approved the final landscaping plans or has determined that the final landscaping plans are substantially complete and will be approved prior to approval of the final plat by the Board of Trustees.

F. Procedures for Final Plat of Subdivision Review

Upon approval of the preliminary plat of subdivision, approval or waiver of the final engineering plans, and the approval or waiver of final landscaping plans, a final plat of subdivision may be submitted for review and approval. The final plat of subdivision shall comply with the following:

1. Within one year after approval of the preliminary plat by the Board of Trustees, the subdivider shall file an application for approval of the final plat. In case application for approval of a final plat is made for a part or parts of an approved preliminary plat, the Board of Trustees may extend the time for application of approval of final plats for other parts of the approved preliminary plat until a later date or dates beyond the foregoing one-year period.
2. The application for final plat approval shall be in a form as specified by the Community Development Director. Simultaneously with the filing of said application, all required fees shall be paid and the following supporting documents shall be filed, together with any other documents required by law:
 - a. Six copies of the final subdivision plat, containing all required certificates in conformance with Appendix 2 of this ordinance. The original plat shall not be submitted until requested by the Community Development Director. The original final plat shall be submitted with all duly executed certificates and shall be drawn with black waterproof drawing ink on transparent linen tracing cloth or equal.



- b. One 11x 17 inch reduced copy of the of the subdivision plat.
- c. Duly certified topographic and profile studies as required by and in conformance with the Plat Act, Ill. Rev. Stat., Ch. 109, Sec. 1, et seq., as amended, with three copies.
- d. Disclosure of beneficial ownership of land trust, if any, and other matters required by Burr Ridge Ordinance No. 214, as amended, with three copies.
- e. Proof of ownership, in the form of a full and complete title opinion, a title insurance policy, or a commitment for title insurance, issued by a title insurance company licensed to do business in Illinois, with three copies. Said title opinion, policy or commitment shall disclose, among other matters, the record owners and any liens and encumbrances affecting the proposed subdivision and shall bear a date not more than seven (7) days prior to the date of filing of the application for final plat approval and shall be accompanied by the Owner's Affidavit in substance to the effect that prior to the Village's recording of the subdivision plat or the withdrawal by the Owner of the application for final plat approval, whichever event is first to occur, the Owner: (a) will not take any action or make any agreement altering the status of title to the property as shown in said title opinion, policy or commitment without first personally serving written notice on Village of any such action or agreement; and (b) will inform the Village immediately in writing by personal service of any involuntarily suffered change in the status of title to the property as shown in said title opinion, policy or commitment.
- f. Soil and Water Conservation District application pursuant to Ill. Rev. Stat., Ch. 5, Sec. 127.2a, evidencing that application has been made directly to the District, with three copies.
- g. The Subdivision Completion Agreement required by Section VI.A of this ordinance, fully completed and executed by all necessary parties except the Village, with three copies.
- h. Written authorization of agent, if any, to represent owner, expressly, precisely and definitively stating the extent of the authority of any agent, with three copies; provided, however, that the Village shall not be required to honor such agency and may require any principal to act for itself.
- i. Any declarations, restrictions or protective covenants applicable to the subdivision but not appearing on the subdivision plat, with three copies.
- j. Certification by the proper collector or court as required by Ill.Rev.Stat., Ch. 120, Sec. 516, as amended, with respect to special assessments or a written statement from the Owner or subdivider setting forth in detail the



reason why said certification is not applicable to the subdivision, with three copies. Said statement shall not be binding upon the Village and the Village may, as a condition of approval of the final plat, require said certification.

- k. A statement that the Owner or subdivider intends to submit a letter of credit as required by Section VII.B of this ordinance, including in such statement the name of the bank issuing the letter of credit.
- l. Written authorization in the form of a letter from the Registered Land Surveyor who prepared the Plat authorizing the Village to record the Plat.
3. When the Owner or subdivider has submitted an application for final plat approval, together with all documents required to be furnished in support thereof, the Community Development Director shall review said plat to determine compliance with the approved preliminary plat, final engineering plans, final landscaping plans, the terms and conditions of this Ordinance, and all other requirements of the Village of Burr Ridge. The developer shall make all changes necessary to make the final plat conform to the requirements herein.
4. Upon approval of the final plat, the Community Development Director shall immediately forward such application and supporting documents to the President and Board of Trustees who shall, if all such material meets all Village requirements, approve the proposed plat within sixty (60) days from the date of filing the last required document or within sixty (60) days from the date of filing of the application for final approval of the plat, whichever date is later. The developer and the President and Board of Trustees may mutually agree to extend the sixty (60) day period.
5. If the final plat is approved, the Village Clerk shall attach a certified copy of the order or resolution of approval to a copy of the plat. If the proposed plat is disapproved, the order or resolution shall state the reasons for the disapproval, specifying with particularity the aspects in which the proposed plat and/or any supporting documents fail to conform to the official map or other Village requirements. A copy of the order or resolution disapproving the plat shall be filed in the office of the Village Clerk.
6. Upon approval of a final plat of subdivision, the Community Development Director shall retain at least one copy of the final plat and all supporting documents for the Village records. The Community Development Director shall also immediately record the final plat and other necessary supporting documents, including but not limited to the Agreement required by Section VI of this Ordinance, with the appropriate recorder of deeds and bill the Owner or subdivider for the cost of such recording. The Owner or subdivider shall promptly reimburse the Village for such recording fees.
7. The subdivider shall submit the fully executed final plat of subdivision to the



Community Development Director within 60 days after approval of a Resolution Approving the Final Plat by the Board of Trustees. The subdivider shall comply with all conditions of said Resolution within 60 days after the Resolution is approved unless the Resolution specifically states otherwise. Upon determination that the conditions for approval of the final plat have not changed, the Community Development Director may grant one, 60-day extension of this deadline subject to payment of an extension fee as per Ordinance 339 as amended and subject to preparation of a current title opinion or title insurance policy as per Section IV.C.1.f herein.

G. Documentation and Content of the Final Plat of Subdivision

The following information shall accompany or be included on all final plats of subdivision:

1. The final plat shall retain the design characteristics of the approved preliminary plat, except that the Community Development Director or Board of Trustees may require such changes or revisions in the plat or the supporting documents as are deemed necessary in the interests and needs of the community and in keeping with the provisions of the laws and ordinances relating to subdivisions.
2. All information required on the preliminary plat as herein set forth in Section IV.C.2, except that information required by paragraphs j, k, l, m, n, o, s, u, w, and x therein, shall be provided on the final plat of subdivision.
3. Accurate angular and lineal dimensions for all lines, angles, and curvatures, with functions used to describe all boundaries including perimeter survey of tract, streets, alleys, easements, areas to be reserved for public use, and other important features. Error of closure of boundary-line surveys shall not exceed one in ten thousand (one foot for each 10,000 feet of perimeter survey). Angular error shall not exceed plus or minus 20 seconds. Lot lines to show dimensions in feet and hundredths, and when an angle occurs in any lot line between lot corners, the measurement of the angle shall be shown in degrees, minutes, and seconds. The final plat shall show accurately the location of all permanent subdivision corner markers as actually installed.
4. An identification system for all blocks and lots using consecutive numbers of lots within a block.
5. True angles and distances to the nearest established street lines and official monuments (not less than three), which shall be accurately described in the plat by location, size, and elevation.
6. Municipal, township or section lines accurately correlated to the lines of the subdivision by distances and angles.
7. Accurate location of all monuments which shall be placed at all block corners,



angle points, and at intermediate points as shall be required by the Village Engineer, and installed in such a manner that they may be located by a licensed surveyor. All U.S.G.S., State, County, Village, or other official bench marks, monuments, or triangulation stations in or adjacent to the property shall be preserved in precise position.

8. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use or for the exclusive use of property owners within the subdivision.
9. The Board of Trustees may require a declaration of covenants creating and establishing scope of activities for a Homeowners Association for the purpose of maintenance of common areas
10. For subdivisions containing 20 acres or more in area, the Board of Trustees may require a declaration creating and establishing scope of activities for an architectural control committee.
11. The location of any special flood hazard area as identified by the Federal Emergency Management Agency (FEMA) or the Du Page County Department of Stormwater and Development as delegated by FEMA shall be identified on the final plat.
12. The application for approval of the final plat shall not be deemed complete until the certificates identified in Appendix IV, other than the Village Clerk's Certificate, have been duly executed. The certificates identified as Appendices IV-E, G, H, K, M, N, and O are not required upon determination that the entity required to execute the certificate has no authority to do so or lacks jurisdiction over the subdivision or that the certificate is not applicable to the subdivision.



BURR RIDGE SUBDIVISION ORDINANCE

SECTION V CONSTRUCTION AND MAINTENANCE OF SUBDIVISION IMPROVEMENTS

A. Authorization to Begin Construction of the Approved Subdivision Improvements

All subdivision improvements shall comply with the Subdivision Ordinance, the Subdivision Improvement Agreement, and all sections of the Burr Ridge Municipal Code. The developer shall be authorized to begin construction of the approved subdivision improvements upon completion of the following. (Amended by Ordinance A-894-03-08)

1. Provision of Letter of Credit and Recording of Final Plat

After approval by the Board of Trustees, the letter of credit and the signed final plat of subdivision shall be submitted to the Community Development Director. The Community Development Director shall proceed with recording of the final plat and the signed Subdivision Completion Agreement.

2. Installation of Soil Erosion Control and Tree Protection Fencing

Upon recording of the final plat of subdivision the developer shall proceed with installation of soil erosion control and tree protection fencing. Prior to proceeding with other subdivision improvements, the developer shall request an inspection of the soil erosion control and tree protection fencing. Upon written approval of the soil erosion control and tree protection by the Village Engineer and Village Forester, the developer shall be authorized to begin construction of the subdivision improvements.

B. Two-Year Subdivision Improvement Period

1. Compliance with Subdivision Design Standards: As a condition subsequent to the Village's approval of the final plat of subdivision, the developer shall, within two (2) years from the date of approval of the final plat of subdivision, construct and pay for the subdivision improvements required herein.

2. Inspection of Subdivision Improvements: During construction of the subdivision improvements, the Village Engineer shall conduct inspections of the subdivision improvements at the following prescribed stages of construction and all other such times as may be determined appropriate. At any time that the Village Engineer determines that construction is not in compliance with the standards and procedures established herein, the Village Engineer shall have the authority to order all work to be stopped until such time that the work is brought into compliance with this Ordinance.

a. Tree Preservation, Safety and Erosion Control: Prior to beginning any grading or other construction, the developer shall install and complete all tree preservation, safety and erosion control improvements and shall request an inspection of said improvements. These improvements shall be maintained throughout the construction process as determined appropriate by the Village Engineer and will be checked at every additional inspection. Construction work may not proceed unless the work completed is found to be satisfactory by the Village Engineer. These inspections shall verify compliance with approved plans and compliance



with standards set forth herein including but not limited to the following:

- i. Review all operating procedures to assure that activities are performed in a safe manner. (Amended by Ordinance A-894-03-08)
 - ii. When work is conducted in the presence of traffic, review traffic control and impacts to the traveling public, both vehicular and pedestrian. (Amended by Ordinance A-894-03-08)
 - iii. Review erosion control to ensure all erosion control measures are functioning properly.
 - iv. Ensure tree protection is in place and functioning properly.
 - v. Erosion control shall meet the requirements of this Ordinance, including, but not limited to those in Section VIII, M. hereof and shall be installed and properly maintained continuously during the development of the subdivision. If in the judgment of the Village Engineer the Owner or Subdivider has failed to meet any of the erosion and sedimentation control requirements of this Ordinance, the Village Engineer shall give notice in writing to the Owner or Subdivider of such failure with a directive to correct the failure. If the Owner or Subdivider does not correct the deficiency within 5 days of such notice, the Mayor and Village Engineer are authorized to complete a draw on the letter of credit for the costs of such work as may be deemed necessary by the Village Engineer to ensure proper erosion and sedimentation control under this Ordinance. (Added by Ordinance (A-894-03-08))
- b. Utility Installation (water, sanitary, storm): Prior to installation of any utility pipes and prior to chlorinating and pressure testing, inspections are required to verify compliance with approved plans and compliance with standards set forth herein including but not limited to the following:
- i. Verify size, type, length, and location of pipe and structures.
 - ii. Inspect all material for any damage or defects.
 - iii. Check trench for proper width and sheeting. (Amended by Ordinance A-894-03-08)
 - iv. Ensure that joints and lift holes are sealed in accordance with specifications.
 - v. Ensure backfill is free of large rocks and debris and that backfill is placed in accordance with specifications. If required, enlist water and special compacting equipment.
 - vi. Check for proper installation of tracer wire and thrust blocking where required.
 - vii. Chlorinate and pressure test as required by IEPA for water mains. Village to supervise delivery of all samples to Village approved lab. Chlorination report to be delivered to the Village.
- c. Grading and Roadway Base Preparation: Prior to commencement of any roadway grading operation, prior to proof rolling of the roadway subgrade, and prior to installation of the granular base, inspections are required to verify



compliance with approved plans and compliance with standards set forth herein including but not limited to the following:

- i. Inspect clearing and grubbing limits and check requirements for disposal of debris.
 - ii. Monitor salvaging of topsoil to ensure proper drainage and erosion control.
 - iii. Verify roadway grade is true to cross-section and alignment.
 - iv. Check that roadway subgrade is free of ruts, large stones, and excess dust.
 - v. Proof roll roadway subgrade with a fully loaded six wheel vehicle and remove all unstable material.
 - vi. Check depth of granular base and observe for proper size, makeup, and compaction.
 - vii. Prior to commencing work, Owner or Subdivider shall provide a construction schedule detailing the timelines and phases of the grading and roadway work, subject to the review and approval of the Village Engineer. (Added by Ordinance A-894-03-08)
 - viii. Unless otherwise approved in writing by the Village Engineer, once the construction schedule is approved in writing by the Village Engineer and work on the approved plans is commenced, the Owner or Subdivider shall give the work the regular attention needed to make continuous progress and meet the construction schedule, until completion. If, in the judgment of the Village Engineer, work on the approved plans and under construction schedule has ceased for an undue period (not due to reasons beyond Owner/Subdivider control), the Village Engineer shall give notice in writing to the Owner or Subdivider of such failure with a directive to correct the failure. If the Owner or Subdivider does not comply with the directive within 10 days of such notice, the Mayor and Village Engineer are authorized to complete a draw on the letter of credit for the costs of such work as may be deemed necessary by the Village Engineer to ensure completion of the same in compliance with the approved grading and roadway plans. (Added by Ordinance A-894-03-08)
- d. Concrete Curb, Gutter, Sidewalk, and Paving: After setting sting line or form boards but prior to paving and prior to placement of concrete, an inspection is required to verify compliance with approved plans and compliance with standards set forth herein including but not limited to the following:
- i. Review contractor's equipment and forms for contract compliance and to assure plan dimensions.
 - ii. Check vertical and horizontal alignment.
 - iii. Inspect base for grade, compaction, and moisture.
 - iv. Check requirements for reinforcing steel, tie bars, expansion, contraction and control joints.
 - v. Ensure that proper drainage conditions are met.
 - vi. Supervise tests for compliance with specified slump and air content. Oversee preparation of test cylinders as required.



- (Amended by Ordinance A-894-03-08)
- vii. Collect concrete delivery tickets and check batch time.
 - viii. Inspect curing operations and if required, cold weather protection.
 - ix. Review finishing and backfilling procedures.
 - x. Prior to commencing work, Owner or Subdivider shall provide a construction schedule detailing the timelines and phases of the curb, gutter, sidewalk and paving work, subject to the review and approval of the Village Engineer. (Added by Ordinance A-894-03-08)
 - xi. Unless otherwise approved in writing by the Village Engineer, once the construction schedule is approved by the Village Engineer and work on the approved plans is commenced, the Owner or Subdivider shall give the work the regular attention needed to make continuous progress and meet the construction schedule, until completion. If, in the judgment of the Village Engineer, work on the approved plans and under the construction schedule has ceased for an undue period (not due to reasons beyond Owner/Subdivider's control), the Village Engineer shall give notice in writing to the Owner or Subdivider of such failure with a directive to correct the failure. If the Owner or Subdivider does not comply with the directive within 10 days of such notice, the Mayor and Village Engineer are authorized to complete a draw on the letter of credit for the costs of such work as may be deemed necessary by the Village Engineer to ensure completion of the same in compliance with the approved curb, gutter, sidewalk and paving plans. (Added by Ordinance A-894-03-08)
- e. Plant Mix Bituminous Paving: Prior to placement of bituminous material, an inspection is required to verify compliance with approved plans and compliance with standards set forth herein including but not limited to the following:
- i. Check equipment for specification compliance and monitor paving and rolling sequence.
 - ii. Check that existing surface is smooth, firmly compacted and correct to cross section, grade, and alignment. Existing bituminous and concrete bases are to be clean and free of loose material and tack coated.
 - iii. Check bituminous material temperature frequently and observe for proper size, coating, and segregation.
 - iv. Collect bituminous material delivery tickets.
 - v. Check that paver maintains correct line, grade, and cross slope for proper mat width and thickness.
 - vi. Check that construction joints are tight and flush with adjacent surfaces. Insure mat has a uniform appearance and is free of longitudinal seams.
 - vii. Check that rolling is as continuous as possible and at proper speed. Cease vibratory rolling when checking or cracking occurs, or at specified minimum temperature. Enlist cold roll to remove marks.
 - viii. Monitor density tests to ensure adequate compaction.
 - ix. Core pavement prior to placement of surface lift as required to check pavement thickness.
 - x. If requested by the Village Engineer, the developer or contractor must



provide a qualified materials specialist to test the density of the bituminous pavement and to review the rolling patterns. A field report will be issued to the Village Engineer following the testing activities. This work will be performed at the expense of the contractor or developer. (Added by Ordinance A-894-03-08)

- f. Landscaping and Restoration: Prior to placement of topsoil and landscaping materials, an inspection is required to verify compliance with approved plans and compliance with standards set forth herein including but not limited to the following:
 - i. Check that topsoil is free of clumps, rocks, roots, etc. and is suitably prepared.
 - ii. Check that landscape material including fertilizer, seed, plants, and trees meet plan requirements.
 - iii. Monitor final finishing including: removal of all litter and debris, repair of damaged areas, and cleaning of all drainage structures

- g. Site Maintenance: Owner or Subdivider are hereby required to maintain the subdivision property in a clean and workmanlike manner, consistent with the obligations under this Ordinance, and as detailed below, on an ongoing basis. Ongoing inspection of the subdivision site and area can include, but is not limited to the following:
 - i. Check that no construction debris, rubbish or garbage shall be left or stored in the open on the site, outside of a proper trash container or approved enclosure.
 - ii. Check that no spoils or soil from any other off-site location shall be brought to and stored on the subdivision property, unless approved by the Village Engineer. A location map delineating the proposed spoils area for soil, use area and/or waste area shall be submitted to the Village Engineer prior to any grading or excavation on the subdivision site. Any soil or excavation piles created from the subdivision site shall be allowed only for that time needed to facilitate the subdivision improvements and then shall be regraded or removed from the site.
 - iii. Check that vegetation is regularly mowed and maintained in a proper fashion during the subdivision improvement and maintenance periods.
 - iv. Check that all dirt or debris from any equipment or vehicles working on the site which is dropped or left on pavement or roadways adjacent to the subdivision site shall be cleaned at the end of each day's work on the subdivision site.
 - v. Prior to acceptance of the completed subdivision improvements, Owner or Subdivider shall clean the subdivision site of all rubbish, excess materials, temporary structures, equipment and all parts of the subdivision site shall be left in a neat and presentable condition. Owner or subdivider shall also clean all cement streaks or drippings, paint smears or drippings, rust stains, oil, grease, bituminous materials, dirt or any other foreign materials



deposited, left or which have accumulated on any roadway, sidewalk, curb, gutter, common area or lots or ground owned or controlled by owner or Subdivider.

- vi. If, in the judgment of the Village Engineer, the owner or Subdivider fail to comply with these requirements, the Village Engineer shall give notice in writing to the Owner or Subdivider of such failure with a directive to correct the failure. If the Owner or Subdivider does not comply with the directive within 10 days of such notice, the Mayor and Village Engineer are authorized to complete a draw on the letter of credit for the costs of such work as may be deemed necessary by the Village Engineer to ensure completion of the work in compliance with these requirements.

(Added by Ordinance A-894-03-08)

C. Acceptance of Subdivision Improvements

1. **Final Inspection of Subdivision Improvements:** Upon completion of the subdivision improvements and at least 30 days prior to expiration of the two-year improvement period, unless extended as described herein, the subdivider shall request final inspections of all subdivision improvements. The Community Development Director, Village Engineer and Village Forester shall inspect the subdivision improvements and provide the developer with written concurrence that the improvements have been completed or a list of work to be completed prior to acceptance of the improvements by the Board of Trustees. The developer shall cause all such work to be completed prior to the expiration of the improvement period or shall request an extension of the improvement period as per Section V.D, herein. Failure to act accordingly shall be cause for the Board of Trustees to draw on the letter of credit to complete said improvements as per Section VI of this Ordinance.
2. **Dedication of Subdivision Improvements**
 - a. All land improvements to be constructed and installed as required hereunder, as specified in the final engineering drawings, or as required by the Village Board shall be dedicated to the Village, unless the Village Board specifically authorized otherwise at the time that it approves the final plat.
 - b. Title to the improvements to be dedicated to the Village shall be transferred by bill of sale, with proof of ownership in the grantor and evidence that said improvements are free and clear of any and all liens and encumbrances, which shall be in a form acceptable to the Community Development Director and which may include lien waivers from all major subcontractors and material providers.
3. **Reduction of Letter of Credit:** Upon acceptance of the subdivision improvements by the Board of Trustees, the developer may request a reduction of the letter of credit as per Section VI of this Ordinance.
4. **Record Drawings of Subdivision Improvements.** Prior to acceptance of the subdivision improvements by the Board of Trustees, the subdivider shall submit a full set of mylar record drawings (a.k.a. as-builts), as well as an electronic copy of the record drawings (in ArcView or AutoCAD format) of all subdivision improvements for review and approval by the Village Engineer. The record drawings must include the following:



- a. Pavement centerline and curb elevations at 50' intervals.
- b. Indication of whether surface course has been constructed at the survey date.
- c. Pipe diameter, slope, upstream and downstream invert elevation. Cross out approved conditions and add as-builts conditions.
- d. Manhole, and Valve diameters, vault rim and invert elevations (t/p for watermain). Cross out approved conditions and add as-built conditions.
- e. Provide as-built topography for stormwater management basins, including 1' contours and a volume calculation table. Provide as-built overflow elevation survey data.
- f. Verify overflow swales and major drainage routes by comparing approved and existing spot evaluations.
- g. Denote locations of stubs for sewer service and b-boxes, including horizontal ties to at least two permanent features.
- h. The record drawing mylars must be signed and sealed by a Professional Engineer.
- i. The record drawings must be signed by a Professional Surveyor.
- j. Privately owned utility mains (sanitary sewer, storm sewer, water) connected to public utility mains must be clearly labeled at the connection on the Record Drawings together with a note stating: "Private utility mains shall not be maintained by the Village of Burr Ridge".
- k. The record drawings must include a signed Surface Water Drainage certificate.
(Added by Ordinance A-894-03-08)

D. Expiration and Extension of Subdivision Improvement Period

1. Request for Extension Prior to Expiration: If the subdivision improvements are not accepted by the Board of Trustees within the two (2) year improvement period the subdivider may apply for an extension of time to complete the subdivision improvements. If the subdivider fails to file such an application for extension of time prior to the expiration of the two (2) year improvement period, the Village shall be entitled to then draw the full amount of the letter of credit, and the Village may contract for completion of the improvements and payment of such costs.
2. Information Provided with Request for Extension: With the request for extension of the improvement period, the subdivider shall provide a list of all work that remains to be done, a description of the causes for failure to complete the work, a schedule for completing the work, a line item cost estimate for completing the work, and certification that all other subdivision improvements have been completed.
3. Fee for Extension of Improvement Period: As per Ordinance No. 339 of the Village of Burr Ridge, a fee for an extension of the improvement period shall be provided by the subdivider at the time of application for the extension.
4. Authority to Grant Extensions: The Board of Trustees shall have sole authority to grant extensions of the Subdivision Improvement Period.
5. Extension of Letter of Credit: The letter of credit guaranteeing completion of the subdivision improvements shall be extended for a length of time equal to the extension of the subdivision improvement period.
6. Extension of Subdivision Improvement Period: The Subdivision Improvement Agreement shall be extended for a length of time equal to the extension of the subdivision improvement period.
7. Standards for Approval of Extensions: The Board of Trustees may grant extensions of



the improvement period only for the minimum time needed to complete such improvements. Extensions shall not be granted if in the sole judgement of the Board of Trustees the subdivider has demonstrated a lack of ability or willingness to complete such improvements within a reasonable time period.

8. Failure to Request Extension or Denial of Extension: If the developer fails to properly request an extension or if an extension is denied as described herein, the Board of Trustees shall direct the Community Development Director and the Village Engineer to draw on the letter of credit in an amount sufficient to complete the outstanding work. The amount to be drawn shall be equal to 125% of the Village Engineer's estimate of the cost to complete the subdivision plus the amount required to guarantee maintenance of the subdivision improvements for the duration of the maintenance period.

E. Extension of Maintenance Period Equal to Extension of Improvement Period

Once the Owner or subdivider has applied for and received an extension of time to complete the land improvements, the two (2) year maintenance period shall be extended for an amount of time equal to the time needed to complete the subdivision improvements in addition to the time the actual date for the ending of the maintenance period is extended by virtue of the extension of time (e.g., if a subdivider or owner required a six month extension from December 1, 1991 to June 1, 1992, the maintenance period (not including the time to complete the subdivision improvements) would be extended to a two and one half (2 1/2) year period, with the result being that the maintenance period would be extended to December 1, 1994 by virtue of the six month extension of time and the six month increase in the term of the maintenance period).

F Extension of Subdivision Improvement Period for Completion of Street Paving, Parkway Paving and Sidewalks

1. Request for Extension: The Board of Trustees may, in its sole discretion and when recommended by the Village Engineer, determine that it is in the best interest of the Village to direct the Owner or subdivider to delay for a period of not more than two (2) years from acceptance by the Village of all other required subdivision improvements, the completion of the final bituminous surface course on those streets which may be adversely affected by construction traffic and the completion of sidewalks and parkway landscaping in front of private lots for which principal buildings have not yet been constructed. In the event that the Village grants or requires such extensions, all other subdivision improvements shall nevertheless be completed as required by this Section. There shall be no additional fee required for such required extensions and a separate maintenance period shall be established for such improvements as described below.
2. Extension of Letter of Credit: The subdivision letter of credit shall be extended for the length of the extended improvement period in an amount equal to 125% of the Village Engineer's approved estimate of cost for the final street paving, sidewalks, or parkway landscaping.
3. Separate Two-Year Maintenance Period: Upon completion of the final bituminous surface course, at the time directed by the Village, there shall be a separate two (2) year maintenance period; first, for the street paving, including the entire pavement, curb and gutter, and all drainage structures within the curb and gutter and the street, and second, for the parkway landscaping and sidewalks. Such subdivision improvements shall be constructed in substantial conformance with the plans and specifications approved by the Village at the time of approval of the final plat of subdivision. The separate maintenance period for the street paving, parkway landscaping, and sidewalks shall not begin until all required work associated with these improvements have been completed



and accepted by the Board of Trustees.

4. **Completion of Final Street Paving, Parkway Landscaping, and Sidewalks:** Under any circumstances, the final street paving, parkway landscaping, and sidewalks shall be completed prior to expiration of the maintenance period for the other subdivision improvements.

G. Acceptance of Streets

The approval of any plat of subdivision by the Board of Trustees and recording of such plat shall be a conveyance in fee simple of the public streets or thoroughfares of the premises platted as are marked or noted on such plat as donated or granted to the public. If any plat of subdivision contains public streets or thoroughfares which are dedicated as such, whether located within the corporate limits of the Village or all or in part outside thereof, or contains existing streets located outside of said corporate limits, the approval and recording of the plat by the Board of Trustees or the subsequent annexation of the property to the Village shall not constitute an acceptance of any subdivision improvement thereon or therein, irrespective of any act or acts by an officer, agent or employee of the Village with respect to such streets or subdivision improvements. The acceptance of such subdivision improvements shall be made only by the adoption of a resolution by the Board of Trustees, after the Village Engineer has certified that all subdivision improvements required to be constructed or installed in or upon such streets or thoroughfares, in connection with the approval of the plat of subdivision by the Board of Trustees, have been fully completed and the construction or installation thereof has been approved by the Village Engineer.

H. Two-Year Maintenance Period

1. **Developer's Responsibility:** For a minimum two-year period beginning upon acceptance of subdivision improvements by the Board of Trustees, the developer shall be responsible for all maintenance and repairs of all subdivision improvements.
2. **Village Responsibility:** If the subdivision improvements are not completed by the developer and the Board of Trustees directs the Community Development Director and Village Engineer to draw on the letter of credit and complete the subdivision improvements, the Board of Trustees may also direct the Community Development Director and Village Engineer to draw sufficient funds for maintenance of the improvements for the duration of the maintenance period. In any such circumstance, the amount of the letter of credit drawn for the maintenance period shall be equal to the amount that would otherwise be required herein.
3. **Prompt Completion of Repairs and Maintenance:** At any such time that the Community Development Director notifies the developer of needed repairs or maintenance, the developer shall complete such repairs in a timely manner, as determined by the Village Engineer or Community Development Director. In the event of an emergency situation or failure of the developer to respond in a timely manner, as determined by the Community Development Director, the Village shall



have the right, but not the duty, to proceed with the repairs or maintenance without further notice to the developer. In such event, the Community Development Director may draw on the letter of credit to cover the costs of the maintenance or repair work. The developer shall immediately amend the letter of credit to maintain the minimum security required for the duration of the maintenance period.

(Amended by Ordinance A-894-03-08)

4. **Start of Two-Year Maintenance Period:** A minimum two-year maintenance period shall begin on the date of acceptance of the subdivision improvements by the Board of Trustees.
 5. **Maintenance Letter of Credit:** Acceptance of the subdivision improvements shall include authorization to reduce the letter of credit commensurate with the improvements that have been accepted. If only some of the subdivision improvements are accepted, the letter of credit shall be reduced only to the extent that is equal to the accepted improvements. Under any circumstances, the amount of the letter of credit shall be maintained equal to 125% of the subdivision improvements not yet accepted plus 10% of the subdivision improvements that have been accepted. Upon acceptance of subdivision improvements, the letter of credit shall be extended for the full length of the maintenance period.
 6. **Final Inspections for Maintenance Period:** The Village Engineer and Village Forester shall conduct final inspections of all subdivision improvements prior to expiration of the maintenance period and provide to the subdivider a detailed list of repairs required. The maintenance letter of credit shall be retained and extended as needed until such time that the subdivider shall conduct all such repairs.
- I. **Issuance of Building Permits Upon Substantial Completion of Improvements:** Except for model units described herein, no building permits shall be issued for any buildings on private lots in a subdivision until such time that the Village Engineer certifies that the subdivision improvements are substantially complete. Substantial completion shall mean completion and testing of all utilities, completion of all stormwater management facilities, rough grading and the stabilization of soil, and completion of all streets except the final bituminous surface course. (Amended by Ordinance A-894-03-08)
- J. **Issuance of Building Permits for Model Homes:** Upon recording of the final plat of subdivision, building permits for a maximum of two model homes may be issued subject to the following conditions:
1. The number of model homes shall not exceed two for any subdivision.
 2. Model homes shall be located on lots with frontage and access to an existing street and with access to existing public sanitary sewer and water mains.
 3. Off-street parking shall be provided in a manner that will maximize the convenience and safety of visitors to the model homes without creating congestion or related problems on adjacent streets.



4. Authorization to construct model homes shall be subject to the review and approval of the Board of Trustees. The subdivider should make such a request at the time of final plat approval.
 5. A Building Certificate of Occupancy for a model home may be issued upon compliance with the Village of Burr Ridge Building Ordinance, No. 860; upon completion of all required parking and access facilities; and upon connection to public sanitary sewer and water mains.
- K. **Occupancy Upon Completion of Subdivision Improvements:** Except for model homes as regulated above, no occupancy permit shall be granted by any governing official for the use of any building or structure within a subdivision subject to this ordinance until the subdivision improvements have been accepted by Resolution of the Board of Trustees or all of the following conditions exist:
1. All subdivision improvements required by this ordinance, except for the final street surface, parkway landscaping and sidewalks adjacent to unimproved lots, have been completed according to the approved final engineering plans and specifications. Street lighting and signs shall be erected and operational prior to issuance of a Certificate of Occupancy.
 2. All fees and expenses in connection with the subdivision, and all fees due at the time of application for the occupancy permit, have been paid.
 3. The security required by this ordinance for completion and maintenance of the subdivision improvements remains in force and in a sufficient amount.
 4. The Board of Trustees has by motion or resolution determined the foregoing conditions to be satisfied and authorized the issuance of occupancy permits for the subdivision. The approval by the Trustees under this section or the issuance of any occupancy permits shall not constitute acceptance of the improvements by the Village.
- L. **Recapture of Costs for Oversized Subdivision Improvements:** Where installation of subdivision improvements of larger capacity than required to serve only the subdivision as delineated in the preliminary plat is required by the Board of Trustees to serve future growth in the vicinity of the subdivision, the subdivider may be required by the Board of Trustees to pay for such oversizing subject to such methods of proportionate reimbursement as provided by law, ordinance, or agreement. Any agreement by the Village to collect such costs from other property owners shall be established within 180 days after the acceptance of said improvements by the Board of Trustees. Failure by a developer to provide necessary documentation certifying costs and enabling the establishment of a recapture agreement within 180 days after the acceptance of said improvements by the Board of Trustees shall be considered a waiver of the right to recapture said costs. (Added by Ord. A-894-02-03)



BURR RIDGE SUBDIVISION ORDINANCE

SECTION VI SUBDIVISION COMPLETION AGREEMENT AND LETTER OF CREDIT

A. Subdivision Completion Agreement

The owner or subdivider shall submit to the Village Clerk, together with the application for approval of the final plat, an agreement, fully completed and executed by all necessary parties except the Village, a Subdivision Completion Agreement. This Agreement shall be in substantially the same form as Appendix VI of this Ordinance or in such other form as may be approved from time to time by the Village.

B. Irrevocable Letter of Credit

After approval of the final plat in all other respects and notification of the Owner or subdivider thereof, and as a condition to final approval of said plat, the Owner or subdivider shall post an irrevocable letter of credit with the Community Development Director. Such irrevocable letter of credit shall comply with the following:

1. The dollar value of the letter of credit shall be equal to 125% of the Village Engineer's estimated cost of the subdivision improvements.
2. The letter of credit shall be issued by a banking/lending institution, subject to the approval of such institution as the issuer by the Village Board of Trustees.
3. The letter of credit shall serve as security for the Village to ensure the full cost of the construction, proper completion of the subdivision improvements, maintenance of the site during construction, and maintenance of erosion control until such time as vegetative cover has been established, in compliance with the requirements of this Ordinance, including those specific provisions related to the installation and completion of the subdivision improvements, and with the plans and specifications approved by the Village Engineer. (Amended by Ordinance A-894-3-08)
4. The letter of credit shall secure the payment of the cost of maintaining and repairing the subdivision improvements provided for in the plans and specifications approved by the Village Engineer for a minimum period of two (2) years from the date of acceptance of said improvements by the Village. Upon acceptance of said improvements by the Village, the security may be reduced to 10% of its original amount to secure the payment of said maintenance and repair costs.
5. The letter of credit shall secure the payment of any other customary expenses of the Owner or subdivider in meeting any requirements of the Village pertaining to the subdivision.



6. The letter of credit shall secure the payment of any expenses, including but not limited to, reasonable attorneys' fees incurred by the Village in enforcing the irrevocable letter of credit.
7. The form of the irrevocable letter of credit shall be substantially the same as Appendix VII of this Ordinance or in such other form as the Village may approve from time to time.
8. The final plat shall be approved and executed by the appropriate Village officials upon posting of the security, completed and fully executed in the required form, provided that all other requirements of the Village and other applicable law pertaining to subdivisions have been satisfied.
9. In the event of any failure by the owner or subdivider to properly complete the subdivision improvements required hereunder, within the approved construction schedule or two-year subdivision improvement period, whichever is earlier, or failure to properly maintain those improvements thereafter, or failure to timely and properly prosecute the work related thereto within the subdivision improvement or maintenance schedules or periods, or failure to maintain on-site and off-site construction areas in a clean and workmanlike fashion, or failure to maintain erosion control, in compliance with this Ordinance, the letter of credit can be drawn on by the Village, in whole or in part, to ensure payment of any costs incurred by the Village to complete, or cause to be completed, any or all remaining unfinished, improper or incomplete subdivision improvements. (Added by Ordinance A-894-03-08)
10. In the event that the Village draws on the letter of credit under this Ordinance, the Village shall have the discretion at all times to determine whether to restore the subdivision property to a natural state, to clean or clear the property, or to restore, repair, or re-establish erosion control, or to dedicate the funds from the letter of credit to the completion of some or all of the subdivision improvements. (Added by Ordinance A-894-03-08)
11. As a condition subsequent to the Village's approval of the final plat of subdivision, in the event the Village draws on the letter of credit to cause the completion of any subdivision improvement, or work related thereto, prior to the expiration of the two-year subdivision improvement period, the Owner or Subdivider shall promptly restore the letter of credit to its amount prior to the draw on the letter of credit by the Village for such improvement or work related thereto. Any failure to restore the letter of credit amount shall entitle the Village to order any portion of or all work to be stopped and to deny any permits related to the subdivision development. (Added by Ordinance A-894-03-08)

C. Subdivider's Obligation for Construction and Maintenance

1. Nothing in this ordinance, nor in the letter of credit or agreements herein provided for, shall relieve the Owner or subdivider of bearing the full cost of the subdivision



improvements and other expenses required by Village to be paid by the Owner or subdivider.

2. The Owner's or subdivider's obligations for maintenance of improvements required under this agreement shall remain the developer's obligation for a minimum of two (2) years after the acceptance of such subdivision improvements by the Board of Trustees. The Village's requirements for retention of the letter of credit shall be met by the developer during that minimum two (2) year period despite any terms pertaining to maintenance of such improvements which are included in any other agreement.
3. The developer's obligation to maintain and repair the improvements includes both public and private land improvements that are constructed, installed, modified or purchased by the developer.
4. The developer's obligation to maintain and repair the subdivision improvements shall render the developer responsible for repair, replacement and the continued proper condition, operation, functioning and efficiency of all subdivision improvements, irrespective of the basis or cause of the need for maintenance or repair.
5. Subdivision improvements required to be maintained under the terms of this Ordinance shall include, but not be limited to, streets, water management, stormwater and sewer lines, bridges, walks, paths, street lights, lakes, trees, entryway and water features, drainage ways, erosion and sedimentation control and retention/detention facilities.

D. Reduction of Letter of Credit Upon Substantial Completion of Improvements

The Community Development Director upon recommendation of the Village Engineer may, in their discretion, reduce the amount of the letter of credit to an amount less than 125% of the estimated cost of the subdivision improvements required by Section XI, hereof, upon substantial completion of the subdivision improvements. Substantial completion shall mean completion of all streets except the final course of asphalt, completion of all utilities, and completion of stormwater management facilities. In no circumstances shall the amount of the letter of credit be reduced below 125% of the approved estimate of cost for all outstanding subdivision improvements or below the required amount for the maintenance period. A completed Letter of Credit Payout Form attached hereto as Exhibit VII-B shall accompany any such request for reduction.

E. Failure to Provide Proper Letter of Credit

In the event a subdivision plat is mistakenly or wrongfully executed and/or recorded by the Village before all conditions are satisfied with respect to the letter of credit as provided hereunder, then no building, sewer, water, occupancy or other permits shall be issued until all such conditions are satisfied. (Amended by A-41-3-91) (Amended by A-41-3-98)



BURR RIDGE SUBDIVISION ORDINANCE

SECTION VII SUBDIVISION DESIGN REQUIREMENTS

A. Submittal of Preliminary and Final Plats

Anyone subdividing property subject to this Ordinance shall submit a preliminary plat of subdivision and a final plat of subdivision. All subdivision plats, subdivision improvements, lots, blocks, easements, rights-of-way and other subdivision features shall comply with the standards as described herein and as shown on the preliminary and final plats approved by the Board of Trustees.

B. Purpose and Intent

The design specifications provided in this Section are intended to provide guidelines and standards for the conceptual and final design of all subdivisions. Where specific guidelines are not provided and where discretion is required, such discretion shall reside with the Board of Trustees and the Community Development Director. The Board of Trustees shall have sole authority to approve modifications to this Section except where such authority is specifically delegated by the terms of this Ordinance.

C. Street and Right-of-Way Plan

1. Design of Street System

The arrangement, character, extent, width, grade, and location of all streets and rights-of-way, hereinafter referred to as the Street Plan, shall conform to the Comprehensive Plan and the design standards herein. For the purposes of this Section VII.C, use of the word “street” shall also refer to rights-of-way for streets. Approval of a street plan shall be considered on the basis of its relation to: existing and planned streets; reasonable circulation of traffic within the subdivision and adjoining lands; topographic conditions; runoff of storm water; public convenience and safety; and appropriate relation to the proposed uses of the area to be served.

2. Dedication of Right-of-Way and Other Public Property

As a condition of approval of a final plat of subdivision, any areas dedicated thereon to the Village or for public use shall be free of all mortgages, liens, judgments, other encumbrances, or any other matter that may cloud the title to said areas. The Village may require such evidence, including, but not limited to, duly recorded releases or a title insurance policy issued for the benefit of the Village by a title insurance company licensed to do business in Illinois, as it deems appropriate to show or insure clear title to any such areas.



3. Access to Right-of-Way Required

All lots, including outlots, must have frontage and access to a street or right-of-way. The Board of Trustees may approve a subdivision utilizing private streets with limited public access easements as may be determined appropriate. All private streets and limited public access easements shall substantially comply with the public street and right-of-way standards described herein. The Village of Burr Ridge shall not consider any lot created without such frontage and access a lot of record.

4. Collector Streets

A Collector street may be required by the Board of Trustees when recommended by the Plan Commission: (1) in a residential subdivision containing 20 acres or more in area; (2) in any subdivision as an extension of an existing or planned collector street in an adjacent subdivision; and (3) in any manufacturing or business subdivision.

5. Local Streets

Local streets shall be so aligned that their use by through traffic will be discouraged.

6. Street Intersections

- a. Street or right-of-way jogs with centerline offsets of less than 150 feet shall be prohibited.
- b. It must be evidenced that all street intersections and confluences encourage safe and efficient traffic flow and, in general, be at or near right angles avoiding acute angles. An intersection of more than two streets shall be avoided unless specific conditions of design indicate otherwise.

7. Alleys

Alleys are not permitted in residential subdivisions unless deemed necessary by the Plan Commission and required by the Board of Trustees. Alleys may be provided in business subdivisions.

8. Cul de Sac Streets

- a. A cul-de-sac street, in single-family residential districts, shall be not more than 500 feet in length, measured along its center line from the center line of the street of origin to the end of its right-of-way or may be longer than 500 lineal feet provided not more than 15 lots front upon its right-of-way lines. In multiple-family residential areas, cul-de-sac streets shall not exceed 400 feet in length.



- b. Each cul-de-sac street shall have a terminus of nearly circular shape with a minimum diameter of 120 feet, except a temporary cul-de-sac street may have a terminus of the "T" type or other variation of the circular shape as recommended by the Plan Commission and approved by the Board of Trustees.
9. Half Streets
- a. Permitted Half Streets: Half streets shall be prohibited except, when recommended by the Plan Commission and approved by the Board of Trustees and under the following circumstances:
 - i. There is an existing street adjacent to only one side of a subdivision and a half street is being dedicated or improved along the adjacent side of the subdivision.
 - ii. The proposed right-of-way and street are on the periphery of the subdivision and it will be practicable to require the dedication and improvement of the other half when the adjoining property is subdivided.
 - iii. Wherever an existing dedicated half street abuts a tract to be subdivided, the other half of the street shall be platted and improved within such subdivision.
 - b. Requirements for Half Streets:
 - i. A half street shall be graded in accordance with cross-section design standards and profile grades applicable to the entire street width, as established by the Village Engineer and approved by the Board of Trustees. When the other half of an existing half street is developed, it shall conform with such established cross-section design and profile grades of the entire street width.
 - ii. The right-of-way width of a half street shall be not less than one-half the required right-of-way width of the street. A roadway pavement not less than 20 feet in width and a curb along one edge of the pavement, with suitable gravel or crushed stone shoulder and drainage ditch along the opposite edge, shall be installed in accordance with standards herein set forth.
10. Lots Abutting Thoroughfares

Provisions shall be made for vehicular and pedestrian access to residential property abutting a thoroughfare whether by: (a) providing frontage road or (b) by backing lots to the thoroughfare and providing access by a local street one lot depth removed and with a restricted access easement along the rear lot line. These standards are established for the purpose of providing protection for the residential properties and to provide for traffic safety and the efficient use of the thoroughfare for its intended function of accommodating through traffic.



11. Dedication of Contiguous Rights-of-Way

The owner or subdivider of property subject to the requirements for subdivision improvements under this Ordinance, shall be required to dedicate its portion of the right-of-way width required under this Ordinance for the type of street which such property abuts, or has frontage upon. Such owner or subdivider is required to make those improvements thereon necessary to meet the street width, design and all other requirements for streets as set forth in this Ordinance as a condition of such subdivision.

12. Street Stubs

Street plans shall be designed with consideration of adjacent properties and the potential for future subdivision of adjacent properties. If determined appropriate by the Board of Trustees upon recommendation by the Plan Commission, subdivisions shall be designed with street stubs for future extension onto adjacent properties. Such street stubs shall be extended onto adjacent properties at such time that the adjacent properties are subdivided. If a street stub is provided, a temporary turnaround shall be provided and signs shall be placed at the terminus of the stub indicating that the street will be extended at a future date.

D. Specifications and Dimensions of Rights-of-Way

1. All right-of-way widths shall conform to the minimum dimensions as described in Table VII-A.
2. Where there is a deflection in horizontal center lines within a given block at any given point in excess of ten degrees, a curve shall be inserted with a radius of not less than 300 feet for collector streets and 100 feet for local streets.
3. Different connecting street gradients shall be connected with vertical curves. Minimum length in feet of these curves shall provide a stopping sight distance of not less than 300 feet, measured from an eye level four feet high, with a clear view of an obstacle not over two feet high.
4. Gradients of streets shall be at least 0.5 percent and not exceed 7% on collector streets and 10% on local streets. (Amended by A-894-03-08)



**Table VII-A
Required Right-of-Way Width**

Type of Street	Residential Subdivision	Non-Residential Subdivision
Collector Streets	80 feet	80 feet
Local Streets	60 (66) feet *	66 feet
Cul de Sac Turnarounds	120 feet Diameter	120 feet Diameter
Alleys	30 feet	30 feet
Pedestrian Ways	12 feet	12 feet
Half Streets	½ the total required right-of-way or as required by the Board of Trustees	
Thoroughfares- including highways and arterials	80/100 feet - Thoroughfares shall be in accordance with those standards designated by the Comprehensive Plan or by Federal, State, or County authorities having jurisdiction.	
* The Village Board may require a 66 foot right-of-way if it is determined appropriate based on the width of contiguous rights-of-way or for the accommodation of utilities or sidewalks.		

E. Easements

Easements shall be provided as described herein. Descriptions of easements shall be provided for each and every easement depicted on a plat. Easements must contain language similar to the samples attached hereto as Appendix V unless otherwise required by the Community Development Director. Unless otherwise noted, all such easements shall require maintenance of the easement by the property owners within a subdivision and shall grant authority to the Village of Burr Ridge to provide maintenance as needed and collect costs for such maintenance from the property owners.

1. Public Utility and Drainage Easements

Utility distribution or transmission installations serving the subdivision, and, when required, storm water drainage ways, shall be located in easements as designated on the subdivision plat of record. Such easements shall be located along the rear lot lines or side lot lines at locations of extensions of utility installation between blocks, or continuity of drainage ways. They shall occupy not less than the rear ten feet of lot depth or ten feet of lot width adjoining the applicable side lot lines, or may be of a greater width if recommended by the Village Engineer and approved by the Board of Trustees. Additional easements at other locations may be recommended for specific conditions by the Village Engineer and required by the Board of Trustees.

2. Drainage and Floodway Easement

Where a subdivision is traversed by a natural drainage way, channel, or stream, there shall be provided a drainage easement, conforming substantially with the areas bordering such water course that are subject to flooding, unless said water course is improved by deepening or dredging to provide the same cross-sectional area or flow



capacity, in which case the drainage easement may be narrowed to accommodate the improved water course. The boundaries of such areas subject to flooding shall be as designated by the Village Engineer.

3. Easements for Wetlands, Floodplains, and Similar Sensitive Land Areas

Wetlands, floodplains, and similar sensitive land areas should be located within outlots as required by Section VII.J herein. At any such time that such areas are not located within an outlot, they shall be located in an easement that ensures continuous protection and maintenance of the area.

4. Stormwater Detention and Drainage Easement

Stormwater detention and retention basins should be located within outlots as required by Section VII.I herein. At any such time that stormwater management facilities are not located within an outlot, said facilities shall be located in a stormwater detention and drainage easement. Said easement shall include all detention areas, retaining walls, and significant slopes created to accommodate the stormwater management facility.

5. Restricted Access Easement

At any such time that access from a public right-of-way onto private property is restricted, a minimum one-foot wide restricted access easement shall be provided. For example, through lots or corner lots where access to one of the streets is to be restricted shall provide a restricted access easement along the affected lot line.

6. Sign, Fence, and Landscaping Easements

All subdivision signs, fences, and landscaping shall be located within dedicated subdivision sign, subdivision fence, or subdivision landscaping easements. Said easements shall be sized to provide sufficient area to accommodate the planned improvements as well as sufficient area for future maintenance of such improvements. Maintenance of such easement areas shall be the responsibility of the property owners within the subdivision. The easement language on the final plat shall substantially comply with Appendices V-F, V-G, and V-H of this Ordinance.

F. Block Standards

1. In residential subdivisions, the maximum length of blocks containing lots less than 150 feet in width shall be 1,800 lineal feet, and the maximum length of blocks containing lots 150 feet and over in width shall be 2,000 lineal feet. No blocks shall be less than 900 lineal feet in length unless recommended by the Plan Commission and approved by the Board of Trustees. Pedestrian ways leading to schools, parks, and other common destinations may be required by the Board of Trustees when recommended by the Plan Commission.



2. In manufacturing and business subdivisions, maximum length of blocks shall be as recommended by the Plan Commission and approved by the Board of Trustees.
3. The shape of blocks shall be determined by topographical features, the basic street system and traffic pattern, lot depths, and areas designated for public and other non-residential land use.
4. Where a subdivision borders upon or is traversed by a railroad or thoroughfare right-of-way, the Board of Trustees may require, when recommended by the Plan Commission, a street (on one or both sides of such right-of-way), approximately parallel to and at a distance removed suitable for the appropriate use of the intervening land, i.e. park purposes, deep residential lot fronts on it with a no-access strip along the rear lot lines, or off-street parking, business, or other uses as permitted by zoning ordinance regulations.

G. Lot Standards

1. Width and area of lots shall conform with lot width and area requirements set forth in the Zoning Ordinance of the Village of Burr Ridge or that of Cook or DuPage counties in the unincorporated areas beyond the Village limits.
2. Depth of lots shall be not less than 130 feet for interior lots, and not less than 120 feet for corner lots, provided the width is increased to give equivalent area.
3. Width, area, and depth of lots in a manufacturing or business subdivision shall be as recommended by the Plan Commission and approved by the Board of Trustees.
4. All lots shall have a lot line which abuts a street for a distance of greater than fifty percent (50%) of the minimum required lot width, such width to be determined in accordance with the Zoning Ordinance of the Village of Burr Ridge. All streets, which lots are hereby required to abut, shall meet the street width, design and all other requirements for streets as set forth in this ordinance.
5. Side lot lines shall be at right angles or radial to the street line, or substantially so.
6. Through lots are not permitted, except where such lots back upon a thoroughfare, upon a body of water in separate or undivided ownership, or in manufacturing and business subdivisions when specifically recommended by the Plan Commission and approved by the Board of Trustees.
7. Lots abutting upon a water course, drainage way, channel, or stream shall have an additional depth or width as recommended by the Plan Commission and approved by the Board of Trustees in order to provide acceptable building sites.
8. In the subdividing of any land, due regard shall be given to the preservation of natural features, such as trees, water courses, historical landmarks, and similar community assets, which, if preserved, would add to the attractiveness and value of the



subdivision, neighborhood or the community as a whole. The Plan Commission shall include in its report its conclusions as to compliance herewith.

9. Outlots for stormwater detention and other purposes shall be provided with public street frontage as required by the Zoning Ordinance for private lots. Outlots shall be designated on the Plat of Subdivision with an alphabetical designation (for example, Outlot A).
10. Private lots created for sale or development shall be numbered sequentially on the plat of subdivision beginning with the number 1 unless the subdivision is one of two or more phases in which case the lot number shall begin in sequence with the previous phase of the subdivision.

H. Regulations for the Location of Stormwater Management Facilities

Stormwater detention areas, including stormwater detention and retention ponds, shall be located in outlots and shall not be on individual lots or behind the rear yards of individual lots unless specifically approved by the Board of Trustees upon recommendation from the Plan Commission based on the following considerations and conditions:

1. Stormwater detention areas may be located within easements on individual lots only if the Village Engineer determines that best engineering practices dictate such a location and if approved by the Board of Trustees upon recommendation from the Plan Commission.
2. Stormwater detention easements located on individual lots shall be excluded from the lot area for purposes of calculating floor area ratio (FAR). Subdivisions that include lots with stormwater detention easements shall provide a note on the final plat document describing the regulations contained herein and indicating the lot area to be included and excluded from the FAR calculation.

I. Wetlands, Floodplains and Similar Sensitive Land Areas

Wetlands, floodplains, and similar sensitive land areas shall be located in outlots and shall not be on individual lots unless specifically approved by the Board of Trustees upon recommendation from the Plan Commission based on the following considerations and conditions:

1. Wetlands, floodplains, and similar sensitive land areas may be located within easements on individual lots only if it is determined that placing such areas within an outlot would create a substantial and negative impact on the design of the subdivision relative to the configuration of streets and lots.
2. If approved by the Board of Trustees upon recommendation from the Plan Commission, wetlands, floodplains, and similar sensitive land areas located on individual lots shall be within easements that ensure the conservation of such areas.



3. Wetlands, floodplains, and similar sensitive land areas located on individual lots shall be excluded from the lot area for purposes of calculating floor area ratio (FAR). Subdivisions that include private lots with easements for wetlands, floodplains, and similar sensitive land areas shall provide a note on the final plat document describing the regulations contained herein and indicating the lot area to be included and excluded from the FAR calculation.

J. Subdivision Names

The preliminary and final plat of subdivision shall include the name of the proposed subdivision. Subdivision names shall be subject to the approval of the Board of Trustees based on consideration of the following:

1. Subdivision names shall not duplicate an existing subdivision or street name that is located within or adjacent to the Village of Burr Ridge unless it is an extension of the existing subdivision or adjacent to the subject street.
2. The name of a subdivision shall not use the name of another municipality or local government district within Burr Ridge or its surrounding communities.
3. A subdivision name shall not be misleading in terms of location of the subdivision. For example, it shall not use another Burr Ridge street name or location that is not within or contiguous to the subdivision.
4. The use of contiguous street names, parks, or institutions; the use of local historical names; the use of other locally known landmarks or names; and the use of “Burr Ridge” or “...of Burr Ridge” in the subdivision name is encouraged.

K. Street Names

The preliminary and final plat of subdivision shall include the name of all proposed streets. All proposed street names shall be subject to the approval of the Board of Trustees based on consideration of the following:

1. Proposed street names shall not duplicate or be similar to any existing street name in the Village of Burr Ridge or within the same area code as the subdivision street nor shall it duplicate any prominently known street name in a surrounding community.
2. Streets and street names shall be described as and include Road, Street, Court, or other commonly accepted descriptive name.
3. Cul de sac streets shall be referred to as Courts and may use the same street name as another street within or contiguous to the subdivision (for example, Devon Drive and Devon Court) provided that the streets intersect and it is determined that the use of the same name will not create confusion for emergency and service delivery.



4. If a street is an extension of an existing street, then the name of the existing street shall be used for the proposed street.

L. Street Addresses

Upon submittal of the final plat of subdivision and prior to approval of the final plat by the Board of Trustees, the Community Development Director will assign street addresses for all lots (except for detention outlots and other such open space). The Community Development Director shall consult with the Village of Burr Ridge Police Chief, the fire district having jurisdiction over the land being subdivided, and other government agencies as determined appropriate. The Community Development Director shall maintain a street address grid map of the Village and shall assign street addresses based on the grid map and the following standards:

1. North-south block numbers shall follow the numbered streets that lie east-to-west in the Village (for example, 55th Street, 79th Street, 91st Street, etc.).
2. East-west blocks shall follow the existing patterns of street addresses with numbers ranging from 11200 to 11900 from Wolf Road to County Line Road and ranging from 00 to 1100 from County Line Road to Kingery Highway (IL 83) with the exception noted in Section VII.L.3, below.
3. East-west highways (including frontage roads), collector and arterial streets in Du Page County (55th, 79th, 83rd, and 91st Streets and North Frontage and South Frontage Roads) shall utilize the Du Page County addressing system. Said addresses shall include the designation of 15W for the block east of Madison Street and 16W for the block west of Madison Street.
4. Addresses within each address block shall progress from north to south and from east to west.
5. All lots located on the east and south sides of a street shall have odd numbers. All lots located on the west and north sides of a street shall have even numbers.
6. Addresses shall be dispersed evenly throughout a block and in a manner to accommodate any possible future resubdivision of lots.
7. Corner lots shall be assigned two alternate addresses and the final address shall be assigned at such time that a building permit is requested. The assigned number shall correspond to the architectural front of the building.

M. Public Use Areas

When an area of land for public use (in addition to streets, alleys, pedestrian ways, and utility easements) shall be recommended by the Plan Commission and required by the Board of Trustees to be located in whole or in part in a subdivision, the subdivider shall designate on the Preliminary Plat and Final Plat that such land is reserved for public use. If



such land is not acquired or arrangements made for acquisition by the Village, a school board, or other governmental body within one year after the date of recordation of the Final Plat, such land may thereafter be used by the subdivider for a use permitted at its location by zoning regulations or, if applicable, in accordance with more restrictive protective covenant requirements.

N. Building within Proposed Major Street Rights-of-Way

After the effective date of this ordinance, no permanent building or structure shall be erected within the rights-of-way of thoroughfares as shown on the Comprehensive Plan of Official Map of the Village.



BURR RIDGE SUBDIVISION ORDINANCE

SECTION VIII ENGINEERING DESIGN REQUIREMENTS

A. Submittal of Preliminary and Final Engineering Plans

Anyone subdividing property subject to this Ordinance shall submit a preliminary and final engineering plan. The preliminary engineering plan shall accompany the preliminary plat of subdivision. It may be on a separate plan sheet but generally should be combined with the preliminary plat of subdivision. Final engineering plans shall be provided separately and submitted for review by the Village after approval of the preliminary plat of subdivision and before submittal of the final plat of subdivision. All engineering plans shall be certified by a Professional civil engineer registered with the State of Illinois and shall comply with the requirements contained herein. All improvements shown on the engineering plan and required herein shall be constructed as provided by this Ordinance. (Amended by Ordinance A-894-03-08)

B. Purpose and Intent

The design specifications provided in this Section are intended to provide guidelines for the conceptual and final engineering design of all subdivision improvements. Where specific guidelines are not provided and where discretion is required, such discretion shall reside with the Board of Trustees, Village Engineer, and the Community Development Director. The Board of Trustees shall have sole authority to approve modifications to this Section except where such authority is specifically delegated by the terms of this Section.

C. Standards and Specifications for Required Land Improvements

In those instances where specific items and work are not referenced herein, the following standards and specifications shall govern:

1. All road and bridge work shall comply with the Illinois Department of Transportation (IDOT) "Standard Specifications for Road and Bridge Construction in Illinois", latest edition, the IDOT "Highway Standards Manual", and the IDOT "Bureau of Design and Environment Manual". Traffic control and protection shall conform to the applicable portions of the "Illinois Supplement to the Manual on Uniform Traffic Control Devices" and the "Manual on Uniform Traffic Control Devices".
2. For public sanitary sewer system and/or sewerage treatment works, the "Recommended Standards for Wastewater Facilities" adopted by the Great Lakes - Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers (Ten State Standards); and other regulations as may be imposed by the Sanitary Districts or Health Department of the County(s) having jurisdiction therein for public sanitary sewer



systems;

3. All water distribution systems shall comply with the standards approved by AWWA, the State of Illinois, and the County Health Department having jurisdiction.

D. Street Design Standards

1. Grading of Rights-of-Way

- a. All stumps, brush, trees that cannot be saved, boulders, and similar items shall be removed prior to street construction. (Amended by Ordinance A-894-03-08)
- b. Before any paving work is commenced, all street grading shall be properly completed as shown on the Grading Plan and approved by the Village Engineer.
- c. After grading of streets is completed, proof rolled, and approved by the Village Engineer, and before any curbs or base course of the roadway pavement is laid, all of the underground work, such as water, sewer, and gas mains, house service connections therewith, and all underground conduits for electric and telephone lines, shall be completely installed in place and approved.
- d. When considered necessary by the Village Engineer, settlement of the utility trench backfill shall be accelerated by means of water introduced through holes jetted into backfilled trenches to a point approximately two (2) feet above the top of the sewer pipe. The holes shall be jetted not greater than six (6) feet apart unless otherwise directed by the Village Engineer. Any depressions which develop due to settlement of backfilling material shall be repaired at the subdivider's expense, in a manner acceptable to the Village Engineer.
- e. The final bituminous surface course of the roadway pavement shall not be installed until backfilling of all trenches dug across the roadway has completely settled or compacted to the satisfaction of the Village Engineer. All trenches across any roadway and within six (6) feet of the roadway shall be backfilled with , IDOT CA-11 or CA-13 and compacted in lifts not to exceed twelve (12) inches or backfilled with $\frac{3}{4}$ inch clean crushed limestone placed in un-compacted 12 inch lifts and brought to the required grade. As provided in this Section, the Village may, in its sole discretion and when recommended by the Village Engineer, determine that it is in the best interest of the Village to direct the Owner or subdivider to delay for a period of not more than two (2) years from acceptance by the Village of all other required land improvements the completion of the final bituminous surface course on those streets which may be adversely affected by construction traffic. (Amended by Ordinance A894-03-08)
- f. Pavement corings, at the request of Village Engineer for cause, shall be taken under Village supervision after the paving has been completed and after the subdivider has requested acceptance of the street.

2. Roadway Pavement

- a. Street Composition minimum requirements shall be as noted in Table VIII-A herein. Note that bituminous concrete surface course shall be made with virgin materials; thus, no recycled materials shall be used. The minimum asphalt content of Class I, Mixture CL, Type 3 surface bituminous concrete shall be 5.8%. (Amended by Ordinance A-894-03-08)



- b. Street composition standards in excess of the minimums may be required when in the judgment of the Village Engineer, they are so warranted by subbase conditions, potential traffic volumes, loads and/or other relevant factors. Soil borings with Illinois Bearing Ratio data shall be furnished to the Village Engineer, upon request.
- c. Roadway pavements shall have an overall width in accordance with the minimum dimensions as indicated in Table VIII-B.
- d. Pavement widths shall be measured between backs of curbs. For rural cross section streets, pavement width shall be measured from the outer edge of the roadway pavement.
- f. All streets in R-2A, R-2B, R-3 and R-5 zoning districts and arterial streets in R-1 and R-2 zoning districts shall be constructed with IDOT type B6.12 curbs and gutters.
- g. Rural cross section streets may be permitted in the R-1 and R-2 District subject to the approval of the Board of Trustees upon recommendation from the Plan Commission. A rural cross section street shall include pavement edge markings and drainage swales.
- h. All cul-de-sac turnarounds shall be provided within a center landscape island that is 22 feet in diameter.
- i. The Board of Trustees upon recommendation from the Plan Commission may require greater roadway pavement widths as determined appropriate.

3. Access Driveways

A paved access from the property line to the street pavement shall be provided. The access driveway shall comply with Appendix VI of the Burr Ridge Zoning Ordinance, Ordinance No. 834, as amended and attached hereto as Appendix XIII.

4. Alleys and Pedestrianways

- a. Alleys, when permitted in subdivisions as herein regulated, shall be not less than 30 feet wide as measured from edge to edge of pavement.
- b. Pedestrian ways, when recommended by the Plan Commission and approved by the Board of Trustees, shall be not less than 12 feet wide.

E. Sanitary Sewerage System

- 1. Public or community sanitary sewerage systems, including sewer stub terminals to six feet beyond the outside of curb line or to the property line, whichever is furthest, shall be installed to serve all lots in a subdivision or lot divisions. Subdivisions or lot divisions containing no lots less than one acre or more in area and located in the unincorporated areas within one and one-half miles of the corporate limits of the Village or subdivisions or lot divisions containing no lots less than one acre in area which are annexed to the Village after the effective date of this ordinance may be served with individual sewerage disposal systems, provided, in either case, there is conformance with standards approved by the County Health Department and other applicable governmental authorities, except



that individual sewerage disposal systems shall be permitted in such subdivisions annexed to the Village after the effective date of this ordinance only after the Board of Trustees shall find that connection with a public or community system is not practicable, or there is an agreement between the subdivider and the Village and a guarantee by the subdivider that all lots in the subdivision will be served with a public or community sewerage system within a specified period of time.

2. All sewer plans and specifications shall be submitted to the Village Engineer for approval. Each lot platted for the subdivision shall be served by the sanitary sewer system. All sanitary sewer manholes shall be pre-cast concrete and must be sealed with chimney seals to the satisfaction of the Village Engineer. All sanitary sewer manhole covers shall be gasket sealed or water tight heavy duty ductile iron with the words "BURR RIDGE – SANITARY SEWER" cast into the cover. At the direction of the Village Engineer, the sanitary sewer must be extended to the far side of the subdivision in order to provide future service for adjacent properties. (Amended by Ordinance A-894-03-08)
3. All sanitary sewer must be PVC SDR 26 or Ductile Iron CL 52. (Added by Ordinance A-894-03-08)
4. Exterior drop connections will be permitted only where site conditions are not conducive for an elevation drop of less than two (2) feet. Interior drop connections will not be permitted. (Added by Ordinance A-894-03-08)
5. All sanitary sewer must be 8" or larger and must provide a minimum flow velocity of 2 fps. (Added by Ordinance A-894-03-08)
6. Manholes must have a minimum inside diameter of 48", and must be spaced at minimum 300' intervals. Manholes must have chimney seals. No manhole shall have more than 8" of adjusting rings. (Added by Ordinance A-894-03-08)
7. All sanitary sewer must have a minimum cover depth of 4'. (Added by Ordinance A-894-03-08)

F. Storm Sewer System

1. An adequate system of storm water drainage shall be constructed and installed, consisting of natural water courses, storm sewers and other necessary facilities which will drain the subdivision and protect roadway pavements. The stormwater drainage system shall be in compliance with the Stormwater Section of the Burr Ridge Municipal Code as amended.
2. Storm Sewer may be 10" for the first "run" of pipe, all other pipe must be 12" or larger and must be designed to convey the 10-year storm without surcharge above rim level. (Added by Ordinance A-894-03-08)
3. All storm sewer under paved surfaces must be RCP CL IV Ductile Iron CL 52. RCP CL III or PVC SDR 26 pipe may be used elsewhere. Gasketed pipe must be used in side and rear-yard applications. (Added by Ordinance A-894-03-08)
4. Storm sewer inlets may be used for collection of stormwater for the first structure of a storm sewer segment, or for curb inlets. All other structures shall be catch basin type structures, 4' minimum diameter and with a 18" minimum sump. (Added by Ordinance A-894-03-08)



5. The storm sewer system shall include a stormwater restrictor which shall be comprised of a shear gate with a bored orifice of the proper size, and a standpipe overflow set at the calculated 100 year HWL. The restrictor structure must be 48" minimum diameter and must be placed in a location where it can be easily accessed.
6. The storm sewer system shall include a manufactured BMP, hydrodynamic separator, or approved equal, placed in a location which can be easily accessed by vector truck. The BMP device must meet all design criteria of the Village of Burr Ridge Stormwater Ordinance. (Added by Ordinance A-894-03-08)
7. Storm draining inlets shall be placed in street gutters (IDOT Type 11) at intersections and elsewhere as required by the terrain, but shall not be spaced more than 500 feet along the gutter. All storm sewer manholes, catch basins, and inlets shall be pre-cast concrete and damproofed with one heavy coat of coal tar paint. Coal tar paint shall terminate six (6) inches below the finish grade. All storm sewer manhole covers shall be heavy duty ductile iron with the following inscription cast on the cover:

DUMP NO WASTE (top edge)
STORM DRAIN (middle)
DRAINS TO RIVERS (bottom edge)

8. Any outfall storm sewer that drains into an existing open ditch or natural water course shall have a flared end section and a permanent turf reinforcement matting a minimum of ten feet in radius from the center point of the flared end section.
9. Storm water shall not be directed into the sanitary sewer system and no connections between the storm and sanitary sewer systems will be permitted at any time Storm sewers in public rights-of-way shall be RCCP. Storm sewers outside of public rights-of-way shall be IDOT Class B material.

G. Water Supply System

1. Public or community water supply and distribution systems, including water stub terminals to each lot, shall be installed to serve each lot in a subdivision or lot divisions. Such water supply and distribution systems shall be installed to the far side of said subdivision or lot division at such location as determined by the Village Engineer in order to provide for extension of such systems to serve neighboring properties. Subdivisions containing no lots less than one acre in area and located in the unincorporated areas within one and one-half miles of the corporate limits of the Village or subdivisions containing no lots less than one acre in area and which are annexed to the Village after the effective date of this ordinance, may be served with water supply from individual wells conforming with standards approved by the County Health Department and other applicable governmental authorities, except individual wells shall be permitted in such subdivisions located within the Village only after being specifically approved by the Board of Trustees when it is determined that connection with a public or community water supply system is not practicable, or there is an agreement between the subdivider and the Village and a guarantee by the subdivider that all lots in the subdivision will be served with a public or community water system within a specified period of time. (Amended by A-41-3-86) (Amended by A-894-03-08)
2. There shall be no physical connection between a potable and non-potable water supply.
3. Consideration shall be given to water reclamation and reuse in commercial and industrial tracts for the purpose of conservation and relief of demands on existing residential supply; backflow devices must be included if water re-use is proposed.



(Amended by Ordinance A-894-03-08)

4. Evidence shall be presented by the subdivider that an adequate water supply is available, or will be, in advance of occupancy for development of individual lots and that the local utilities can satisfactorily serve the area by the utility easements shown.
5. Dead-end watermain will not be permitted. All watermain must be constructed in a looped system. (Added by Ordinance A-894-03-08)
6. Water Main size shall conform to the Master Village water main plan as directed by the Village Engineer. Mains on Section line roads shall be 12" diameter.. Water transmission mains shall be a minimum of eight (8) inches in diameter, and shall include installation of shutoff valves and fire hydrants. Fire hydrants shall be installed at maximum intervals of 350 feet in a direct line in the parkway. The hydrants shall have a minimum of a seven (7") inch barrel and two, two and one-half (2½") inch hose connections and one (1) four and one-half (4½") inch steamer connection and an individual auxiliary valve of the size required by the appropriate Fire Protection District.
7. Thrust blocking must be proposed at all changes in direction 22 ½ degrees or greater. Thrust blocking shall be P.C.C., poured in place. Mega-lug restraint joint glands may be required in addition to P.C.C. thrust blocking. (Added by Ordinance A-894-03-08)
8. Valves shall be resilient wedge with non-rising stem gate valves, counter-clockwise opening, AWWA-C-509, Mueller or approved equal. Valves shall be located as directed by the Village Engineer in order to provide for effective operation of the larger water distribution system. (Added by Ordinance A-894-03-08)
9. Valve Vaults must be 5' in diameter, with the valve centered below the manhole opening. The valve vault rim shall read: "VILLAGE OF BURR RIDGE – WATER". (Added by Ordinance A-894-03-08)
10. Tracer wire and warning tape will be required to assist with watermain locating. Warning tape shall be 2" wide blue plastic warning tape. Tracer wire shall be #8 solid gauge tracer wire with blue insulation. (Added by Ordinance A-894-03-08)
11. Fittings shall be A-304 stainless steel ASTM F 593 and F 594 bolts, nuts, washers, and tie rods. (Added by Ordinance A-894-03-08)
12. Fire hydrants shall be installed at maximum intervals of 350 feet in a direct line in the parkway. The hydrants shall have a minimum of a seven (7") inch barrel and two, two and one-half (2 ½") inch hose connections and one (1) four and one-half (4 ½") inch steamer connection and an individual auxiliary valve of the size required by the appropriate Fire Protection District. Fire hydrants shall be Mueller Centurion or East Jordan, depending upon which fire hydrant is predominant in the vicinity. Fire hydrants shall be equipped with a 6" auxiliary valve and valve box stabilizer. The auxiliary valve shall connect to the fire hydrant with a flange fitting. (Added by Ordinance A-894-03-08)

H. House Services

House services for sewer and water shall be constructed to connect each lot or building site with the utility service mains for each utility as follows:

1. Such house services shall extend from the main to the property line;



2. House water service for each single-family residence shall be minimum of one and one-half inch (1.5"), type K, copper or approved equal and shall be terminated at a shut-off valve and box of a type approved by the Village Engineer and located in the parkway, three feet (3') from the sidewalk line. In no case shall the buffalo box be located in the sidewalk or driveway, or buried underground.
3. The connection from the sanitary sewer main to sanitary house drain shall be six inches (6") PVC (SDR35), or class 52 Ductile Iron pipe and conform with the Sanitary District and/or Health Department regulations. (Amended by A-41-2-83) Connections to the main shall be connected with a wye or gasketed saddle with dual stainless steel straps.
4. Connections from the storm sewer main to house storm drains shall be six (6) inches and connected with a wye or gasketed saddle with dual stainless steel straps.

I. Public Sidewalks and Pathways

1. Sidewalks shall be provided on both sides of all streets and rights-of-way within a subdivision and on the adjacent side of any street or right-of-way contiguous to the subdivision.
2. The Board of Trustees, upon recommendation by the Pathway Commission, may determine that sidewalks are not needed on both sides of all streets and, therefore, may waive the requirement for certain sidewalks. In the event sidewalks are not required on both sides of the street, the following conditions shall apply: (Amended by Ordinance A-894-01-15)
 - a. The subdivider shall deposit cash to be held by the Village to pay for the installation by the Village of pathways or sidewalks in the Village.
 - b. The amount of the deposit shall be the estimated cost of the sidewalks not being constructed as estimated by the Village Engineer. The estimated cost shall be based on current costs for public sidewalk projects and shall include the cost of the sidewalk as well as retaining walls, storm sewers and other appurtenances that may be required to accommodate the sidewalk.
 - c. The deposit shall be made before recording of the final plat of subdivision.
 - d. The pathways or sidewalks constructed by the Village in lieu of required sidewalks shall be installed by the Village at such time as the pathways or sidewalks may be incorporated into a comprehensive pathway and sidewalk system in the Village.
 - e. The subdivider may further be required by the Board of Trustees as a condition of final plat approval to dedicate land for public use outside of street rights of way on which hard surface pathways may be constructed in lieu of sidewalks.
3. Sidewalks shall be located 12 inches from the street right-of-way lines unless it is determined by the Village Engineer upon consultation with the Village Forester, that sidewalks should be made to meander around existing trees for the purpose of preserving said trees. A subdivider may be required to dedicate easements or additional rights-of-way to accommodate sidewalks under this circumstance. Sidewalks shall be a minimum of five (5) feet wide and five (5) inches thick. Sidewalks located across driveways shall be a minimum of seven (7) inches thick. The Board of Trustees, upon recommendation from the Pathway Commission, may require additional width as determined appropriate. All sidewalks shall be constructed of Portland Cement Concrete



with a twenty-eight (28) day compressive strength of three thousand (3,000) pounds. All concrete shall be air entrained with a maximum slump of five (5) inches. The Village Engineer shall approve other admixtures.

4. Pathways shall be located within dedicated rights-of-way or easements and shall be constructed in accordance with the following:
 - a. Pathways shall be constructed of the same materials and specifications as sidewalks unless otherwise required by the Board of Trustees upon recommendation from the Pathway Commission. If so approved by the Board of Trustees, pathways may be constructed of asphalt consisting of a 2 inch stone sub-base on geo-textile fabric with a 4 inch bituminous base course and 2 inch bituminous surface course.
 - b. Pathways shall be a minimum width of 5 feet but may be required to be wider if determined appropriate by the Board of Trustees upon recommendation from the Pathway Commission.
5. The requirements herein shall also be applicable to any subdivision where private streets are permitted in the subdivision in lieu of public streets, and appropriate easements or dedicated rights of way for required sidewalks and/or hard-surface pathways may be required by the Board of Trustees.

J. Street Lighting Specifications

1. Residential
 - a. Street lights shall be provided as described herein and in substantial conformance with the attached Appendix XI.
 - b. Lighting in residential areas shall consist of installing concrete poles with a coach light style lamina. The concrete poles shall be sixteen (16') feet in height from ground line to top of pole, with a three (3") inch outer diameter by three (3") inch slipfitter to receive the lamina. The poles shall be furnished with a minimum five (5') foot length butt base to be imbedded into the ground and surrounded by finely compacted screenings. The pole shall be octagonal (eight-sided) in shape and shall taper from approximately seven (7") inches at ground line to four (4") inches at top of pole and shall be constructed of centrifugally cast concrete with prestressed steel reinforcement. The poles shall include a two (2") inch by eight (8") inch handhole with cover approximately eighteen (18") inches above ground level and also a two (2") inch by nine (9") inch cable entrance hole approximately nine (9") inches below grade level. The poles shall have a ¾" female threaded access hole to accept a ¾" male threaded nipple, capped with a bronze ¾" male treaded cap, located approximately 12" below the top of the pole. All poles shall be Stresscrete manufacture with a "Saluki Bronze, S90" naturally polished finish. Substitute or "or-equal" products can be used only if approval is granted by the Village Engineer. (Amended by Ordinance A-894-03-08)
 - c. Post top luminaires mounted on the aforesaid concrete poles shall be of the coach light style and shall consist of a cast aluminum octagonal-shaped body of approximate dimensions, thirty-five (35") inches in height and twenty (20") inches in width. The body shall enclose eight (8) tightly secured polycarbonate lense panels and accommodate a three (3") inch slipfitter. The luminaires shall be primed and then painted with black thermoset acrylic enamel. All lines of the luminaires shall be neat in appearance, and all hardware shall be stainless steel.



Laminar shall house a one hundred twenty (120) volt regulator ballast with high power factor to accommodate a ten percent plus or minus (10%±) line voltage variance. Lamps shall be color corrected one hundred (100) watt high pressure sodium vapor lamps with a minimum initial output of eight thousand eight hundred (8800) lumens and be designed to burn base down. All luminaries shall be furnished with a photocell control. Wiring within the pole shall be No. 16 minimum. Luminaires shall be "King Luminaire Style K56-Octagon" or approved equal. Substitute or "or-equal" products can be used only if approval is granted by the Village Engineer. (Amended by Ordinance A-894-03-08)

- d. Lighting in residential area may either be lighted individually or in circuit. Individually lighted poles shall be connected to a one hundred twenty (120) volt Commonwealth Edison transformer service through existing easements and shall be connected by 2-1/C, No. 8, 600 Volt, Type XHHW wiring in one (1") inch PVC unit duct. All poles shall be grounded by a No. 8 bare wire ground adjacent to the unit duct, or may be grounded by individual ground rods at each light. Poles which are lighted in circuit shall be operated by a photo control unit mounted on the first light connected to the relay unit at the main control center and shall be connected by minimum 2-1/C No. 6, 600 volt type XHHW wiring in one (1") inch minimum PVC unit duct and shall operate on one hundred twenty (120) volts. A No. 8 bare wire ground shall be installed adjacent to the unit duct in trench. All trenching shall be a minimum thirty (30") inches in depth and thoroughly backfilled and compacted. All wiring shall be annealed seven (7) strand, soft copper. Controls shall be mounted in a post top cabinet. Where street light cable crosses previously restored surfaces, the cable shall be installed by guided auger methods.
 - e. Street lights shall be located at street intersections, cul-de-sacs, and at points of significant roadway curvature, as directed by the Village Engineer
2. Business and Manufacturing
- a. Lighting in business and manufacturing areas shall consist of installing a twenty-one (21') foot octagonal concrete pole with a two and one-half (2-1/2") inch curved aluminum pipe arm with a six (6') foot spread of the "davit" galvanized steel style to mount a two hundred fifty (250) watt metal halide "cobra head" type luminaire of cutoff distribution. The bracket arm shall slip onto an indented pole top for a flush fit. The luminaire mounting height shall be twenty-five (25') feet. The pole shall be a centrifugally cast prestressed, reinforced, concrete pole with approximate dimensions eight (8") inches at ground line and five and three-eighths (5-3/8") inches at top.
 - b. The pole shall be bolted to a five (5') foot deep, twenty-four (24") inch diameter, Class X concrete foundation using one (1") inch by thirty-six (36") inch by four (4") inch steel anchor bolts with an approximate bolt circle of eleven and one-half (11-1/2") inches. The pole shall be of a natural polished white color.
 - c. Luminaries shall house a two hundred fifty (250) watt, metal halide lamp and shall contain a highpower factor regulator ballast rated at two hundred forty (240) volts. Wiring and controller details shall be as described for residential circuited lights except that the operating voltage shall be two hundred forty (240) volts. Luminaries shall be of Type II or Type III cut-off distribution. The lighting system shall be designed to a maintained footcandle value of zero point six (0.6), and a uniformity ratio of six (6) to one (1). Luminaries shall be equipped with a flat lens to provide a cut-off type lighting distribution. (Amended by A-41-2-83)



3. General

- a. The subdivider shall be responsible for making electrical connection arrangements with the utility company. All work shall conform to the applicable sections of the latest edition of the National Electric Code, as well as to the specifications set forth above. In the event of conflict between said specifications and said Code, the more stringent requirement shall govern.
- b. The Plan Commission may recommend variations to the pole, lamina, and lamp specifications, upon submittal of a superior type of lighting equipment which would be deemed unique and desirable for use in a particular subdivision.
- c. The provisions of Section III.C of this Ordinance shall govern the recommendation for and the granting of any such variation.

K. Street and Traffic Signs

Final engineering plans shall include specifications for all street and traffic control signs. Said signs shall be provided in accordance with the following:

- 1 All traffic control signs shall be provided in conformance with the Manual for Uniform Traffic Control Devices or as may otherwise be required by the Village Engineer.
- 2 Street name signs shall be posted on street light poles whenever possible. Whenever determined appropriate, street sign posts may be used subject to specifications provided by the Village Engineer.
- 3 Street name signs shall comply with the specifications attached hereto as Appendix XII.

L. Public Utilities

1. All utility distribution or transmission lines for telephone, electric service, cable and other means of electronic and telephonic transmissions shall be placed underground. Installation of such facilities shall be made in compliance with the applicable orders, rules and regulations of the Illinois Commerce Commission now or hereafter effective and the subdivider shall be responsible for compliance with rules and regulations, now and hereafter effective and filed with said Commission pursuant to the Illinois Public Utilities Act and of any public utility whose service will be required for the subdivision with respect to the provision of such facilities.
2. Underground telephone, electric and gas service shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services. Further, all transformer boxes shall be located so as not to be unsightly or hazardous to the public. Unless provided otherwise in easement provisions on the subdivision plat or other plat note, in language acceptable to the Village, for those subdivisions in which the right-of-ways are not dedicated to the Village, the subdivider or subsequent subdivision property owners shall retain sole responsibility for the cost of electric and gas service and maintenance for common use improvements, including, but not necessarily limited to, street lights.



M. Erosion and Sedimentation Control

1. An erosion and sedimentation control plan shall be provided including but not limited to the following:
 - a. Erosion and sedimentation control measures necessary to meet the objectives of this ordinance throughout all phases of construction and permanently after completion of development of the site. Plans should include specifications, details, and plan indications of the following;
 1. Inlet protection at all exposed inlets
 2. Silt fence plan
 3. Stabilized construction entrance
 4. Concrete wash-out area
 5. Filter strip locations
 6. Pipe outlet erosion control
 7. Seed establishment note which reads: “All disturbed areas for which work does not take place for 30 days shall be supplemented with topsoil and silt-seeded. The responsible party must ensure that the seed germinates and results in soil stabilization to the satisfaction of the Village Engineer.”
 8. Phasing note which reads: “Erosion control must be established prior to the commencement of earthwork activities. All erosion control must be inspected and approved by the Village Engineer prior to the commencement of any other tasks. The contractor/developer is responsible for the continual maintenance of all erosion control. In the event that erosion control is found to be deficient, a Notice of Non-compliance will be issued, after which the responsible party will have five (5) calendar days to resolve the matter to the satisfaction of the Village Engineer. If the matter is not satisfactorily resolved within five (5) days, the Village will authorize the work to be performed at the expense of the responsible party. The Letter of Credit surety will be drawn upon for payment of this work.”
 - b. Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quality of mulching for both temporary and permanent vegetative control measures shall be indicated on the final engineering plans.
 - c. Provisions for maintenance of control facilities, including easements and estimates of the cost of maintenance.
 - d. Identification of the person(s) or entity which will have legal responsibility for maintenance of erosion control structures and measures after development is completed
 - e. A copy of the IEPA NOI (Notice of Intent) and a copy of the cancelled permit fee check must be submitted to the Village as proof that the NOI Permit has been



procured. (Added by Ordinance A-894-03-08)

2. Except as provided below, no plat of subdivision shall be approved unless the final plat and accompanying materials indicate that measures to be taken for control erosion and sedimentation will be adequate to assure that sediment is not transported from the site by a storm event of ten-year frequency or less, and that the following principles will be applicable to all development activities in the area to be subdivided: (Amended by Ordinance A-894-03-08)
 - a. Development should be related to the topography and soils of the site so as to create the least potential for erosion. Areas of steep slopes where high cuts and fills may be required should be avoided wherever possible and natural contours should be followed as closely as possible.
 - b. Natural vegetation should be retained and protected wherever possible. Areas immediately adjacent to natural watercourses should be left undisturbed wherever possible.
 - c. The smallest practical area of land should be exposed for the shortest practical time during development.
 - d. Silt fencing, sediment basins, debris basins, desilting basins, or silt traps or filters should be installed and maintained to remove sediment from runoff waters from land undergoing development.
 - e. The selection of erosion and sedimentation control measures should be based on assessment of the probable frequency of climatic and other events likely to contribute to erosion, and on evaluation of the risks, costs and benefits involved.
 - f. In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance should be considered.
 - g. Provision should be made to accommodate the increased runoff caused by changed soil and surface conditions during and after development. Drainageways should be designed so that their final gradients and the resultant velocities of discharges will not create additional erosion, and should be protected against erosion and sedimentation during development.
 - h. Permanent vegetation and structures should be installed as soon as practical during development.
 - i. The subdivider shall regularly inspect all soil erosion and sedimentation provisions and shall re-set silt fences and other measures as may be needed to ensure compliance with this Ordinance.

N. Record Drawings (As-Built Plans)

1. Upon completion of the installation of improvements in a subdivision, one set of mylar Record Drawings, which show all improvements as actually installed in the field, shall



be filed with the Village Engineer. Said record drawings must be submitted prior to the acceptance of the subdivision improvements. The purpose of the record drawings is to ensure that such improvements have been installed in accordance with the approved final engineering plans and to provide a permanent record of the improvements. Record drawings shall indicate location (setback from property and easement lines), sizes, dimensions, elevations, and construction materials of all improvements and any other information as may be required by the Village Engineer. An electronic copy of the record drawings (in AutoCad or ArcView format) must also be submitted prior to acceptance of the subdivision improvements. (Amended by Ordinance A-894-03-08)

- 2 The record drawings shall include all house service connections in distances in feet from side lot lines approved by the Village Engineer.

Table VIII-A Street Composition Standards

Local Residential Streets		All Arterial, Collector and Non-Residential Streets & Alleys	
Bituminous Concrete	Portland Cement Concrete	Bituminous Concrete	Portland Cement Concrete
1 1/2" Surface, Class I, Mixture CL, Type 3 ¹	8" P.C.C. Non-reinforced	1 1/2" Surface, Class I, Mixture C, Type 3 ¹	11 1/2" P.C.C. Non-reinforced
2" Binder, Class I, Mixture B, Type 2		2" Binder, Class I, Mixture B, Type 2	
6" Bituminous Base (Min. M.S. of 1700)		9 1/2" Bituminous Base (Min. M.S. of 1700)	
2" Crushed Limestone Type CA-6 ²	2" Crushed Limestone Type CA-6 ²	2" Crushed Limestone Type CA-6 ²	2" Crushed Limestone Type CA-6 ²

Table VIII-B Pavement Width

Type of Street	Residential Zoning: R-2A, R-2B, R-3, R-5	Residential Zoning: R-1 or R-2	Non-Residential Zoning:
Arterial	37 Feet *	37 Feet *	48 Feet *
Collector	30 Feet *	Rural: 24 Feet ** Other: 30 feet *	48 Feet *
Local	28 Feet *	Rural: 22 Feet ** Other: 28 feet *	30 Feet *
Cul de Sac Turnaround	90 Feet (Including a 22 foot diameter landscape island and a 34 foot wide pavement)	90 Feet *	100 Feet *
Highways	In accordance with Federal, State, County, or Local requirements.		
* Street width is measured from back of curb to back of curb.			
** Street width includes a 2 foot width of bituminous shoulder on each side.			



BURR RIDGE SUBDIVISION ORDINANCE

SECTION IX LANDSCAPING DESIGN REQUIREMENTS

A. Submittal of Landscaping Plan

Anyone subdividing property subject to this Ordinance shall submit a landscaping plan in conjunction with the required final engineering plan. All landscaping plans shall comply with the requirements contained herein. All improvements shown on the landscaping plan and required herein shall be constructed as required by this Ordinance.

B. Purpose and Intent

The design specifications provided in this Section are intended to provide guidelines for the conceptual and final design of all required and proposed landscaping improvements. Where specific guidelines are not provided and where discretion is required, such discretion shall reside with the Board of Trustees and the Community Development Director. The Board of Trustees shall have sole authority to approve modifications to this Section except where such authority is specifically delegated by the terms of this Ordinance.

C. Right-of-Way Landscaping

1. Cul-de-sac turnarounds shall have a curbed landscaped island concentric with the radius point of the outside curb of the cul-de-sac. Turnaround islands shall be graded, sodded and planted with shade trees consistent with those permitted in parkways. The Village Board, upon recommendation from the Village Forester, may approve decorative landscaping in the, turnaround islands provided that the landscaping will be aesthetic and properly maintained by parties other than the Village and that the landscaping will not block sight lines around and through the island as determined by the Village Engineer. Parkway trees around the perimeter of cul de sac turnarounds shall be setback from the curb line as far as possible.
2. Landscaped parkways shall be required on both sides of all streets. They shall be graded and prepared for seeding by the subdivider with at least four (4) inches of top soil. Median strips in streets shall be considered as parkways All median strips shall be bordered by a Type B6.12 curb and gutter with storm draining inlets where needed, as approved or unless otherwise directed by the Village Engineer. Ground cover consisting of seed or sod and parkway trees shall be provided in all parkways as described in Section IX.F.3, below.

D. Retaining Walls

Retaining walls may be used when determined appropriate by the Village Engineer for purposes of stormwater management or when determined appropriate by the Village Forester for purposes of tree preservation. Details of any proposed retaining walls shall be



provided on both the final engineering and landscaping plans and shall comply with the following:

1. Natural cut stone shall be the construction material employed for all retaining walls located within a right-of-way, or easement dedicated to and maintained by the Village, or common area of a subdivision such as a detention outlot. Pre-cast segmental block retaining wall systems are not permitted. (Amended by A-894-01-10)
2. Retaining walls shall not exceed 42 inches in height measured from the top of grade at the bottom of a wall to the top of the wall except when written approval is obtained from the Village Engineer. In such cases where retaining walls may exceed 42 inches in height, a safety rail or other suitable barrier may be required at the top of the wall.
3. Terraced retaining walls shall be permitted where each section of the wall does not exceed 42 inches in height and a minimum of 36 inches is provided between each face of the retaining walls.
4. Retaining walls surrounding a stormwater detention or retention pond shall not exceed 10% of the circumference of the detention or retention pond as measured at the normal water level. (Amended by A-894-01-10)
5. Final engineering submittals must include a complete geotechnical report and a structural engineering report, signed and sealed by a licensed, professional Structural Engineer. The Final Engineering plans must include proposed wall details, including bedding conditions, minimum bedding compaction densities, minimum bedding bearing capacities, and specific requirements regarding placement of retaining wall stones, linking, placement of geogrid, laybacks, and overburden slope parameters. The engineering plans must be signed and sealed by a licensed, professional, Structural Engineer. (Amended by A-894-01-10)
6. The developer must retain the services of a materials testing consultant to ensure proper compaction and to certify that materials and methodologies are compliant with the structural and geotechnical requirements in the approved plan. The as-built engineering plans shall include a certification and SE stamp which documents the same. (Amended by A-894-01-10)

E. Detention/Retention Areas, Outlots, and Similar Areas

Detention areas, outlots, and similar areas (hereinafter referred to as outlots) shall be landscaped in a manner consistent with landscaping of private lots in the Village of Burr Ridge and to enhance outlots as open space amenities. Landscaping plans for outlots shall be provided with the final engineering plans to be reviewed and approved by the Community Development Director and the Village Engineer. Landscaping plans shall include installation specifications and details, a plan for the establishment of the plants, and a long term maintenance plan and specifications. The long term maintenance plans shall specify timely replacement of any plants that die. In addition, landscaping of outlots shall comply with the following:

1. With the exception of well defined planting beds, outlots shall be seeded or sodded with an appropriate turf grass comparable to that used in typical single-family residential



- yards. The Village Engineer may require sodding of side slopes and detention bottoms as determined appropriate.
2. Native grasses or prairie plantings may only be used when expressly permitted by the Board of Trustees upon recommendation from the Village Engineer and only for a subdivision that will have a homeowners association which has perpetual maintenance responsibility. The Board of Trustees may require a letter of credit or other security separate from the subdivision improvement security to ensure that native landscaping is properly established and maintained.
 3. Perimeter landscaping shall include shade trees, ornamental trees, shrubs and similar landscaping. At a minimum, perimeter landscaping of outlots shall include the following:
 - a. Planting beds with a mix of canopy/shade, evergreen, and ornamental trees as well as deciduous shrubs, ornamental grasses, and flowering plants next to interior side and rear yards of adjacent private lots in an amount that will provide continuous (but not necessarily opaque) landscaping.
 - b. Planting beds with a mix of canopy/shade, evergreen, and ornamental trees as well as deciduous shrubs, ornamental grasses, and flowering plants extending along approximately 50% or more of the front or corner side yards of an outlot and along approximately 50% or more of the lot line next to the front yards of adjoining private lots.
 4. Pond overflow spillways shall provide a minimum of one foot of freeboard and shall be protected by a "turfstone" type of erosion control application on and over the spillway.

F. Development Trees

It is the intent of this Section to ensure that the streets (whether public or private) in all new developments, including subdivisions, land divisions, planned unit developments, and all other developments of any kind (herein collectively referred to as "developments") approved by the Village of Burr Ridge are landscaped in such a manner as to ameliorate the impact of development on the natural setting and adjacent properties, and to provide an environment which will protect and improve property values. At the same time, the requirements of this Section are intended to minimize those factors which could result in increased development or maintenance costs for the developer and, in future years, for the Village and its taxpayers.

1. General Provisions - Incorporation of Standards

Performance standards for activities required under this Section shall be in accordance with the then latest available revision of the applicable standards as herein described, unless specific exceptions are approved by the Village Administrator upon receipt of a recommendation from the Village Forester or a Certified Arborist retained by the Village. Said standards, including those contained in the American National Standards Institute publication Z133.1 ("American National Standard for Tree Care Operations - Pruning, Trimming, Repairing, Maintaining, and Removing Trees, and Cutting Brush - Safety Requirements"), and "American Standard for Nursery Stock", published by the American Association of Nurserymen, as such may be amended from time to time, be and are hereby incorporated and adopted by reference as the standards of the Village of



Burr Ridge for the purposes of this Section. At least 3 copies of such standards, including any subsequent amendments thereto, shall be on file with the Village Clerk and made conveniently available for public inspection, use and examination, and 3 copies have been on file and available for public use, inspection and examination in the office of the Village Clerk for a period of at least 30 days prior to the adoption hereof.

2. Protection of Existing Trees

a. As a precondition to the approval by the Village of the pattern of streets, parking or other paved areas, and the location of utilities, the developer shall submit a plan which includes detailed information regarding existing trees. The above plans shall be reviewed by the Village Engineer and Village Forester who, in consultation with the developer, shall recommend modifications to the site development plans.

- (1) It shall be the purpose and intent of this review to maximize the number of trees which can be preserved without reducing the number of buildings or lots which would otherwise be permitted and without unreasonably increasing the cost of development.
- (2) No site plan or Preliminary Plat shall be approved until all requirements herein set forth have been complied.

b. All site grading plans, preliminary plats and preliminary engineering plans shall include a plan, drawn to the same scale as all other plats or plans, showing the following

- (1) The location, size, species and condition of all existing trees 8" D.B.H (as measured 4.5' above the ground) and larger. Said plan shall distinguish between existing trees that are proposed to be preserved at their present location, destroyed, relocated or replaced.
- (2) The location of all proposed tree fencing.
 - (a) Fencing for areas of trees to be preserved must be continuous in order to completely separate the construction area and the areas of trees to be preserved.
 - (b) No attachments, fences or wires, other than approved materials for tree bracing, guying or wrapping, shall be attached to any trees to be preserved during any of the construction period.
 - (c) All fencing shall be secured to metal posts driven into the ground at intervals of no greater than ten feet (10').
- (3) The areas for the placement of excavation spoils which will not be immediately removed from the development property.
- (4) The proposed measures, including, but not limited to, auguring, root pruning, crown reduction, that are to be taken to minimize construction impact on those trees remaining on the site.

c. Following approval of the site plan or Preliminary Plat, the final plans and specifications to be submitted as required by Section V of this Ordinance shall include any revisions required by the Village to comply with the above provisions.



- d. Prior to approval by the Village Engineer of the final plans and specifications, as set forth in Section V of this Ordinance, the Village Forester shall complete the review of all matters relating to the removal, relocation or preservation of existing trees.
 - (1) When all aspects of the plans have been approved by the Village Forester, the developer shall be notified to stake the property for inspection and to clearly identify and tag all trees which are proposed to be removed and/or relocated. Staking shall delineate all roadways, driveways, walkways, utilities, detention/retention areas or other areas where significant grading or excavation will occur.
 - (2) The Village Forester will complete an inspection of the staking and tagging within two (2) working days of notification to the Village by the developer that the staking and tagging is ready for inspection. Following any revisions to the plans which are required as a result of this inspection and following any corrections to the staking or tagging, as required following the site inspection, including reinspection thereof, the Village Forester shall notify the Village Engineer in writing of his approval of the plans.
 - e. Until such time as the required plans and specifications are approved by the Village Engineer and until such time as the Final Plat is approved by the Board of Trustees, the developer shall ensure that all staking and tagging, as set forth above, remains undisturbed.
 - f. Following approval of the required plans and specifications, approval of the Final Plat and the posting of the letter of credit to guarantee completion of the required improvements, the developer shall notify the Village Engineer in writing at least five (5) working days in advance of the date when site preparation work is scheduled to begin. Site preparation shall be strictly limited to the following, in the order listed:
 - (1) Installation of all tree fencing required by the approved plans and specifications.
 - (2) Clearing from the site of only those trees and other vegetation indicated for removal on the approved plans and specifications.
 - (3) Root pruning, crown reduction and other tree preservation measures required by the approved plans and specifications.
 - g. Before the date indicated by the developer for the start of site preparation work, the Village forester shall re-inspect the staking and tagging required herein to ensure that it has remained as approved. Only after the Village Forester has reported that all staking and tagging is acceptable will the Village Engineer notify the developer in writing that site preparation may proceed.
 - h. No grading or installation of underground improvements shall be authorized by the Village until all site preparation work is completed and approved, following an inspection by the Village Forester.
3. Required Trees - Plan Approval
- a. Street Trees



- (1) The developer shall submit a street tree planting plan, prepared at the same scale as the engineering plans, for approval by the Village. Included on the face of said plan shall be a calculation of the number of trees required to comply with the provisions herein, including the method of calculation. Said plan shall be submitted after approval of the Preliminary Plat, at the same time that engineering plans and specifications are submitted.
- (2) Trees shall be planted within the existing or proposed street rights-of-way along all streets where the number of healthy trees that exist do not conform to the requirements below. This requirement shall include the developer's side of any existing street which the development adjoins.
- (3) All trees selected shall be grown in a nursery located in the northern half of the State of Illinois. The grade of all planting stock shall be in conformance with the "American Standard for Nursery Stock" published by the American Association of Nurserymen. Park grade trees shall not be allowed. The Village reserves the right to inspect and tag trees selected by the developer at the nursery before any trees are dug.
- (4) All trees selected shall be healthy and shall be free of insects and diseases, bark bruises and scrapes on the trunk or limbs before and after planting.
- (5) Each tree selected shall be consistent in form and character with the species and shall have a straight trunk with limbs not lower than six feet (6') above the ground.
- (6) All trees selected shall have a trunk diameter, measured six inches (6") above the ball, of not less than three inches (3").
- (7) Trees to be planted in the parkway shall be spaced no more or less than forty feet (40') apart, unless otherwise approved. They shall be no closer than:
 - (a) Five feet (5') back from the curb or, in the case of streets without curbs, five feet (5') back from the pavement edge or from the edge of any swale or ditch.
 - (b) Forty feet (40') from the nearest corner of the pavement of intersecting streets, said distance to be measured away from the corner along both of the streets.
 - (c) Ten feet (10') from driveways.
 - (d) Fifteen feet (15') from street lights.
 - (e) Five feet (5') from fire hydrants, buffalo boxes, vaults, and the like.
 - (f) Five feet (5') from sidewalks, unless otherwise required or approved.
- (8) The size and spacing requirements of this Section may also be satisfied, if approved by the Village, if trees, ranging in size from two and one-half inches (2-1/2") to five inches (5") exist, are planted, or a combination of these, in a naturalistic manner compatible with existing trees and terrain in the rights-of-way or within street tree easements in favor of the Village located within the first ten feet (10') of each lot immediately adjoining the



right-of-way. Such easement shall be on the Final Plat in a form and substance satisfactory to the Village Attorney. Provided, however, the total inches of trees to be planted shall comply with the requirements of this Section (i.e. number of trees required at forty foot spacing, times three inches per tree).

b. **Planned Developments, Including Clustered Single Family Detached Residences, Townhouses, Etc.**

(1) The developer shall submit plans and specifications for the site and, if appropriate, information relating to landscaping of adjacent or surrounding areas affected by the proposed development. Such plans and specifications shall be prepared and signed by a professional landscape architect. These plans shall include:

(a) Distribution of plant material; location, quantity and key number of each species of plant in each group; outline of all lawn areas, areas to be seeded, sodded or sprigged; existing trees, if any, to be preserved, transplanted or removed; kind, size and work involved as related to slope control and/or physical environment.

(b) List of plant material giving standard botanical plant names and key number for each variety for reference to plan and, in addition, the size, quality or other pertinent description common to the trade.

(c) A specification describing the methods for planting the areas to be landscaped with special emphasis on: soil preparation, fertilization, plant material and methods of planting; and initial maintenance of the plant material and slopes until a specified percentage of plant coverage is established uniformly on the cut and fill slopes.

(d) A statement by the landscape architect regarding the length of time after planting, with the specified maintenance normally required, to produce the specified percentage of plant coverage on the slopes in the slope control areas; the additional length of time, without any special maintenance, normally required to produce a coverage of permanent planting which will control erosion; and landscape maintenance and plant replacement specifications.

(e) Details of all items and features pertaining to site preservation and improvements such as retaining walls and tree wells.

(f) Such other and further details as may be specified and required by the Village to carry out the purposes of this Section.

4. **General Standards for Tree Planting**

All required trees shall be planted during the first spring or fall planting season immediately following installation of the required underground improvements, curbs and gutters and roadway base, subject to prior written approval by the Village Forester.

a. **Planting Seasons**

(1) The fall planting season shall be from October 1 to December 1.



- (2) The spring planting season shall be from March 15 to May 15.

b. Planting Standards

- (1) Trees shall be balled and burlapped and shall not be dug for removal from the nursery until immediately prior to their planting.
- (2) The planting hole shall be twelve inches (12") larger in diameter than the diameter of the ball.
- (3) All trees shall be hand planted and planted straight.
- (4) The tree shall be planted the depth at which it was growing in the nursery. The ball shall be placed in undisturbed soil on the bottom of the hole to prevent settling.
- (5) In most instances, the backfill around the ball shall be the same soil as that which was removed from the hole; however, in cases where rocks, stones, etc. are encountered, topsoil shall be used.
- (6) Any excess soil, debris or trimmings shall be removed from the planting site immediately upon completion of planting.
- (7) Where necessary, trees shall be staked to ensure that they remain straight.
- (8) All tags, wires, plastic ties and wire baskets shall be removed from each tree.
- (9) Tree holes may be machine dug; but if any existing lawn is damaged, it shall be the responsibility of the developer to restore the lawn to its original condition, using sod. The sides of all holes that are machine dug shall be hand-shaped to eliminate glazing.

5. Permitted Species and Diversity of Species

- a. A list of permitted plant species shall be maintained by the Village Forester. The approval of a species for a particular site shall be dependent upon the following criteria:
 - (1) Compliance with permitted species list.
 - (2) Compatibility of the species with the site.
 - (3) The overall species balance in the immediate area, as well as the overall species balance in the Village.
- b. The tree planting plan for a subdivision shall provide a diversity of species, genus and taxonomic families. Trees planted shall not exceed more than 10% of one species, 20% of any genus and 30% of one taxonomic family.



6. Prohibited Species

The following plant species shall not be planted on any public street, parkway, or other municipally-owned property:

<u>Botanic Name</u>	<u>Common Name</u>
Acer negundo	Box Elder
Acer saccharinum	Siler Maple
Ailanthus altissima	Tree of Heaven
Catalpa speciosa	Catalpa
Coniferales ord.	Evergreens of any type
Crataegus spp.	Hawthorn (varieties with thorns)
Elaeagnus spp.	Russian Olive
Franxinus spp.	Ash of any type
Ginko biloba (female)	Female Ginko
Juglans spp.	Walnut of any type
Maclura pomifera	Osage Orange
Malus pumila	Apple
Morus spp.	Mulberry
Populus spp.	Cottonwood, Poplar, Aspen
P. alban nives	Silver White Poplar
Prunus spp.	Cherry plum
Pyrus calleryana ‘Bradford’	Bradford Pear
Quercus palustris	Pin Oak
Rhamnus spp.	Buckthorn of any type
Robinia pseudoacacia	Black Locust (varieties with thorns)
Salix spp.	Willow
Ulmus spp.	Elms of any type (unless DED resistant)
Coniferales ord.	Evergreens of any type

7. Required Maintenance

Throughout the installation of the required improvements, the developer shall be fully responsible for the preservation and protection of those existing trees identified on the approved plans and specifications. In addition, the developer shall be fully responsible for the maintenance in a healthy, flourishing condition of all trees required to be planted until the end of the two-year maintenance period (which is required by this Ordinance for all improvements) following acceptance of the improvements by the Village. In the case of those trees which are replaced during the two-year maintenance period and which will not have been in the ground for two years at the expiration of the two-year maintenance period (the time required to ensure the Village that they will continue to flourish once they are being maintained by the Village), the developer shall be required to post cash with the Village as a guarantee, as set forth in subsection e below.

- a. At a minimum, the following schedule of specific maintenance activities shall be observed:
 - (1) April - All tree wrap shall be removed and trees shall be fertilized and mulched and checked for settling, straightness and soil moisture.
 - (2) April thru August - Trees shall be inspected and treated as needed to ensure that they remain free of disease and/or insect infestation.



- (3) June thru August - Trees shall be watered on a regular schedule to prevent drought stress and to ensure healthy growth. Care should be taken not to over-water.
 - (4) Before November 1 - The trunks of all trees shall be wrapped to prevent winter bark damage by the elements and/or animals. Trees shall be pruned (as needed), fertilized and mulched.
- b. In order to ensure that trees are maintained in the manner required, the Village shall cause all new development trees, including the existing trees to be preserved and protected, to be inspected by the Village Forester on a periodic basis. The findings of the Village Forester shall be reported to the developer with specific requirements for corrective action, which shall be immediately implemented by the developer. The Village Forester shall also maintain a record of those trees replaced and the date of their replacement.
- c. Since the building construction activities associated with the new development can endanger the well-being of those trees planted by the developer, as well as those trees which are to be preserved and protected, developers are encouraged to require individual builders or contractors to post bonds with them which can be used to pay for tree replacement, if necessary. In no event, shall the Village assume the role of arbitrator in determining the party responsible for tree damage. Notwithstanding the above, the developer shall remain responsible for the health and vitality of all trees required to be planted or preserved and protected until the end of the required maintenance period set forth in this Ordinance and in Chapter 57 of the Burr Ridge Municipal Code.
- d. The developer shall be required to replace those trees which have become so damaged, deformed, diseased or otherwise unhealthy that the Village has good reason to believe they cannot survive in good condition. The determination of the Village shall be based on the recommendation of the Village Forester and shall be final.
- (1) Where tree replacement is required by the Village, planting shall occur during the current planting season, if possible, and, if not, then in the next planting season following notification by the Village.
 - (2) The size and quality of replacement trees shall be equal to or better than the size and quality of the trees to be replaced, as approved by the Village Forester.
 - (3) In the case of those trees which were required to be preserved and protected, the applicant shall be required to replace any such trees with trees equal in diameter (measured 12" from the base) if the tree which is lost is 6" or less in diameter, provided such trees are commercially available. If any such tree is greater than 6" in diameter, or otherwise is not commercially available, then the developer must replace any such lost tree with trees with a minimum diameter of five inches and equaling in number the figure reached by dividing the diameter of the tree which is lost by five (and rounded up if it results in a fraction of .5 or above and down if it results in a fraction less than .5) (e.g. if a 15" tree is lost, it would have to be replaced with 3 trees with each to have a minimum diameter of 5" or better, with all diameters to be measured 12" above the ground).



- e. As set forth above, there will be instances when the developer is required to replace trees during the two-year maintenance period and, as a result, the Village will be afforded less than two years to monitor the health and vigor of these trees in order to ensure that it will be assuming responsibility for trees which will continue to flourish. Therefore, prior to the expiration of the two-year maintenance period and prior to the release of the letter of credit or other security required by Section VII of this Ordinance, for each tree which has been in the ground less than two years at the expiration of the two-year maintenance period the developer shall be required to deposit with the Village a tree guarantee in the form of a cash bond, which shall be held for a period of two years following the expiration of said two-year maintenance period.
- (1) The purpose of the required cash bond shall be to ensure against loss due to improper planting techniques, disease or lack of proper maintenance by the developer.
 - (2) The amount of the required cash bond shall be equal to 125% of the then current replacement cost of each tree to be guaranteed.
 - (3) At least four (4) months prior to the expiration of the required maintenance period, the Village Forester, using the record of tree replacement dates, shall prepare a report to the Village Engineer listing those trees for which a cash bond is required. This report shall include the date the tree was planted, the current replacement cost of the tree, and the current condition of the tree.
 - (4) The developer shall be notified in writing by the Village Engineer of the required amount of the cash bond. Said notice shall include a copy of the Village Forester's detailed report. Any disagreement between the developer and the Village Forester regarding the number of trees to be guaranteed or the required amount shall be resolved by the Village Engineer not less than two (2) months prior to the expiration of the required maintenance period and the expiration of the required letter of credit or other security.
 - (5) Not less than one (1) month prior to the expiration of the required maintenance period and the expiration of the required letter of credit or other security, if the developer has not deposited the required cash bond with the Village, the amount of said cash bond shall be drawn from the developer's security to be held by the Village for the purposes herein set forth.
 - (6) For all such trees for which a cash bond has been deposited with the Village, the Village Forester shall continue to conduct inspections on a periodic basis. The findings of the Village Forester shall be reported to the Village (with a copy to the developer) with specific requirements for corrective action. Corrective action of a maintenance nature shall be immediately implemented by the Village at its own expense. If, however, the only proper corrective action, in the opinion of the Village Forester, is replacement, the cost for such replacement shall be drawn from the cash bond following written notice to the developer and, after replacement, any funds remaining for that tree shall be released to the developer. Notice shall be given by depositing the same in the U.S. mail, postage prepaid, addressed to the developer or his authorized agent at such address as is shown on the then most current records of the Village. Receipt of such notice shall be conclusively presumed from proof of mailing.



- (7) At the end of the two-year period following the expiration of the two-year maintenance period, any cash bond funds remaining on deposit with the Village as a tree guarantee shall be released to the developer.

G. Subdivision Fences and Entryway Monuments

Subdivision fences and entryway monuments are hereby permitted subject to the following regulations. Subdivision fences and entryway monuments are intended to be utilized as decorative gateway features and to buffer rear and side yards from arterial streets. Subdivision fences and entryway monuments are not intended to enclose subdivisions and are not allowed as gates either for private or public streets.

1 Location of Subdivision Fences and Entryway Monuments

- a. Subdivision fences shall be located on private property along the perimeter of subdivision and are allowed only when adjacent to an arterial street.
- b. Subdivision fences and entryway monuments shall be located in a dedicated fence, sign, or entryway easement and shall not be located in a public right-of-way.
- c. Subdivision fences or entryway monuments shall not be located in a clear sight triangle defined as the area formed by two intersecting right-of-way lines (or easement/property lines for private streets) and a diagonal line connecting two points located along each right-of-way 25 feet from the point of intersection or as may otherwise be determined appropriate by the Village Engineer.

2. Standards for Subdivision Fences and Entryway Monuments

- a. Subdivision fences and entryway monuments shall not exceed six feet in height measured from the ground level at the lowest grade level within five feet of either side of the fence.
- b. The primary materials for a subdivision fence or entryway monument shall be limited to masonry, wrought iron, or similar materials. Additional materials may be used as decorative detail subject to the approval of the Board of Trustees.
- c. Signs located on subdivision fences or entryway monuments shall be restricted to entryways and shall comply with the Sign Regulations of the Village of Burr Ridge.
- d. Subdivision fences and entryway monuments shall not interfere with established or proposed drainage patterns as determined by the Village Engineer.
- e. For each one foot wide segment extending over the length and height of a subdivision fence, 50 percent of the surface area must be open and afford direct views through the fence.

3. Procedures for Approval of Subdivision Fences and Entryway Monuments

- a. Plans and specifications for subdivision fences and entryway monuments which are proposed for new subdivisions should be submitted for staff review with the final landscape plans and submitted for review and approval by the Board of Trustees
- b. Subdivision fences and entryway monuments proposed for existing subdivisions are subject to the approval of the Village of Burr Ridge Board of Trustees.



- c. A permit shall be obtained prior to the construction of the fence.
- 4. Maintenance of Subdivision Fences and Entryway Monuments
 - a. Maintenance, repair, and replacement of a subdivision fence and entryway monuments shall be the responsibility of the homeowners association unless otherwise authorized by the Board of Trustees.
 - b. The structural integrity, the appearance of subdivision fences and entryway monuments, and maintenance of surrounding landscaping shall be continuously maintained in a manner consistent with the approved fence elevations and plans.
 - c. Covenants shall be recorded delineating the homeowners responsibilities for maintenance, repair, and replacement of subdivision fences and entryway monuments. Said covenants shall grant to the Village of Burr Ridge the right (but not the duty) to maintain, replace, or repair such fences upon failure to do so by the responsible private party and to record a lien against properties within the subdivision for failure to reimburse the Village for such costs. Subdivision Entryway Guidelines

H. Subdivision Entryway Guidelines

The following subdivision entryway guidelines are provided for the purpose of establishing common elements between subdivisions that will make the subdivision entryways uniquely identifiable as Burr Ridge Subdivisions. Entrances to major residential subdivisions shall be designed based on the following guidelines and subject to the approval of the Board of Trustees. For purposes of this subsection, only, major residential subdivisions shall generally include those that have new streets and have an entryway intersecting an existing collector or arterial street. These are general guidelines only and the Board of Trustees may approve alternative materials or designs if such materials or design are determined to be consistent with the purpose of these guidelines.

- 1. Architectural Features: Entrances should include interesting and attractive architectural features including some or all of the following elements:
 - a. Low walls
 - b. Piers or pilasters
 - c. Ornamental steel fences and/or gates
 - d. Ornamental lights.
- 2. Materials: The color of materials comprising the architectural elements of the entries shall be natural and the materials shall be limited to the following:
 - a. Stone
 - b. Brick
 - c. Architectural poured-in-place concrete
 - d. Precast concrete



3. Prohibited Materials: The following materials will not be allowed as part of the entry features:
 - a. Plywood
 - b. Corrugated or pre-engineered metal
 - c. Unfinished concrete masonry units
 - d. Plastics
4. Lighting: Signage and architectural features shall be externally lit by well-hidden light sources. Ornamental lighting features may be used.
5. Signage Text: Entryway signs shall be for subdivision identification purposes only. Entryway signs should not include complex directional information or any form of advertisement. Entryway signs shall include the words “Burr Ridge” (for example, “Oak Subdivision of Burr Ridge”). All subdivision entryway signs shall be subject to the regulations of the Village of Burr Ridge Sign Ordinance, No. 923. (Amended by A-894-1-02)
6. Landscape Planting: Planting associated with entrance features shall include a rich variety and mixture of plant materials. A careful mixture of plants shall be used to provide interest in all four seasons of the year. Plant materials shall include some or all of the following:
 - a. Shade Trees
 - b. Ornamental (Flowering Trees)
 - c. Evergreen Trees
 - d. Flowering and Evergreen Shrubs
 - e. Ground Covers
 - f. Perennial and annual flowers



BURR RIDGE SUBDIVISION ORDINANCE

**SECTION X
DEDICATION OF PARK LAND OR PAYMENT OF
FEES IN LIEU THEREOF**

As a condition of approval of a final plat of development, a final plat of subdivision, or a final plat of or Special Use permit for a planned unit development, each subdivider or developer will be required to dedicate land for park and recreational purposes to serve the immediate and future needs of the residents of the development, or 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 following criteria and formula:

A. Criteria for Requiring Park and Recreation Land Dedication

1. Requirements and Population Ratio:

The total requirement shall be 10 acres of land per 1,000 residents, except that in any development, subdivision or planned unit development zoned R-1, R-2 or R-2A, the total requirement shall be 5.5 acres of land per 1,000 residents. Illustrated uses include:

**Table X-A
Recreation Area Sizes**

Types of Recreation Area	Size Range	Maximum Acres Per 1,000 People
(a) Play lot	Minimum 8,000 sq. ft.	Not Applicable
(b) School-park	Minimum park of 5 acres	2.25
(c) Neighborhood Park	Minimum 3-1/2 acres	1.5
(d) District-Wide Park or Play Field	Minimum 4 acres, up to 30 acres	4.0
(e) Community Wide Recreation Park	Minimum 12 acres, up to 30 acres	4.0
Total		10 acres of land per 1000 people



2. Acceptable Size

The minimum size of parcels that shall be deemed acceptable for dedication shall be based on the following criteria:

- a. Where the land is to be all useable for recreational purposes (no storm water management), the minimum size of the donation shall be three and one half (3-1/2) acres.
- b. Where the donation is to include detention or retention facilities a minimum of one and one half (1-1/2) acres of land above the high water level (HWL) shall be required. This land shall be contiguous in one location. Where the above criteria cannot be met, a cash contribution in-lieu thereof shall be required. No storm water management area shall be accepted for park purposes without the above criteria being met first.

3. Location

The comprehensive Park and Recreation Plans and/or the "Standards by Types of Recreation and Park Area" as adopted by the Burr Ridge Park District and/or the Pleasant Dale Park District shall be used as guideline in locating sites. A central location which will service equally the entire development is most desirable. In large developments these sites can be located throughout the development according to established standards for park area distances set forth in Recreation Park and Open Spaces Standards and Guidelines. Additional guidelines which shall be considered in locating sites include, but are not limited to, size of the subdivision, proximity of the site to other parks, schools and municipal services, topography and shape of the site of not less than five (5) acres shall be located adjacent to each elementary school site.

4. Credit for Private Open Spaces and Recreation Areas

Subdividers and developers may provide their own open space for recreation areas and facilities. Such open space may qualify at the option of the Village, in lieu of dedicated open space. In determining whether to allow any such open space to qualify as dedicated open space under this Ordinance, the Village will consider such factors as, but not limited to, the degree that such open space meets the needs of the residents, the degree to which the demand for public parks will be reduced, the degree to which the open space will be accessible to all residents, and the degree to which it is in conformance to the total park and recreation land requirements for the general area and the Village's Comprehensive Plan. If the open space provided by the subdivider or developer does not completely satisfy the requirements of this Ordinance, the Village may credit such subdivider or developer with such partial compliance. The subdivider or developer will then be required to contribute sufficient other land, or cash in-lieu thereof, to meet the total park and recreation land requirements of the extent of development of the facilities donated by the developer



and the extent of development of the facilities donated by the developer. The developer shall offer any and all guarantees that the village requires with respect to ongoing maintenance of dedicated areas, and the Village shall consult with the Park District in which the development is located with respect to these guarantees. Any area reserved for exclusively private use will not be deemed to meet the requirements of this Ordinance.

B. Criteria for Requiring a Contribution in-lieu-of Park Land

Where the subdivision or development is small and resulting site is, in the opinion of the Village, too small to be practical or when the available land, in the opinion of the Village, is inappropriate for park and recreational purposes, the Village shall require the subdivider or developer to pay a cash contribution in-lieu-of the land dedication required. The cash contribution in-lieu-of park and recreation land dedication shall be paid to the Village which shall then pay said contributions over to the park district and such contributions shall be held in trust by the park district in which the development is located solely for the acquisition and/or improvement of land, as herein below classified, which will be available to serve the immediate or future needs of the residents of that development, subdivision or planned unit development or for the improvement of other existing local park and recreation land which already serves such needs. In the event that the development is not located within a park district, the cash contributions in-lieu-of park and recreation land dedication shall be paid to and held in trust by the Village solely for the acquisition and/or improvement of land, as herein below classified, which will be available to serve the immediate or future needs of the residents of that development, subdivision or planned unit development or for the improvement of other existing local park and recreation land which already serves such needs. Provided, however, the Village shall hold any such funds for a development that is not in a park district in a segregated account for a minimum of three years before expending any such funds for such purposes. The Village shall have the right to request and receive from the affected park districts annual audit reports and any other information the Village may need from time to time to insure compliance with this Ordinance. If any portion of a cash contribution in-lieu-of park and recreation land dedication is not expended for the purposes set forth herein within ten (10) years from the date of receipt, the Village or park district holding the funds shall refund such contribution to the owners of record of all lots, except lots dedicated pursuant to the provisions of this Ordinance, in the development, subdivision, or planned unit development for which such contribution was made. (Amended by Ordinance A-41-2-89)

1. Acquisition Using Cash in-lieu-of Park Land Donations

- a. The term acquisition as used in this ordinance shall mean - the acquiring of land by purchase, condemnation or such other means as may be appropriate and shall be a minimum of three and one-half (3-1/2) acres in size.
- b. The acquired land shall not be for "special" use facilities (i.e. slough, river edge, remnant forest, community swimming pool, etc.)

Section X
Dedication of Park Land or Payment of Fees in lieu Thereof



- c. The acquired land shall support the type of facilities as defined in "Improvement" below.
2. Improvement Using Cash in-lieu-of Park Land Donations
 - a. Where existing park lands will serve the needs of the development, the cash contribution in-lieu-of land dedication shall be used for the following types of physical improvements:
 - (1) play lots
 - (2) hard surface courts (tennis, basketball, tetherball)
 - (3) pathways (walkways, jogging and cycle paths)
 - (4) sport fields (baseball, soccer, football)
 - (5) picnic facilities (tables, grills, etc.)
 - (6) open shelters and restroom facilities
 - (7) support facilities (i.e. parking, drinking fountains, security lighting).
 - b. The types of improvements that will not qualify for expenditure of cash-in-lieu funds shall be generally defined as those facilities "that are self-sustaining" i.e. public golf course; recreation building (indoor swimming pool, tennis, ice rink), interpretive trails and center, boat launching facilities or other such facilities for which a fee is charged for their use.
3. Fair Market Value

The cash contribution in lieu of land shall be based on the sum of the fair market value of a vacant, unimproved, and unsubdivided acre of land in the Village and the estimate of the Village Engineer as to the cost of improving such land with electrical utilities, water, sewer, and streets, including enclosed drainage and curbs and gutters, and all other improvements required under this Subdivision Regulations Ordinance. All cash contribution calculations shall be made by the Village, and the affected park districts shall refer all developers to the Village for such calculations. It has been determined that the fair market value of a vacant, unsubdivided acre of land in and surrounding the Village is \$105,000 as of April 26, 2004; increasing to \$155,000 for all plats approved on or after May 1, 2005; and increasing to \$239,000 for all plats approved on or after January 1, 2006. The estimate of the Village Engineer as to the cost of improvements is \$45,000, for a combined total of \$150,000 as of April 26, 2004; increasing to \$200,000 on May 1, 2005, and increasing to \$284,000 on January 1, 2006; and such figure of \$150,000, \$200,000, and \$284,000 respectively, shall be used in making any calculation herein unless the subdivider, developer, or the park district files a written objection thereto. In the event of any such objection, the



developer shall, at his cost and by a Member of Appraisal Institute (M.A.I.), submit an appraisal showing the "fair market value" of the land in the development or other evidence thereof and final determination of said "fair market value" per acre of such vacant, unimproved, unsubdivided land shall be made by the Village Board based upon such information submitted by the subdivider or developer and from other sources which may be submitted to the Village Board by the Burr Ridge Park District or the Pleasant Dale Park District or others. The Village on its own motion or at the request of the Burr Ridge Park District and/or the Pleasant Dale Park District may from time to time amend this provision to provide for different fair market value for parcels that are deemed by the Burr Ridge Park District and/or Pleasant Dale Park District and the Village to be of greater or lesser value. Refer to Appendices VIII-A to VIII-I.

(Amended by Ord. 894-01-04; further amended by Ord. A-894-01-05)

Cash contributions shall be paid at the time set forth in Section IXA, J Below; provided, however, an owner may, on written request to the Village submitted at the time of application for approval of final plat pay one half of the required contribution at the time of final plat approval with the balance to be paid six months after the date of final plat approval provided the balance due is secured by an irrevocable letter of credit in a form and from an issuer approved by the Village at the time of final plat approval. If the developer so chooses to pay the required contribution in two installments, the amount of the second installment shall be based on the then current price per acre of land and Engineer's estimate of the cost of improvements as computed hereunder (for example, if the figure is \$114,600 at the time of final plat approval but is changed within the next six months to \$120,000, the second installment shall be determined by re-computing the entire contribution on the basis of \$120,000 per acre and then dividing that amount by two). (Amended by Ordinance A-41-2-89)

4. Criteria for Requiring Dedication and a Fee

There may be situations when both a land dedication and a cash contribution are necessary. These occasions may arise, among others, when:

- a. If it is determined by the Village that the land to be dedicated for a park site within a development contains fewer acres than the amount called for by this ordinance, a cash contribution shall be required for the difference between the amount of land called for by this ordinance and the amount of land which is actually to be dedicated.
- b. If a major part of a local park or recreation site has already been acquired and only a small portion of land is needed for the development to complete the site, the remaining portions shall be required by dedication, and a cash contribution for the difference shall be required.



C. Density Formula for Park Donation

Table X-B, Population Density, is generally indicative of current and short range projected trends in family size for a new construction and shall be used in calculating the amount of required dedication of acres of land or the cash contribution in-lieu-of unless a written objection is filed thereto by the subdivider or developer:

1. Objections to Density Formula

In the event a subdivider or developer files a written objection to the Table of Estimated Ultimate Population listed herein and submits his own demographic study showing the estimated additional population to be generated from the subdivision or planned unit development, a final determination of the density formula to be used in such calculations shall be made by the Village Board based upon such demographic information as the Village shall require. 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-of, as stated herein, is subject to periodic review and amendment if necessary.

TABLE X-B
ESTIMATED ULTIMATE POPULATION PER DWELLING UNIT*

CHILDREN PER UNIT							
Type of Unit	Pre-School	Elementary	Junior High		High School		Total Per Unit
Grades		K-5	6-8	K-8	9-12	Adults	
Age	0-4	5-10	11-13	5-13	14-17	18-up	
Detached Single Family:							
2 Bedrooms	.102	.122	.041	.163	.020	1.694	1.979
3 Bedrooms	.256	.358	.143	.501	.146	1.962	2.865
4 Bedrooms	.413	.474	.303	.777	.307	2.176	3.673
5 or More Bedrooms	.231	.317	.231	.548	.212	2.606	3.597



Attached Single-Family (Townhouse, Rowhouse, Qualriplex, etc.)							
1 Bedroom	0	0	0	0	0	1.068	1.068
2 Bedrooms	.091	.094	.077	.171	.037	1.775	2.074
3 Bedrooms	.229	.212	.063	.275	.067	1.808	2.380
4 Bedrooms	.346	.321	.169	.490	.183	2.317	3.336
Apartments:							
Efficiency	0	0	0	0	0	1.360	1.360
1 Bedroom	0	0	0	0	0	1.734	1.734
2 Bedrooms	.041	.080	.039	.119	.038	1.554	1.752
3 Bedrooms	.063	.203	.117	.320	.093	2.310	2.786

*This table was compiled by the Illinois School Consulting Services, Naperville, Illinois, 1989.

2. Presumed Density Formula

In applying the above table of population density to a subdivision for which the types of units and number of bedrooms cannot reasonably be determined from the data on file with the Village at the time the application for final plat approval is complete, the following types of units and bedroom data shall be used unless written objection is filed thereto by the subdivider or developer:

Detached Single Family: Four Bedroom unit per lot.

Attached Single Family: Equal mix of two and three bedroom units at maximum unit density permitted by applicable zoning.

Low Density Apartment: Equal mix of two and three bedroom units at maximum unit density permitted by applicable zoning.

High Density Apartment: Equal mix of one and two bedroom units at maximum unit density permitted by applicable zoning.

D. Reservation of Additional Land

Where the comprehensive plan of the Village calls for a larger amount of park and recreational land in a particular proposed development, subdivision or planned unit

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development than the developer is required to dedicate, the land needed beyond the developer's contribution shall, if so determined by the Village Board, be designated by the Village provided that such acquisition is made within one year for the date of approval of the final plat.

E. Combining with Adjoining Developments

Where the subdivision or planned unit development is less than forty (40) acres, public open space which is to be dedicated should, where possible, be combined with dedications for adjoining developments in order to produce sale recreation areas in park sites without hardship on a particular developer.

F. Topography and Grading

The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for its intended purposes. Grading on sites dedicated for park and recreational uses shall not differ greatly from surrounding land and shall be as outlined in the "Public Park Site Standards" attached hereto and made a part hereof as Exhibit A.

G. Improved Sites

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

H. Title to Sites

All sites to be dedicated shall be conveyed to the Village either by warranty or trustee's deed, or such form of conveyance as the Village shall require. The subdivider or developer shall be responsible for conveying good, merchantable title to such sites, and shall be responsible for payment of all real estate taxes to the date of conveyance, including any agricultural roll back taxes which might be extended or levied against such sites. In the discretion of the Village, a commitment for title insurance issued by a company authorized to do business in Illinois may be required as evidence of clear title. Conveyance shall occur only after or simultaneously with the passage of an ordinance by the Park District in which the development is located (or by the Village if the development is not located within a Park District), in which it indicates that the property will be accepted by the Park District or Village for park purposes. Immediately thereafter, the Village shall convey such property to the Park District in which the property is located, if any.

I. Time for Dedication or Payment of Fees in-lieu Thereof

The dedication of park lands or payments of fees in lieu thereof shall be made by the owner of land within ten days after the land is annexed to the Village or prior to or at the time of the approval of the final plat of subdivision or in a final plat of planned unit development, whichever is first to occur, except as otherwise provided in Section XA-B-3 hereof.



J. Expenditure of Cash Contributions

Any cash contributions received by Park District hereunder must be spent solely for land or other improvements to be located entirely within the corporate limits of the Village of Burr Ridge. (Lettered per Ordinance A-4-2-89)

K. Indemnification

Except as otherwise provided below, the affected Park Districts shall be required, as a condition of receiving the donations hereunder, to indemnify and hold harmless the Village of Burr Ridge from any loss, claims and causes of actions of every kind incurred by the Village as a result, either directly or indirectly, of the passage of this Ordinance, or the administration or enforcement thereof, including any so incurred as a result of a lawsuit brought or threatened by the affected Park Districts. If the Village is sued by any subdivider or developer as a result, directly or indirectly, of the passage of this Ordinance, the Village may, at its option, undertake the defense thereof but all costs and expenses of such defense, including attorneys' fees, shall be immediately reimbursed by the affected Park District. The Village may withhold delivery of any contribution to a Park District pending compliance with these indemnity provisions. (Lettered per Ordinance A-4-2-89)

1. Where the Village receives land or fees in-lieu-of-thereof and fails to convey property to the affected Park District or expends funds for Village use (i.e., police car, water well) and suit is filed, the Village shall defend against such suit and pay for all costs and expenses incurred from such suit, including attorneys' fees. (Numbered per Ordinance A-4-2-89)
2. Where Park Districts improperly use funds or fail to use funds and do not return same as specified in this Ordinance, the Village may sue the affected Park District and shall be entitled to recover as part of the judgement therein, or any settlement thereof, all costs and expenses, including attorneys' fees, incurred by the Village. (Numbered per Ordinance A-41-2-89)
3. Unless otherwise specifically provided, the above indemnification provisions shall be an implied condition of every intergovernmental contract entered into pursuant to this Ordinance. (Numbered per Ordinance A-41-2-89)

L. Covenant Not to Sue

The affected Park Districts covenant and agree, in addition to the indemnification provided in Section 5 of this Ordinance, not to sue the Village for any claim arising, directly or indirectly, out of the passage of this Ordinance, or the administration or enforcement thereof, except for a violation covered by Subsection A of Section 5. (Lettered per Ordinance A-41-2-89)



BURR RIDGE SUBDIVISION ORDINANCE

**SECTION XI
DEDICATION OF SCHOOL LAND OR PAYMENT
OF FEES IN LIEU THEREOF**

As a condition of approval of a final plat of development, a final plat of subdivision, or a final plat of or Special Use permit for a planned unit development, each subdivider or developer will be required to dedicate land for school purposes to serve the immediate and future needs of the residents and children of the development, or 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 following criteria and formula:

A. CRITERIA FOR SCHOOL LAND DEDICATION:

1. **REQUIREMENTS AND POPULATION RATIO.** The ultimate density of a proposed development, subdivision or planned unit development shall bear directly upon the amount of land required to be dedicated for school sites. The land dedication requirement shall be determined in accordance with the data for the estimated number of children entering school per type of dwelling found in the latest edition of the table prepared by Associated Municipal Consultants, Inc., which table is reproduced as a density formula in Section Two C. hereof.

School Classifications and size of School sites within the Village shall be determined in accordance with the following criteria based upon "Recommendations for Elementary and High School Spaces." published by the Office of the Superintendent of Public Instruction (now the State of Superintendent of Education), State of Illinois, Springfield, Illinois:

School Classification by grades	Maximum number of students	Minimum number of acres of land
Elementary	600	11
Junior High	900	29
Senior High	1500	45

2. **LOCATION.** The comprehensive plan of the Village, the comprehensive school plan or facility utilization plan of the School District and the standards adopted by the School District shall be considered in locating school sites. The location of dedicated school sites shall be determined with the input of the school district involved. A central location, which will serve equally the entire development, is most desirable. Additional guidelines which shall be considered in locating sites include, but are not limited to, size of the subdivisions, proximity of the site to other schools and municipal services, topography and shape of the site, accessibility of the site, safety and other environmental and use conditions.



B. CRITERIA FOR REQUIRING A CONTRIBUTION IN-LIEU-OF SCHOOL LAND.

Where the subdivision or development is small and resulting school site is, in the opinion of the Village, too small to be practical or when the available land, in the opinion of the Village, after consultation with the affected school district, is inappropriate for school purposes, the Village shall require the subdivider or developer to pay a cash contribution in-lieu-of school land dedication shall be paid to the Village which shall then pay said contributions over to the school district and such contributions shall be held in trust by the school district in which the development is located. Such contributions shall be expended solely for the acquisition of land for school sites and/or the types of improvements of school land, as set forth in Section IXB,B,2,a. below, which land and/or improvements will be available to serve the immediate or future needs of the residents of that development, subdivision or planned unit development or for the improvement of other existing local school land which already serves such needs. The Village shall have the right to request and receive from the affected school districts annual audit reports and any other information the Village may need from time to time to insure compliance with this Ordinance. If development is within a school district that does not have an intergovernmental agreement with the Village relating to the contributions collected hereunder, the Village shall expend the funds for the construction of sidewalks between the affected development and the school to which the children from said subdivision will attend. If any portion of a cash contribution in-lieu-of school land dedication is not expended for the purposes set forth herein within ten (10) years from the date of receipt, the school district (or the Village if applicable) holding the funds shall refund such contribution to the owners of record of all lots, except lots dedicated pursuant to the provision of this Ordinance, in the development, subdivision, or planned unit development for which such contributions was made. The refund shall be paid to the persons who are the owners of record on the day, which is the tenth anniversary of the receipt of such contribution. The amount of the refund due to each lot owner shall be equal to the amount of the original contribution, together with such interest as may have been earned thereon, divided by the total number of lots in the development, subdivision or planned unit development (excluding only those lots which were dedicated pursuant to this Ordinance) for which such contribution was made.

1. ACQUISITION USING CASH IN-LIEU-OF SCHOOL LAND DONATIONS.

- a. The term acquisition as used in this ordinance shall mean - the acquiring of land by purchase, condemnation or such other means as may be appropriate.
- b. The acquired land shall be used for the construction of new facilities or shall support the types of improvements as set forth in Section Two B.2. a below.

2. IMPROVEMENT USING CASH IN-LIEU-OF SCHOOL LAND DONATIONS.

Where existing school lands will serve the needs of the development, the cash contribution in-lieu-of land dedication shall be used for the following types of physical improvements: Expansion of existing school facilities, additions to existing facilities and additions to school grounds and environment.



3. **FAIR MARKET VALUE.** The cash contribution in lieu of land shall be based on the sum of the fair market value of a vacant, unimproved, and unsubdivided acre of land in the Village and the estimate of the Village Engineer as to the cost of improving such land with electrical utilities, water, sewer, and streets, including enclosed drainage and curbs and gutters, and all other improvements required under this Subdivision Regulations Ordinance. All cash contribution calculations shall be made by the Village, and the affected school districts shall refer all developers to the Village for such calculations. It has been determined that the fair market value of a vacant, unimproved, and unsubdivided acre of land in and surrounding the Village is \$105,000 as of April 26, 2004; increasing to \$155,000 for all plats approved on or after May 1, 2005; and increasing to \$239,000 for all plats approved on or after January 1, 2006. The estimate of the Village Engineer as to the cost of improvements is \$45,000, for a combined total of \$150,000 as of April 26, 2004; increasing to \$200,000 on May 1, 2005, and increasing to \$284,000 on January 1, 2006; and such figure of \$150,000, \$200,000, and \$250,000 respectively, shall be used in making any calculation herein unless the subdivider, developer, or the affected school district files a written objection thereto. In the event of any such objection, the developer shall, at his cost and by a Member of Appraisal Institute (M.A.I.), submit an appraisal showing the "fair market value" of the land in the development or other evidence thereof and final determination of said "fair market value" per acre of such vacant, unimproved, and unsubdivided land shall be made by the Village Board based upon such information submitted by the subdivider or developer or school district and from other sources which may be submitted to the Village Board by others. The Village on its own motion or at the request of others may from time to time amend this provision to provide for different fair market values for parcels that are deemed by others and the Village to be of greater or lesser value. Refer to Appendices VIII-A to VIII-I.
(Amended by Ord. A-894-01-04; further amended by Ord. A-894-01-05)

Cash contributions shall be paid at the time set forth in Section IXB, J, provided, however, an owner may on written request to the Village submitted at the time of application for approval of a final plat, pay one half of the required contribution at the time of final plat approval with the balance to be paid six months after the date of final plat approval provided the balance due is secured by an irrevocable letter of credit in a form and from an issuer approved by the Village at the time of final plat approval. If the developer so chooses to pay the required contribution in two installments, the amount of second installment shall be based on the then current price per acre of land and Engineer's estimate of cost of improvements as computed hereunder (for example, if the figure is \$144,600 at the time of final plat approval but is changed within the next six months to \$120,000, the second installment shall be determined by recomputing the entire contribution on the basis of \$120,000 per acre and then dividing that amount by two).

4. **CRITERIA FOR REQUIRING DEDICATION AND A FEE.** There may be situations when both a land dedication and a cash contribution are necessary. These occasions may arise, among others, when:
- a. If it is determined by the Village that the land to be dedicated for a school site

Section XI
Dedication of School Land or Payment of Fees in lieu Thereof



within a development contains fewer acres than the amount called for by this ordinance, a cash contribution shall be required for the difference between the amount of land called for by this ordinance and the amount of land which is actually to be dedicated.

- b. If a major part of a local school site has already been acquired and only a small portion of land is needed from the development to complete the site, the remaining portions shall be required by dedication, and a cash contribution for the difference is required.

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

- 1. **OBJECTIONS TO DENSITY FORMULA.** In the event a subdivider, developer or School District involved files a written objection to the Table of Estimated Ultimate Population listed herein and submits his own demographic study showing the estimated additional population to be generated from the subdivision or planned unit development, a final determination of the density formula to be used in such calculations shall be made by the Village Board based upon such demographic information as the Village shall require. 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 if necessary.
- 2. **PRESUMED DENSITY FORMULA.** In applying the above table of population density to a subdivision for which the types of units and number of bedrooms cannot reasonably be determined from the data on file with the Village at the time the application for final plat approval is complete, the following types of units and bedroom data shall be used unless written objection is filed thereto by the subdivider, developer, or School District.

Detached Single Family:	Four Bedroom unit per lot.
Attached Single Family:	Equal mix of two and three bedroom units at maximum unit density permitted by applicable zoning.
Low Density Apartment:	Equal mix off two and three bedroom units at maximum unit density permitted by applicable zoning.
High Density Apartment:	Equal mix of one and two bedroom units at maximum unit density permitted by applicable zoning.



- D. **RESERVATION OF ADDITIONAL LAND.** Where the comprehensive plan of the Village calls for a larger amount of school land in a particular proposed development, subdivision or planned unit development than the developer is required to dedicate, the land needed beyond the developer's contribution shall, if so determined by the Village Board, be reserved for subsequent purchase by the Village or other public body be reserved for subsequent purchase by the Village or other public body designated by the Village provided that such acquisition is made within one year from the date of approval of the final plat.
- E. **COMBINING WITH ADJOINING DEVELOPMENTS.** Where the subdivision or planned unit development is less than forty (40) acres, school space 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.
- F. **TOPOGRAPHY AND GRADING.** The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for its intended purposes. Grading on sites dedicated for school uses shall not differ greatly from surrounding land.
- G. **IMPROVED SITES.** All sites shall be dedicated fully improved with streets, water, sewer, enclosed drainage, curbs and gutter and in a condition ready for full electrical and gas service, as applicable to the location of the site, or acceptable provision made therefor.
- H. **TITLE TO SITES.** All sites to be dedicated shall be conveyed to the Village either by warranty or trustee's deed, or such form of conveyance as the Village shall require. The subdivider or developer shall be responsible for conveying good, merchantable title to such sites, and shall be responsible for payment of all real estate taxes to the date of conveyance, including any agricultural roll back taxes which might be extended or levied against such sites. In the discretion of the Village, a commitment for title insurance issued by a company authorized to do business in Illinois may be required as evidence of clear title. Conveyance shall occur only after or simultaneously with the passage of a resolution by the School District in which the development is located in which it indicates that the property will be accepted by the School District for school purposes. Immediately thereafter, the Village shall convey such property to the Regional Board of School Trustees, or the Trustees of Schools of Township Number 38 North, Range 12 East, for the use and benefit of the appropriate School District, whichever is applicable.
- I. **TIME FOR DEDICATION OR PAYMENT OF FEES IN LIEU THEREOF.** The dedication of school lands or payments of fees in lieu thereof shall be made by the owner of land within ten days after the land is annexed to the Village or prior to or at the time of the approval of the final plat of subdivision, or a final plat of a planed unit development, whichever is first to occur, except as otherwise provided in Section IXB-B-3 hereof. (Relettered and Amended by A-41-2-89)
- J. **EXPENDITURE OF CASH CONTRIBUTIONS.** Any School District which has a school building located within the corporate limits of the Village may receive cash contributions hereunder, such contributions to be utilized in accordance with Section 2.B.2.a. of this Ordinance only at the School District's building to which children residing in the Village are assigned.



- K. **INDEMNIFICATION.** Except as otherwise provided below, the affected School Districts shall be required, as a condition of receiving the donations hereunder, to indemnify and hold harmless the Village of Burr Ridge from any loss, claims and causes of actions of every kind incurred by the Village as a result, either directly or indirectly, of the passage of this Ordinance, or the administration or enforcement thereof, including any so incurred as a result of a lawsuit brought or threatened by the affected School Districts. If the Village is sued by any subdivider or developer as a result, directly or indirectly, of the passage of this Ordinance, the Village may, at its option, undertake the defense, including attorneys' fees, shall be immediately reimbursed by the affected School District. The Village may withhold delivery of any contribution to a School District pending compliance with these indemnity provisions.
1. Where the Village receives land or fees in-lieu-thereof and fails to convey property to the affected School District or expends funds for Village use (i.e., police car, water well) and suit is filed, the Village shall defend against such suit and bear its own costs and expenses incurred for such suit, including attorneys' fees.
 2. Where School Districts improperly use funds or fail to use funds and do not return same as specified in this Ordinance, the Village may sue the affected School District and shall be entitled to recover as a part of the judgement therein, or any settlement thereof, all costs and expenses, including attorneys' fees, incurred by the Village.
 3. Unless otherwise specifically provided, the above indemnification provisions shall be an implied condition of every intergovernmental contract entered into pursuant to this Ordinance.
- L. **COVENANT NOT TO SUE.** The affected School Districts covenant and agree, in addition to the indemnification provided in Section 5 of this Ordinance, not to sue the Village for any claim arising, directly or indirectly, out of the passage of this Ordinance, or the administration or enforcement thereof, except for a violation covered by Subsection A of Section 5.