



Meeting Date: October 11, 2021
Meeting Time: 6:00 P.M.
Meeting Location: City Hall, 118 Hillsboro Avenue

ORDINANCE COMMITTEE AGENDA

Committee Members

Kent Scheffel, Chairman
Mike Pierceall
David Gerber
Brian Pepper

Tim Harr
Andrea Miracle

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- I. CALL TO ORDER**
 - II. PUBLIC COMMENT**
 - III. APPROVAL OF MINUTES**
 - A. Approval of the minutes from the July 26, 2021 Special Meeting
 - IV. STAFF PRESENTATION AND COMMITTEE DISCUSSION**
 - A. Amendment to Article 3 Section 3-1.1 and 3-4A of Appendix A Land Development Code – Preliminary and Final Plat Routing
 - B. Amendment to Section 1242.04 – Light Manufacturing (M-1)
 - V. NEW BUSINESS**
 - VI. OLD BUSINESS**
 - VII. ADJOURNMENT**

If prospective attendees require an interpreter or other access accommodation, please contact the Edwardsville City Clerk's office at 618-692-7500 no later than 48 hours prior to the commencement of the meeting to arrange the accommodations.

ORDINANCE SUB-COMMITTEE
EDWARDSVILLE PLAN COMMISSION
July 26, 2021(Special Meeting)
6:00 PM

Approved: _____

Date: _____

I. CALL TO ORDER

PRESENT

Kent Scheffel, Chair
David Gerber
Brian Pepper
Andrea Miracle
Breana Buncher, Staff
Tammy Kehrer, Staff
Brett Bertok
Chris Persons

ABSENT

Mike Pierceall
Tim Harr
Kevin West

A Special meeting of the Plan Commission's Ordinance Sub-Committee was held on Monday, July 26, 2021, and the following proposed ordinance amendment was discussed:

II. PUBLIC COMMENT: None

III. APPROVAL OF MINUTES

A. Approval of the minutes from the July 12, 2021 meeting.

MOTION: Mr. Gerber. SECONDED: Mr. Pepper. All Ayes.

IV. NEW BUSINESS: None

V. OLD BUSINESS:

A. Amendment to Section 1248 – Scope of Regulations (Short-Term Rentals)

Kent Scheffel asked for clarification about general requirements # 5 & #6 where short-term rentals should be for a period of less than 30 days and rented on a daily basis for for no more than 14 consecutive days.

Breana Buncher said the 30 days is trying to determine what the threshold for short-term rentals will be but it has not been decided yet. She said they are trying to find a way to delineate between rental properties versus short-term rentals.

David Gerber asked about the 30 days and 14 consecutive days and how they fit together. Breana Buncher said they are determining the threshold and it will depend on what they go with as to how it will be re-worded.

Andrea Miracle asked if there could be a provision that limits the total number of days it could be leased. Breana Buncher said under general requirements for # 6 it says not more than 90 days in a calendar year to any particular group. That would cover this.

David Gerber asked to clarify what a group is. Breana Buncher said a group is a group of patrons. David Gerber said one person would not be a group.

Kent Scheffel said the word “renter” could be used instead of “group.”

David Gerber said a definition should be added to define “group.” He also asked what the rental ordinance says. Breana Buncher said she would look into that.

Kent Scheffel stated under General Requirements # 4 & #6 it says rented on a daily basis twice. Breana Buncher said one of those could be removed.

Brian Pepper asked about obtaining the rental license. He also asked if neighbor’s needed to get notified. Breana Buncher responded by saying if they would apply for a Special Use Permit, then the neighbors would get notified.

Andrea Miracle asked if a provision should be added for worst case scenarios like tents, campers, or RV’s. David Gerber stated that a camper could be stored on the side of the house. Breana Buncher said it could be added in the definition of a short-term rental that indicates it’s within a residential dwelling.

Andrea Miracle also expressed concern in regards to weddings, graduation parties or other larger parties. Breana Buncher said it would be hard to enforce and there is nothing in the ordinance to deter that.

Kent Scheffel stated it says in Type A of short-term rentals that no more than one unit in the dwelling which would limit the size of the crowd but it doesn’t say that in Type B.

David Gerber said for the units within a subdivision with an HOA, they would need to enforce this if they don’t want this occurring in their subdivision.

Kent Scheffel asked about Bed & Breakfast Section 2e. Breana Buncher said that is just trying to deter it from becoming a restaurant.

Andrea Miracle asked if the words “meal service” would be better than “food service.” David Gerber suggested taking out “and no other food service is allowed” under Bed & Breakfast 2e.

David Gerber asked if there would be a permit needed from the Madison Health Department to serve breakfast. Breana Buncher did not believe they would since it wouldn’t be a commercial kitchen but would look into that.

David Gerber asked what #3 under Enforcement is. Breana Buncher responded it is the Nuisance Section.

Breana Buncher discussed the lease backs with real estate transactions. There was a section added for that. The one thing that needed to be discussed for this was the threshold.

Resident Chris Persons spoke regarding this. He feels a longer calendar period would be better. He gave examples of people who have wanted this.

David Gerber asked how it would be handled if someone was coming for two months. He suggested defining a short-term rental as less than 90 days to any particular group or person. In addition, if someone rents to the same person for more than 90 days, then it would fall under the rental program

code.

Breana Buncher said the main difference between renting and not renting is how it will be taxed.

Andrea Miracle asked if there was a provision that you have to own the property and live in it in order to rent a property and obtain a permit. Breana Buncher said the definition of an owner is person or entity that holds legal and equitable title to a short-term rental property. With Type B, you could buy multiple properties and live elsewhere.

David Gerber suggested merging #5 & #6 under General Requirements. He said the last half of #6 should be added to end of #5.

MOTION: Approve to forward to Plan Commission per items discussed (Gerber),
seconded (Miracle).
4 Ayes, 0 Nays, 0 Abstain.

VI. ADJOURNMENT

Meeting adjourned by Mr. Scheffel.

Section 3-1. Preliminary plats.

3-1.1 *General procedure:* Before preparing a proposed plat for an area, the owner, developer, or their representatives should have a pre-application meeting with the department of development administration and department of public works to determine applicable ordinance regulations and standards which must be complied with. After the pre-application meeting(s), the subdivider should then prepare a concept plan for the proposed subdivision. The concept plan shall be submitted to the department of development administration and delivered to the city's concept plan review team which shall consist of members of the department of development administration. Department of public works, fire department, police department, parks department, and any city consultant(s). One week after submittal of the concept plan to the city's concept plan review team, the director of the department of development administration shall schedule a concept plan review team meeting. One week after the city's concept plan review team meeting, the director of the department of development administration shall schedule a concept plan review team meeting with the developer to review the concept plan to determine applicable ordinance regulations, standards and development concepts. After the concept plan review team meeting(s), the subdivider should then prepare the preliminary plat or plan. As defined in the land development code, the preliminary plat cannot be considered as filed until all required data are submitted. The preliminary plat is received in the office of the department of development administration with filing fees to be paid at the city clerk's office after plat receipt. The department of development administration will forward the plat to the plan commission and other appropriate agencies, for their review after which the plan commission will forward the plat or plan, with its written recommendations (as well as comments from other appropriate agencies when required) to the city council, through the [public services and](#) administrative and community service committees. ~~The city council shall then forward the plat or plan to the public services committee for their review and preparation of resolution after which they will return it to the city council with their written recommendations, who then shall approve, disapprove, or approve with modifications the preliminary plat by resolution.~~

3-1.2 *Filing procedure:* Except as specifically provided otherwise below, every person who proposes to subdivide any land located within the subdivision jurisdiction of this municipality shall file 30 copies of the preliminary plat of said subdivision with department of development administration.

Whenever a tract is to be developed in stages and only a portion of that tract is to be submitted for final plat approval, nonetheless, a preliminary plat or plan of the entire tract shall be submitted. All preliminary plats shall be reviewed and acted upon in accordance with Illinois Statutes.

3-1.3 *Information required:* Every preliminary plat shall be prepared and sealed by an Illinois Licensed Land Surveyor and Illinois Licensed Professional Engineer when public improvements are proposed in accordance with state law at any scale from one inch equals 20 feet through one inch equals 100 feet provided the resultant drawing or drawings do not exceed 24 inches by 36 inches.

Preliminary plats shall include all of the following:

- (a) Small key map showing the relation of the proposed subdivision to section or U.S. Survey lines and to platted subdivisions and dedicated roads within 300 feet of the proposed subdivision;
- (b) Names and addresses of the owner, subdivider (if not the owner), licensed land surveyor and licensed professional engineer.
- (c) Proposed name of the subdivision;
- (d) Zoning district classification of the tract to be subdivided, and of the adjacent land;
- (e) North arrow, graphic scale, and date of plat;

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- (f) The gross and net acreage area of the proposed subdivision; the acreage of street rights-of-way; the acreage of any areas reserved for the common use of the property owners within the subdivision and/or for public use; and the gross acreage reserved for green space, the net acreage for active green space and net acreage for passive green space.
 - (g) All lot lines adjacent to and abutting the subdivision;
 - (h) Tract boundary lines showing dimensions, bearings, angles, and references to known land lines;
 - (i) Types of existing vegetation and topography of the tract to be subdivided as indicated by two-foot contour data for land having slopes of zero to four percent, five-foot contour data for land having slopes between four to 12 percent, and ten-foot contour data for land having slopes of 12 percent or more;
 - (j) Any proposed alteration, adjustment or change in the elevation, topography or existing vegetation of any area;
 - (k) Locations of such features as bodies of water, ponding areas, natural drainage, railroads, cemeteries, bridges, parks, schools, etc. All open drainage ditches shall be identified with flow line elevations indicated at every proposed property line or at 100-foot intervals, whichever is closest;
 - (l) Streets and rights-of-way on and adjoining the site of the proposed subdivision; names, street rights-of-way and paving widths; approximate gradients; types and widths of pavement, curbs, sidewalks, crosswalks, planting strips and other pertinent data, including classification of all existing or proposed streets as to function as defined by this code;
 - (m) A copy of the results of any tests made to ascertain subsurface rock and soil conditions and the water table, and a report addressing soil types referencing the "Soil Survey of Madison County" (prepared by Soil Conservation Service);
 - (n) Locations, widths, and purposes of all existing and proposed easements;
 - (o) A copy of the description of all proposed deed restrictions and covenants;
 - (p) Location and size of existing and proposed sanitary and storm sewers, water lines (with static pressure), fire hydrants (with flow test data), flood hazard areas, and general stormwater detention basins;
 - (q) Locations, types, and approximate sizes of all other existing and proposed utilities;
 - (r) Building setback or front yard lines and dimensions;
 - (s) Locations, dimensions, and areas of all parcels to be reserved or dedicated for schools, parks/playground, and other public purposes;
 - (t) Locations, dimensions, and areas of all proposed or existing lots within the subdivision;
 - (u) Signed statements from the Madison County "9-1-1" Coordinator, the U.S. Post Master, the Edwardsville Police Department, and the Edwardsville Fire Department approving the street names;
 - (v) Evidence of proposed compliance with soil erosion and sediment control ordinances;
 - (w) A written report by a professional engineer discussing the infrastructure proposed and the manner in which site constraints are intended to be dealt with including and flood hazard areas, requirements for Section 404 permit and archaeological sign-off by the required public agencies;
 - (x) Evidence that:
 - 1) Cultural resources sign-off has been requested from the State of Illinois Department of Historic Sites;

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- 2) Endangered species sign-off has been requested from the Department of Natural Resources;
 - (y) Drainage map showing extent of existing watersheds and outlets; proposed sub-watersheds and their outlets; contours, A-zones, existing and proposed drainage structures drainage areas, existing and proposed land use, and detention storage basins, facilities, with indications of future responsibility for maintenance of the basins and structures;
 - (z) Opinion of probable cost of public improvements prepared by a licensed engineer; and
 - (aa) Locations, dimensions, and areas of all parcels to be reserved or used for Green Space and its intended use.

3-1.4 *Plan commission action:* The plan commission shall either approve or disapprove the application for preliminary plat or plan approval within 60 days from the date of said application or the filing of the last item of required supporting data, whichever date is later, unless the plan commission and the subdivider mutually agree to extend this time limit. If the plan commission disapproves the preliminary plat they shall furnish to the applicant and forward to the city council within the 60-day period a written statement specifying the aspects in which the proposed plat fails to conform to this code and/or the official map. If the plan commission approves or disapproves the preliminary plat, they shall inform the city council and action can be taken at the next regularly scheduled city council meeting.

- (a) *Notice of meeting.* The plan commission shall give notice of its consideration of any preliminary plat and allow the opportunity to be heard to the following person(s) or group(s) during its preliminary review time period:
 1. Any person requesting notification of the meeting.
 2. Any governmental or taxing body which requests notification of the meeting.

3-1.5 *Review by city council; time constraints:* The city council shall review the preliminary plat, along with the plan commission recommendations and approve, disapprove or approve subject to certain conditions and/or modifications said preliminary plat within 30 days after its next regularly scheduled meeting following receipt of the written plan commission recommendations, unless variances from zoning code requirements are needed, in which case, the city council's 30 days shall commence the day after the board of appeals hearing is held, as required by the zoning code.

If the city council rejects the preliminary plat, their resolution shall specify the aspects in which the plat fails to comply with this code and/or the official map. The city clerk shall attach a certified copy of the council's resolution of approval or disapproval to the preliminary plat. One copy of the resolution and plat shall be retained by the clerk, one copy shall be filed with the department of development administration, one copy shall be filed with the department of public works, and one copy shall be sent to the subdivider by return receipt mail.

3-1.6 *Rights and privileges of subdivider:* Preliminary plat approval shall confer the following rights and privileges upon the subdivider:

- (a) That the preliminary plat will remain in effect for a two-year period from the day the city council approves the same. The applicant may, during this period, submit all or part of said preliminary plat for final approval. In the event that the subdivision is being developed in stages, the applicant may, by written mutual agreement with the city council, have final approval of the last part of the plat delayed for a period not to exceed five years from the date of the preliminary plat approval. Any part of a subdivision which is being developed in stages shall contain a tract of land at least one block in area or five gross acres.
- (b) That the general terms and conditions under which the preliminary plat approval was granted will not be changed for final approval, excluding issues of water supply adequacy or sewer capacity.

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- (c) The subdivider may proceed with design of improvement plans and preparation of stormwater calculations for all facilities or utilities intended to be provided. Actual construction of such facilities and improvements may commence after review and acceptance of the plans, specifications and calculations and upon issuance of a site development permit in accordance with article IV of this division by the director of public works.

Section 3-4. Final plats.

3-4A. FINAL MAJOR PLATS

The final plat shall not be executed until certification by the director of public works of subdivision improvement plans has occurred.

The final plat is filed in the office of the department of development administration, together with all appropriate certifications. The department of development administration after determining that the plat meets all of the requirements set forth in the land development code for final plat (approved preliminary plat, certified improvement plans, compliance with subsections 3-4.2, and 3-4.3) and that all certification have been included, will forward two copies of the final plat to the public works department for review. Advisory reports shall be prepared by both departments in accordance with subsection 3-4.4 of this division. Following its review, as well as comments from other appropriate agencies, the plan commission will forward the plat to the [public services committee](#) and administrative and community services committee for review. The ACS committee following its review shall prepare a draft resolution and forward it and the final plat with all recommendations and comments to the city council. The city council will then by resolution approve, disapprove, or approve with modifications the final plat.

The city council shall not approve any final plat unless it determines that the plat is in compliance with all pertinent requirements of this code including those set forth in the subsections below.

3-4.1 *Filing, time limits:* The subdivider of every subdivision who desires final plat approval shall file 30 copies of the final plat which have been signed and sealed by the owner, developer, district engineer (where applicable by law) and registered land surveyor, and any supporting data with the department of development administration and pay all associated filing fees with the city clerk no later than two years after preliminary plat approval has been granted. However, with the consent of the city council, the subdivider may delay application for final approval of part(s) of the tract shown on the preliminary plat for successive one-year periods. No lot shall be sold for such subdivision and filed for record as required by state statutes.

3-4.2 *Information required:* Every final plat shall be prepared by a registered land surveyor on mylar in ink at a scale not greater than 50 feet equals one inch and the resultant drawing shall be 24 [by] 36 inches. The final plat and supporting data shall portray/provide all of the information required by statute, and shall include:

- (a) North arrow, graphic scale, date, and area location map;
- (b) Name of subdivider, subdivision, identification of the portion of the public lands survey in which the subdivision is located;
- (c) Accurate metes and bounds or other adequate legal description of the tract, and the included area of the subdivision to the nearest one-hundredth of an acre;
- (d) Accurate boundary lines, with dimensions and bearings or angles which provide a survey of the tract, closing with an unadjusted error of closure of not more than one foot in 10,000 feet; or not more than 0.5 foot, whichever is less, adjusted to close;
- (e) All dimensions shall be shown in feet and decimals of a foot or meters and centimeters;
- (f) Reference to recorded plats of adjoining platted land by record name, plat book, and page number;
- (g) Accurate locations of all existing streets intersecting the boundaries of the subdivision;
- (h) Right-of-way lines of all streets, other rights-of-way, easements, and lot lines with accurate dimensions, angles, or bearings and curve data, including radii, arcs or chords, points of tangency, and central angles;
- (i) Name and right-of-way width of every proposed street;

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- (j) The purpose of any existing or proposed easement(s) and dimensions thereof.

The following easement statements: "A permanent non-exclusive easement is hereby reserved for and granted to the City of Edwardsville, Madison County, Illinois, and to those public utility companies operating in the City of Edwardsville, in, upon, across, over, under, and through the areas shown by dashed lines and labeled "UTILITY EASEMENT" on this Plat of Subdivision for the purpose of installing, constructing, inspecting, operating, replacing, renewing, altering, enlarging, removing, repairing, cleaning, and maintaining sanitary sewers, storm sewers, water mains, electrical, gas, telephone, cable TV, or other utility lines or appurtenances, all manholes, hydrants, pipes, connections, catch basins, wire, conduit, and without limitation, such other installations as may be required to furnish public utility service to or through the attached area, and such other appurtenances and additions thereto as said City and Utilities may deem necessary, together with the right of access across the lots and real estate included in the attached document for the necessary personnel and equipment to do any or all of the above work. The right is also hereby granted to said City and Utilities to cut down, trim, or remove any trees, shrubs, or other plants that interfere with the operation of or access to said sewers or, without limitation, utility installations in, on, upon, or across, under, or through said "UTILITY EASEMENT". No permanent buildings, swimming pools, retaining walls, fences, surfaces, earth fill, or landscaping (including trees and shrubs) shall be placed on said "UTILITY EASEMENT" that then or in the future interfere with the aforesaid uses and rights. Where a "UTILITY EASEMENT" is used for water, storm, or sanitary sewers, other utility installations shall be subject to the prior approval of the said City so as not to interfere with or cause damage to these systems. Maintenance of said easements shall remain the responsibility of the property owners. Property owners shall be responsible for the costs associated with removing unauthorized obstacles from the "UTILITY EASEMENT".

"A permanent, non-exclusive easement is hereby reserved for and granted to the City of Edwardsville, Madison County, Illinois, in, upon, across, over, under, and through the areas shown by dashed lines and labeled "DRAINAGE EASEMENT" on this Plat of Subdivision for the purpose of installing, constructing, inspecting, replacing, renewing, altering, enlarging, removing, repairing, cleaning, and maintaining, ditches, swales, catch basins, culverts, piping, and without limitation such other installations as may be required to provide for drainage of surface water from, to, or through the attached area, and such other appurtenances and additions thereto as said City may deem necessary, together with the right of access across the lots and real estate included in the attached document for the necessary personnel and equipment to do any or all of the above work. The right is also hereby granted to said City to cut down, trim, or remove any soil, silt, trees, shrubs, other plants or appurtenances or structures that interfere with the operation of or access to said drainage ways, in on upon, or across, under, or through said "DRAINAGE EASEMENT". No permanent buildings, swimming pools, retaining walls, fences, surfaces, earth fill, or landscaping (including trees and shrubs) shall be placed on said "DRAINAGE EASEMENT" that then or in the future interfere with the aforesaid uses and rights. Maintenance of said easements shall remain the responsibility of the property owners. Property owners shall be responsible for the costs associated with removing unauthorized obstacles from the "DRAINAGE EASEMENT".

- (k) Number of each lot, lot dimensions, and (may be a separate list) lot areas;
- (l) Purpose(s) for which sites, other than private lots, are reserved;
- (m) Building or setback lines with accurate dimensions sufficient to determine their locations;
- (n) Restrictions of all types which will run with the land, and become covenants in the deeds of lots;
- (o) Certification of dedication of all public areas;
- (p) Accurate distances and directions of the nearest established NOS, FEMA, or published benchmark based on NOS datum; reference corners shall be accurately described on the final plat;

- (q) Reference to known and permanent monuments from which future surveys may be made; and the surveyor must, at the time of making his survey, establish permanent monuments (set in such a manner that they will not be moved by frost) which mark the external boundaries of the tract to be divided or subdivided and must designate upon the plat the locations where they may be found;
- (r) Location, type, material and size of all monuments and lot markers to be set prior to recording;
- (s) A set of signed "as-built" public improvement plans, acceptable to the public works department;
- (t) Signature attesting to the final plat by the owner, developer, land surveyor and district engineer (if required by statute);
- (u) Applicable 100-year flood elevations as determined by FEAM, or as determined by highest applicable downstream culvert or roadway overflow elevation, and lowest basement foundation opening or top of pool wall elevation for all lots subject to flooding from stormwater drainage ways, whether natural or man-made.
- (v) Locations, dimensions, and areas of all parcels to be reserved or used for green space and its intended use.

3-4.3 *Certificates required:* As required by state law, the following certificates shall be executed on the final plat:

(a) *Owner's certificate.*

We, _____, the Owners of (description) , have caused the said tract to be surveyed and subdivided in the manner shown, and said subdivision is to be hereinafter known as _____, except as noted. All rights-of-way and easements shown hereon are hereby dedicated to the use of the public forever including the release and waiver of the right of homestead under the Homestead Exemption laws of the State of Illinois.

Dated this ____ day of _____, 19____.

_____(Seal)

_____(Seal)

(b) *Notary public's certificate.*

State of Illinois)
) ss
County of Madison)

I, _____, a Notary Public in and for the County aforesaid, do hereby certify that (owners) are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, and that they appeared before me this day in person and acknowledged that they signed and sealed the same as their free and voluntary act for the uses and purposes therein set forth, including the release of waiver of the right of homestead.

Given under my hand and Notarial Seal this ____ day of _____, 19____.

Notary Public

(c) *Surveyor's certificate.*

I, _____ an Illinois Registered Land Surveyor, do hereby certify that this plat is a correct representation of a survey made under my direct supervision at the request of _____ for the purpose of subdividing the tract into lots as shown. The subject tract (is) (is not) within 1½ miles of a municipality having a comprehensive plan and exercising its powers outside its corporate limits per statutes.

Land Surveyor

Illinois Registration Number

Date

My license expires: _____

(d) *County clerk's certificate.*

I, _____, County Clerk of Madison County, Illinois, do hereby certify that I find no unpaid or forfeited taxes against any of the real estate included within this plat.

County Clerk

Date

(e) *Certificate of city council.*

I, _____, Clerk of the City of Edwardsville, do hereby certify that the plat shown herein was duly presented to the City Council and approved at a meeting of same held on (date) .

City Clerk

(f) *Drainage certificate.*

We, the undersigned, do hereby certify that, to the best of our knowledge, based on investigation and accepted principles, no residences or structures are, or will be, located within the one hundred year (100-Year) flood elevation as defined or identified by FEMA Community Panel # _____.

By: _____
Owner(s)

By: _____
Licensed, but Uninsured,
Professional Engineer

By: _____
Registration Number
and Expiration Date

Date

(g) *9-1-1 certification.*

I, _____ Madison County 9-1-1 Coordinator do hereby certify that the street/road/highway names and numbering system on the attached plat have been reviewed and approved for use.

9-1-1 Coordinator

Date

3-4.4 *Administrative review, advisory report:* Within 30 days from the date of application for final plat approval, the director of development administration and the director of public works shall review said final plat (and supporting data), and shall each advise the planning commission in writing whether it substantially conforms to the approved preliminary plat and improvement plans. A copy of their advisory reports shall be forwarded to the city council. The plan commission may prepare an addendum to said report (should they so desire), and forward same to the city council.

3-4.5 *Action by city council:* The city council shall either approve or disapprove the application for final plat approval by resolution within 60 days from the date of said application or the filing of the last item of required supporting data, whichever date is later, unless the council and the subdivider mutually agree to extend this time limit. The city council shall not approve any final plat unless:

- (a) The final plat substantially conforms to the approved preliminary plat; and
- (b) The supporting documentation with the final plat manifests substantial compliance with the design and improvements standards of this code, zoning ordinance, and the official map; and
- (c) To the council's knowledge and belief, the final plat complies with all pertinent requirements of state law; and
- (d) Either of the following has been met -
 - 1. All required improvements have reached completion and are shown on the final plat to be dedicated; or
 - 2. The subdivider/developer provided assurance per section 3-3 to assure completion and dedication of all required improvements.

If the city council disapproves the final plat, their resolution shall specify the aspects in which the plat fails to meet the above conditions for approval.

The city clerk shall attach a certified copy of the council's resolution of approval or disapproval to the final plat. One copy of the resolution and plat shall be retained by the clerk, one copy shall be filed with the director of development administration, one copy shall be filed with the director of public works, and one copy shall be given to the subdivider.

3-4.6 *After the council's action:* The final plat with addresses as assigned by the Madison County 9-1-1 Coordinator shall be recorded in the Madison County Recorder's Office. After the final plat has been recorded, the office of development administration shall be provided with 15 copies of it.

3-4.7 *Changes in approved final plats:* Once the final plat is approved by the city council, it shall not thereafter be modified; provided, however, that minor changes may be made upon written application to and approved by the director of development administration and director of public works. Major changes require the filing of a new final plat and complete review. Changes will be considered major based on written opinion of either of the directors above named.

3-4B. MINOR SUBDIVISIONS

Minor subdivisions may be exempted from the procedures and requirements for preliminary plats in section 3-1 and the subdivider may proceed to filing a final minor subdivision plat for review per the final minor plat procedures specified in section 3-5.

Minor subdivisions consisting of up to and including five lots shall be submitted for review by an administrative review team to be appointed by the mayor that shall include the city planner, city engineer, and the director of public works and may include a member of the plan commission. The administrative review team may, at its discretion, obtain additional input from others, including but not limited to other city departments, utility providers, and county and state agencies.

Upon the recommendation of the administrative review team, minor subdivisions may proceed to consideration by city council, beginning with review by the public services committee followed by review by the administrative and community services committee (See subsection 3-4.B4 Administrative review—Advisory report). Minor subdivisions shall be voted on by resolution of the city council. The plat and resolution shall be recorded with the county recorder of deeds. All other provisions of this ordinance shall apply.

3-4.B-1 *Filing:* The city council shall not approve any final minor plat unless it determines that the plat is in compliance with all pertinent requirements of this code including those set forth in the subsections below.

The subdivider of every subdivision who desires final minor plat approval shall file 15 copies of the final minor plat which have been signed and sealed by the owner, developer, district engineer (where applicable by law) and registered land surveyor, and any supporting data with the department of public works and pay all associated filing fees with the city clerk upon submittal of the final minor plat. No lot within a final minor plat shall be sold or filed for recording until such times as the final minor plat has been approved by council as required by state statutes.

3-4.B-2 *Information required:* Every final minor plat shall be prepared by a registered land surveyor. The final plat and supporting data shall portray/provide all of the information required by statute, and shall meet the following specifications:

1. The final minor subdivision shall include all portions of the lot or lots to be divided.
2. The plans shall be drawn in waterproof black ink. The scale shall be one inch equals 20 feet, 40 feet, or 50 feet; however, the resulting drawing should be 24 inches by 36 inches. Scales or sheet sizes other than this may be approved only on a case-by-case basis by the city engineer. Lettering shall be 0.1" or larger for the sake of legibility when the record documents are archived in microfilm by the city. Black or blue line prints in a quantity determined by the public works director and a digital file in a format acceptable to the city shall be provided to the city on or before the time of the final plat application.
3. All dimensions shall be shown in feet and decimals of a foot.

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4. Phase II drainage report.
 5. All surveys for a final minor subdivision plat shall be made under the active and personal direction of a registered land surveyor of Illinois, and the following basic information shall be shown:
 - A. North arrow, graphic scale, and date of plat.
 - B. Names and addresses of the owner, subdivider (if not the owner), licensed land surveyor and licensed professional engineer.
 - C. Proposed name of the subdivision and section, township and range numbers in which the subdivision is located.
 - D. Accurate metes and bounds or other adequate legal description of the tract, and the included area of the subdivision to the nearest one-hundredth [of an acre].
 - E. Accurate boundary lines, with dimensions and bearings or angles, which provide a survey of the tract, closing with an error of closure of not more than one foot in 10,000 feet. Coordinates shall be established for all property corners.
 - F. Accurate distances and directions to the nearest established section corner monument. Reference corners shall be accurately described on the plat.
 - G. All elevations shall be referenced to the National Geodetic Vertical Datum of 1929, and the said reference and benchmark shall be clearly stated on any plans or drawings showing such datum.
 - H. Small key map showing the relation of the proposed subdivision to section or U.S. Survey lines and to platted subdivisions and dedicated roads within 300 feet of the proposed subdivision.
 - I. Accurate location with accurate dimensions, angles, or bearings and curve data, including radii, arcs or chords, points of tangency, and central angles of all existing and recorded right-of-way intersecting or adjoining the boundaries of subject tract, including width and name, shown by heavy solid lines.
 - J. The purpose and location of any existing easement and dimensions thereof shown by light dashed lines and shall contain the following easement statements as applicable:

"A permanent non-exclusive easement is hereby reserved for and granted to the City of Edwardsville, Madison County, Illinois, and to those public utility companies operating in the City of Edwardsville, in, upon, across, over, under, and through the areas shown by dashed lines and labeled "UTILITY EASEMENT" on this Plat of Subdivision for the purpose of installing, constructing, inspecting, operating, replacing, renewing, altering, enlarging, removing, repairing, cleaning, and maintaining sanitary sewers, storm sewers, water mains, electrical, gas, telephone, cable TV, or other utility lines or appurtenances, all manholes, hydrants, pipes, connections, catch basins, wire, conduit, and without limitation, such other installations as may be required to furnish public utility service to or through the attached area, and such other appurtenances and additions thereto as said City and Utilities may deem necessary, together with the right of access across the lots and real estate included in the attached document for the necessary personnel and equipment to do any or all of the above work. The right is also hereby granted to said City and Utilities to cut down, trim, or remove any trees, shrubs, or other plants that interfere with the operation of or access to said sewers or, without limitation, utility installations in, on, upon, or across, under, or through said "UTILITY EASEMENT". No permanent buildings, swimming pools, retaining walls, fences, surfaces, earth fill, or landscaping (including trees and shrubs) shall be placed on said "UTILITY EASEMENT" that then or in the future interfere with the aforesaid uses and rights. Where a "UTILITY EASEMENT" is used for water, storm, or sanitary sewers, other utility installations shall be subject to the prior approval of the said City so as not to interfere with or cause damage to these systems. Maintenance of said easements shall remain the

responsibility of the property owners. Property owners shall be responsible for the costs associated with removing unauthorized obstacles from the "UTILITY EASEMENT".

"A permanent, non-exclusive easement is hereby reserved for and granted to the City of Edwardsville, Madison County, Illinois, in, upon, across, over, under, and through the areas shown by dashed lines and labeled "DRAINAGE EASEMENT" on this Plat of Subdivision for the purpose of installing, constructing, inspecting, replacing, renewing, altering, enlarging, removing, repairing, cleaning, and maintaining, ditches, swales, catch basins, culverts, piping, and without limitation such other installations as may be required to provide for drainage of surface water from, to, or through the attached area, and such other appurtenances and additions thereto as said City may deem necessary, together with the right of access across the lots and real estate included in the attached document for the necessary personnel and equipment to do any or all of the above work. The right is also hereby granted to said City to cut down, trim, or remove any soil, silt, trees, shrubs, other plants or appurtenances or structures that interfere with the operation of or access to said drainage ways, in on upon, or across, under, or through said "DRAINAGE EASEMENT". No permanent buildings, swimming pools, retaining walls, fences, surfaces, earth fill, or landscaping (including trees and shrubs) shall be placed on said "DRAINAGE EASEMENT" that then or in the future interfere with the aforesaid uses and rights. Maintenance of said easements shall remain the responsibility of the property owners. Property owners shall be responsible for the costs associated with removing unauthorized obstacles from the "DRAINAGE EASEMENT".

- K. Locations of street trees: The developer shall provide trees along the street frontage of all land developments. The location of required street trees shall be clearly delineated on all site development plans, including those for planned unit developments. Street trees shall be deciduous hardwood trees of not less than three-inch caliper size as measured six inches above the ground with a clear trunk of at least six feet. Required street trees may include existing trees, new trees or a combination thereof, provided that there is one tree for every 50 lineal feet, or part thereof, of street frontage. Street trees may be located within the street right-of-way or on the subject property at least eight feet from the edge of the pavement, but not more than ten feet from the edge of the street right-of-way. Street trees shall be centered at least three feet from the edge of sidewalks, and spaced not less than 20 feet apart. The placement of street trees must not interfere with proposed or existing utility lines. It is the responsibility of the developer to provide adequate front, side and rear yards, not less than six feet in width for the planting of such trees.

Street trees may include any of the following recommended species: Thornless Honey Locust, Red Maple, Sugar Maple, Hedge Maple, Seedless Green Ash, White Ash, Gingko, Ironwood, Pin Oak, Willow Oak, Red Oak, Littleleaf Linden, Silver Linden, Japanese Zelkova, and Bradford, Cleveland, or Aristocrat Pear.

- L. Locations of existing street lighting standards and street signs.
- M. Number each lot or site for identification and indicate the address assigned by the county 911 coordinator.
- N. Lot dimensions shown in feet and decimals, area of each lot, and required building setback lines.
- O. Names of owners of record of adjoining platted and unplatted land adjoining platted land by record name, date and number.
- P. Zoning district classification of the tract to be subdivided and the adjacent land.
- Q. Reference to recorded subdivision plats within 300 feet of reference to known and permanent monuments from which future surveys may be made; and the surveyor must, at the time of

making his survey, establish permanent monuments (set in such a manner that they will not be moved by frost) which mark the external boundaries of the tract to be divided or subdivided and must designate upon the plat the locations where they may be found.

- R. Applicable 100-year flood elevations as determined by FEMA, or as determined by highest applicable downstream culvert or roadway overflow elevation, and lowest basement foundation opening or top of pool wall elevation for all lots subject to flooding from stormwater drainage ways, whether natural or manmade.
- S. Notation on plat of required finished floor elevations and suitability of each lot for walkout basements.
- T. Location, type, material and size of all monuments and lot markers.
- U. The acreage area of the proposed subdivision to the nearest hundredth of an acre; the acreage of any areas reserved for the common use of the property owners within the subdivision and/or for public use; and the gross acreage reserved for green space, the net acreage for active green space and net acreage for passive green space.
- V. Restrictions of all types which will run with the land, and become covenants in the deeds of lots.
- W. Certification of dedication of all public areas.
- X. Certification by a registered land surveyor and a registered professional engineer with registration numbers and seal(s) affixed to all final documents of the final minor subdivision plat. The engineer shall also certify on the plat: "All required and applicable agencies were properly notified and approved of the project", and these agency notifications shall include: Illinois Historic Preservation Agency (IHPA); Illinois Department of Natural Resources (IDNR - endangered species); Illinois Department of Natural Resources (IDNR - stream hydraulics); Natural Resource Conservation Service (NRCS); U.S. Army Corps of Engineers (USACE - Clean Water Act - stream hydraulics); Illinois Environmental Protection Agency (IEPA - storm water permit); Madison County Department of Roads and Bridges (entrance permit); Illinois Department of Transportation Division of Highways (IDOT- entrance permit); U.S. Department of Agriculture (USDA - prime farm land)." The applicable agency sign-offs shall be submitted to the city before the city will sign the final minor subdivision plat.
- Y. Certificate that all taxes due have been paid.
- Z. Signature attesting to the final minor subdivision plat by the owner, developer, land surveyor and district engineer (if required by statute).

3-4.B-3 *Final minor subdivision certificates required.*

As required by state law, the following certificates shall be executed on the final plat:

(a) *Owner's certificate.*

We, _____, the Owners of (description) have caused the said tract to be surveyed and subdivided in the manner shown, and said subdivision is to be hereinafter known as _____, except as noted. All rights-of-way and easements shown hereon are hereby dedicated to the use of the public forever including the release and waiver of the right of homestead under the Homestead Exemption laws of the State of Illinois.

Dated this _____ day of _____, 20____.

_____(Seal)

_____(Seal)

(b) *Notary public's certificate.*

State of Illinois)

) ss

County of Madison)

I, _____, a Notary Public in and for the County aforesaid, do hereby certify that (owners) are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, and that they appeared before me this day in person and acknowledged that they signed and sealed the same as their free and voluntary act for the uses and purposes therein set forth, including the release of waiver of the right of homestead.

Given under my hand and Notarial Seal this _____ day of _____, 20_____.

Notary Public

(c) *Surveyor's certificate.*

I, _____, an Illinois Registered Land Surveyor, do hereby certify that this plat is a correct representation of a survey made under my direct supervision at the request of _____ for the purpose of subdividing the tract into lots as shown. The subject tract (is) (is not) within 1½ miles of a municipality having a comprehensive plan and exercising its powers outside its corporate limits per statutes.

Land Surveyor

Illinois Registration Number

_____/_____/_____
Date

My license expires: ____/____/____

(d) *County clerk's certificate.*

I, _____, County Clerk of Madison County, Illinois, do hereby certify that I find no unpaid or forfeited taxes against any of the real estate included within this plat.

County Clerk

_____/_____/_____
Date

(e) *Certificate of city council.*

I, _____, Clerk of the City of Edwardsville, do hereby certify that the plat shown herein was duly presented to the City Council and approved at a meeting of same held on (date).

City Clerk

(f) *Drainage certificate.*

We, the undersigned, do hereby certify that, to the best of our knowledge, based on investigation and accepted principles, no residences or structures are, or will be, located within the 100-year flood elevation as defined or identified by FEMA Community Panel (Number).

By: _____
Owner(s)

By: _____
Licensed, but Uninsured, Professional Engineer

By: _____
Registration Number and Expiration Date

Date

(g) *9-1-1 certification.*

I, Madison County 9-1-1 Coordinator do hereby certify that the street/road/highway names and numbering system on the attached plat have been reviewed and approved for use.

9-1-1 Coordinator

Date

3-4.B-4 Administrative review, advisory report.

Before preparing a proposed minor plat for an area, the owner, developer, or their representatives shall submit a concept plan of the proposed subdivision to the department of public works. The concept plan should show the proposed lot layout with lot dimensions and demonstrate that the plat meets the requirements of a minor subdivision (See Land Development Code - Selected Definitions, "Subdivisions, Minor" section 2-2).

A concept review meeting will occur within ten business days of submittal of the concept plan. The intent of the concept review meeting is to determine applicable ordinance regulations, standards and development concepts with the owner, developer, or their representatives. Members of the public works department, fire department, police department, parks department, and any other consultant, utility providers, or government agency as deemed appropriate to the proposed plat will be included in this concept review meeting. The city planner will provide written comments to the owner, developer, or their representatives following the concept review meeting.

Following a concept plan review meeting, the subdivider or his/her representative may submit a minor subdivision plat. As defined in the land development code, the minor plat cannot be considered as filed until all required data are submitted. The minor plat is to be submitted to the department of public works with filing fees to be paid at the time of plat submission.

Fifteen copies of a minor plat are to be filed with the department of public works. Of these, three shall be on 11 by 17-inch sheets while 12 shall be on 24 by 36-inch sheets. Minor subdivisions shall include all plans and specifications and other such supporting documents as may be necessary, including the form of guarantee or performance bond to be used.

After confirming that the plat meets the requirements of a minor subdivision set forth in the Land Development Code and the minor plat submission is complete, the city planner shall forward copies of the plat to the city engineer, the director of public works, and other city departments, utility providers, and/or county or state agencies as deemed appropriate in order to obtain input, corrections and changes to the minor subdivision plat.

Review comments are prepared by those receiving a copy of the minor plat and returned to city planner within ten business days of the plat submittal. The minor plat shall then be forwarded to an administrative review team comprised of the city planner, city engineer, director of public works and, at the mayor's discretion, one member of the plan commission.

Once comments have been received, the administrative review team shall review the plat and prepare comments and required corrections. Written comments and required corrections from the administrative review team shall be forwarded to the subdivider or his/her representative within 15 business days of plat submittal for corrective action as deemed necessary.

Upon resubmittal, the subdivider or his/her representative shall respond to any comments and corrections in writing and make the necessary changes to the minor subdivision. The minor plat shall not be scheduled to come before the council or subcommittees of council until approved for forwarding by the administrative review team.

Once all comments and corrections have been satisfactorily addressed, the administrative review team shall transmit the minor subdivision and a report of findings and recommendations in resolution format to the city council. A recommendation for approval, approval with changes or disapproval of the final minor subdivision plat shall be made by the administrative review team as well as the date of said action shall be noted in writing and attached to the final minor subdivision. If the minor plat is recommended for disapproval, the reasons for disapproval should be so stated.

The final minor subdivision and accompanying documents shall be transmitted to the city council through the public services committee for its review. The public services committee shall subsequently transmit a review recommendation to the administrative and community service committee, which shall review the final minor subdivision and forward to the city council. The city council shall take action on the final minor subdivision within 45 days from the date of the administrative review team's transmittal, unless such time is extended by written mutual consent of the subdivider and council.

If the final minor subdivision is disapproved by the city council, the reasons for such action shall be noted in writing by order or resolution stating the reasons for disapproval, specifying specifically the aspects in which the minor subdivision fails to conform to the city's ordinances. If the final plat is approved by the city council, the final plat shall be sent to the city clerk's office which shall take such action to record the final minor plat with the county recorder of deeds.

(Ord. No. 5919-12-13, § 3, 12-3-2013)

3-4.C CONSOLIDATION PLATS AND BOUNDARY ADJUSTMENT PLATS.

In the case of consolidation of lots or parcels, or the sale or exchange of lots or parcels to or between adjoining property owners, where such sale or exchange does not create additional lots and where the original lots are not reduced below minimum size requirements, a consolidation plat or boundary adjustment plat may be filed. In no instance shall lots smaller than the minimum lot size be created as a result of said plat. Variations from requirements of the Zoning Code shall not be permitted. The requirements of Section 5-17 (Greenspace) shall not apply.

Applicants shall submit to the director of public works, a plat showing proposed adjustment of lot lines together with information required per section 3-4.C-2, "Information Required."

3-4.C-1 Filing. The director of public works shall not approve any consolidation plat or boundary adjustment plat unless it determines that the plat is in compliance with all pertinent requirements of this Code including these set for the in the subsections below.

Every consolidation plat or boundary adjustment plat filed for approval shall be signed and sealed by the owner/developer and registered land surveyor. It shall be submitted, with all supporting data and associated filing fees, to the department of public works. No lot within the consolidation plat or boundary adjustment plat shall be sold or filed for recording until such time as said plat has been approved as required by state statute.

3-4.C-2 Information Required. Applicants shall submit to the director of public works a consolidation plat or boundary adjustment plat prepared by a registered land surveyor and showing the following information:

-
1. All portions of land to be consolidated or divided. Land within different zoning districts shall not be consolidated.
 2. The plans shall be drawn in waterproof black ink. The scale shall be one inch equals 20 feet, 40 feet, or 50 feet; however, the resulting drawing should be 24 inches by 36 inches. Scales or sheet sizes other than this may be approved only on a case by case basis by the director of public works. A digital file shall also be provided to the city at the time of application.
 3. All dimensions shall be shown in feet and decimals of a foot.
 4. All surveys for a consolidation plat or boundary adjustment plat shall be made under the active and personal direction of a registered land surveyor of Illinois, and the following basic information shall be shown:
 - a. North arrow, graphic scale, and date of plat.
 - b. Names and addresses of the owner, developer (if different than the owner), licensed land surveyor, and licensed professional engineer (if applicable).
 - c. Proposed name of the subdivision and section, township and range numbers in which the subdivision is located.
 - d. Accurate metes and bounds or other legal description of the tract, and the area of the land to be platted, to the nearest one-hundredth of an acre.
 - e. Accurate boundary lines, with dimensions and bearings or angles, which provide a survey of the tract, closing with an error of closure of not more than one foot in 10,000 feet. Coordinates shall be established for all property corners.
 - f. Accurate distances and directions to the nearest established section corner monument. Reference corners shall be accurately described on the plat.
 - g. All elevations shall be referenced to the National Geodetic Vertical Datum of 1929, and the said reference and benchmark shall be clearly stated on any plans or drawings showing such datum.
 - h. Small key map showing the relation of the proposed subdivision to section or U.S. Survey lines and to platted subdivisions and dedicated roads within 300 feet of the subject property.
 - i. Accurate location with dimensions, angles, or bearings and curve data, including radii, arcs or chords, points of tangency, and central angles of all existing and recorded right-of-way intersecting or adjoining the boundaries of the subject tract, including width and name, shown by heavy solid lines.
 - j. The purpose and location of any existing easement and dimensions thereof shown by light dashed lines. New easements and dedications of land are not permitted.
 - k. Locations of existing street lighting standards and street signs.
 - l. Number each lot or site for identification and indicate the address assigned by the 9-1-1-Coordinator.
 - m. Lot dimensions shown in feet and decimals, area of each lot, and required building setback lines.
 - n. Names and owners of record of adjoining platted and unplatted land by record date, name, and number.
 - o. Zoning district classification of the subject tract and the adjacent land.
 - p. Reference to recorded subdivision plats within 300 feet of reference to known and permanent monuments from which future surveys may be made; and the surveyor must, at the time of

making the survey, establish permanent monuments (set in such a manner that they will not be moved by frost) which mark the external boundaries of the tract to be divided or subdivided and must designate upon the plat the locations where they may be found.

- q. Applicable 100-year flood elevations as determined by FEMA, or as determined by highest applicable downstream culvert or roadway overflow elevation, and lowest basement foundation opening or top of pool wall elevation for all lots subject to flooding from stormwater drainage ways, whether natural or manmade.
- r. Notation on plat of required finished floor elevations and suitability of each lot for walkout basements.
- s. Location, type, material and size of all monuments and lot markers.
- t. The acreage area of the proposed subdivision to the nearest hundredth of an acre; the acreage of any areas reserved for the common use of the property owners within the subdivision and/or for public use; and the gross acreage reserved for green space, the net acreage reserved for active green space, and net acreage for passive green space.
- u. Certification by a registered land surveyor and a registered professional engineer (if applicable) with registration numbers and seal(s) affixed to all final documents of the consolidation plat or boundary adjustment plat.
- v. Certificate that all taxes due have been paid.
- w. Signature attesting to the consolidation plat or boundary adjustment plat by the owner(s) and land surveyor.
- x. All structures existing on the property, including area, dimensions, and setbacks to existing and proposed property lines.

3-4.C-3 Certificates Required. As required by state law, the following certificates shall be executed on the final plat:

1. Owner's certificate.

We, _____, the Owners of (description) have caused the said tract to be surveyed and subdivided in the manner shown, and said subdivision is to be hereinafter known as _____, except as noted.

Dated this _____ day of _____, 20_____.

_____ (Seal)

_____ (Seal)

2. Notary public's certificate.

State of Illinois)

) ss

County of Madison)

I, _____, a Notary Public in and for the County aforesaid, do hereby certify that (owners) are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, and that they appeared before me this day in person and acknowledged that they signed and sealed the same as their free and voluntary act for the uses and purposes therein set forth, including the release of waiver of the right of homestead.

Given under my hand and Notarial Seal this _____ day of _____, 20_____.

Notary Public

3. Surveyor's certificate.

I, _____, an Illinois Registered Land Surveyor, do hereby certify that this plat is a correct representation of a survey made under my direct supervision at the request of _____ for the purpose of subdividing the tract into lots as shown. The subject tract (is) (is not) within 1½ miles of a municipality having a comprehensive plan and exercising its powers outside its corporate limits per statutes.

Land Surveyor

Illinois Registration Number

_____/_____/_____
Date

My license expires: ____/____/____

4. County clerk's certificate.

I, _____ County Clerk of Madison County, Illinois, do hereby certify that I find no unpaid or forfeited taxes against any of the real estate included within this plat.

City Clerk

_____/_____/_____
Date

5. Drainage certificate.

We, the undersigned, do hereby certify that, to the best of our knowledge, based on investigation and accepted principles, no residences or structures are, or will be, located within the 100-year flood elevation as defined or identified by FEMA Community Panel (Number).

By: _____
Owner(s)

By: _____
Licensed Professional Engineer

By: _____
Registration Number and Expiration Date

Date

6. 9-1-1 certification.

I, Madison County 9-1-1 Coordinator do hereby certify that the street/road/highway names and numbering system on the attached plat have been reviewed and approved for use.

9-1-1 Coordinator

Date

7. Director of Public Works Certificate.

I, _____, Director of Public Works for the City of Edwardsville, Illinois, do hereby certify that this Plat conforms to the requirements of the Land Development Code of the City of Edwardsville. This Plat shall be void if not recorded by _____.

Director of Public Works

Date

3-4.C-4 Review and Approval. Before preparing a consolidation plat or boundary adjustment plat, the owner, developer, or their representatives shall submit a concept plan of the proposed plat to the department of public works. The concept plan should show the proposed lot layout with lot dimensions and demonstrate that the plat meets the requirements set forth in Section 3-4C and all lot size requirements set forth in the city's zoning code.

City staff will review the proposed plat and the city planner will provide written comments to the owner, developer, or their representatives within 30 days of the date of submittal. If any revisions to the plat are necessary, the owner, developer, or their representatives shall resubmit the plat, with revisions, to the department of public works.

After confirming that the plat meets the requirements set forth in Section 3-4C of the Land Development Code, the director of public works shall sign the plat.

The owner, developer, or their representatives, shall file the plat with the county recorder of deeds within 60 days after approval of the director of public works. If any such plat is not filed within this period, the approval shall expire and resubmittal and approval shall be required. The owner, developer, or their representatives, shall provide the city with three copies of the recorded plat.

(Ord. No. 6654-05-2020, § 2(Exh. A), 5-19-2020)

1242.04 Light manufacturing (M-1).

(a) *Description:*

- (1) *Manufacturing land usage:* The intent is to establish a single distinctly separate manufacturing classification within the city. The designation shall be M-1 light manufacturing district.
- (2) *Purpose:* The purpose of this district is to provide areas within the community where manufacturing facilities, research facilities, research parks, warehouses, and wholesale businesses may locate, while providing compatibility with other nonmanufacturing areas of the community. It is intended that this particular district will generally provide for manufacturing of an assembly nature from finished goods, warehousing and wholesale activities. Supportive services for manufacturing are generally of a nonretail or personal service character and should be encouraged to locate in this district.

(b) *Use restrictions:* All permitted uses are subject to the following conditions:

- (1) *Performance standards:* Any production, processing, cleaning, servicing, testing, repair or storage of goods, materials or products shall conform with the performance standards set forth in section 1250.09 of this title.
- (2) *Enclosed buildings:* All business, production, servicing and processing shall take place within completely enclosed buildings. Storage may be outdoors if storage area is completely enclosed by a solid wall or fence (including doors and gates) at least eight feet high.
- (3) *Parking:* See section 1250.13 of this title.
- (4) *Signs:* See chapter 94.

(c) *Lot and building requirements:* Every building erected in the M-1 light manufacturing/industrial district shall conform to the requirements indicated below:

- (1) Minimum lot area: None.
- (2) Minimum lot width: None.
- (3) Minimum lot depth: None.
- (4) Minimum setbacks:
Rear yard: None.
- (5) Maximum floor area ratio: One and one-half square feet of floor space for each one square foot of lot area.
- (6) Maximum percentage of lot building coverage: None.

(d) *Permitted uses:* Provided all the use restrictions of this district are observed the following uses are permitted:

- (1) Assembly, production, processing, wholesaling or warehousing, or manufacturing of any commodity from semi-finished (other than raw) materials, provided explosives, flammable materials, nuclear or hazardous materials, or livestock are not involved.
- (2) Research and development facilities or parks, provided explosives, flammable materials, nuclear or hazardous materials, or livestock are not involved.
- (3) Local cartage and express facilities.
- (4) Freight terminals.
- (5) Intermodal terminal facilities (IMT). The IMT use shall include, but not be limited to, the transfer of trailers, bogies, containers and chassis ("intermodal equipment") between highway and rail

transportation modes as well as the use of other equipment related thereto; the assembly and disassembly of intermodal equipment; the handling of intermodal equipment between rail and highway modes; the parking and storage (including overnight storage) of intermodal equipment and road tractors; the storage of items transported in intermodal equipment; the performance of repairs and maintenance to intermodal equipment and transfer equipment; and the switching and storage of railroad cars.

~~(6) Food trucks, provided they are located on lots five acres in size or larger, unless otherwise specified by chapter 82, article IV.~~

(7) Adult-use cannabis craft grower organization.

(8) Adult-use cannabis dispensing organization.

(9) Adult-use cannabis infuser organization.

(10) Adult-use cannabis processing organization.

(11) Adult-use cannabis transporting organization.

(e) *Special uses:* Provided all the use restrictions of this district are observed the following uses are permitted:

(1) Assembly, production, processing, wholesaling or warehousing, or manufacturing of any commodity involving raw materials.

(2) Research and development facilities or parks involving explosives, flammable materials, nuclear or hazardous materials, or livestock.

(3) Fuel sales and storage.

(4) Junkyards.

(5) Wastewater/sewage treatment facilities.

(6) Adult businesses.

(7) Public utility.

(8) Wind energy systems.

(9) Any other use not specifically permitted.

(Ord. No. 6103-5-19, § 2C, 5-21-2019; Ord. No. 6625-11-19, § 5, 11-19-2019)