

A. **PURPOSE:** The purpose of this Chapter is to provide reasonable rules and regulations for the orderly development of land within the territorial jurisdiction of the Village in accordance with the Village Comprehensive Land Use Plan; to establish reasonable requirements governing the location, width, course and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, landscaping, tree preservation, parks, playgrounds, schools, the size of lots to be used for residential, commercial, and industrial purposes, storm water drainage, water supply and distribution, wetlands, sanitary sewers and sewage collection and treatment, including the kind and quality of materials which shall be used in the construction of streets, alleys, and public service facilities required in the Village, and to provide regulations for the vacation of subdivisions, streets, alleys and easements.

The requirements set forth in this Chapter are deemed to be requirements for the protection of the health, welfare and safety of the residents of the Village.

B. **TERRITORIAL JURISDICTION:** In addition to the Village's home rule authority referenced in Chapter 1 of the Prairie Grove Municipal Code and pursuant to the authority vested in it under the provisions of the Illinois Municipal Code (65ILCS5/11.12-4 through 5/11.12-12), the Village has jurisdiction over all subdivisions within its corporate limits and all of the contiguous unincorporated area within one and one-half miles of its corporate limits, except:

1. If the unincorporated territory is within one and one-half miles of the Village and one or more other municipalities have adopted official plans, and the Village and such other municipalities have agreed upon a boundary agreement, a line which shall mark the boundaries of the jurisdiction of each of the municipalities who have adopted such a boundary agreement, the jurisdiction of the Village shall extend to such line.
2. In the absence of such an agreement, the jurisdiction of the Village shall extend to a median line equidistant from its boundary and the boundary of such other corporate authority nearest to the Village at any given point on the line.

The provisions contained herein shall be applicable to all subdivisions in the Village and as to all subdivisions within any unincorporated area lying within one and one-half miles of the corporate limits of the Village of Prairie Grove, this Chapter shall be applicable to all regulations contained herein to the extent permitted by law and the Statutes of the State of Illinois in effect from time to time. The provisions of this Chapter shall also apply to all planned developments whether residential, commercial, or otherwise in nature, and to any other developments whether a subdivision is required or not under the law, statutes, ordinances or regulations of the governmental body or agency having jurisdiction or control, and regardless of whether the same is labeled a subdivision or not, it being the intent of this Chapter to apply to all types of development, both within the Village of Prairie Grove and to areas lying within one and one-half miles of the corporate limits of the Village of Prairie Grove.

C. **REVIEWING AND APPROVAL JURISDICTION:** No land within the territorial jurisdiction of the Village shall be subdivided, re-subdivided or developed as a planned devel-

opment, and no subdivision heretofore platted shall be vacated unless the Board of Trustees shall first review and approve the preliminary and final plats of subdivision and/or planned development of such land, and the plat of vacation of such previously platted subdivision or planned development, including streets and easements therein.

D. PLANNING JURISDICTION:

1. Village Limits: All plats of subdivision, re-subdivision and planned developments of lands within the corporate limits of the Village shall conform to this Chapter.
2. Outside of Village Limits: All plats of subdivision, re-subdivision and planned developments of lands outside the corporate limits of the Village but within its territorial jurisdiction shall conform to this Chapter.
3. Waiver of Requirements: Waiving of the requirements of the provisions of this Chapter shall be within the discretion of and by resolution of the Board of Trustees. The applicant requesting the waiver shall submit in writing the basis for the request with supporting documentation including a plat of survey of the property to be divided, a legal description of the property, documentation of ownership and the basis for the requesting waiver of the requirements. The Board of Trustees may in its discretion refer the matter to the Plan Commission for further review or may grant the waiver. If no such waiver is obtained all the divisions of property shall comply with this Chapter and applicable procedures.
4. Division of Land: No land shall be divided in the Village or within its territorial jurisdiction unless it complies with the provisions of this Chapter.

E. STORMWATER MANAGEMENT ORDINANCE. The Village has enacted a Stormwater Management Ordinance as Chapter 25 of the Prairie Grove Municipal Code. In the event of a conflict between any provisions of this Chapter 22 and the Stormwater Management Ordinance, the Stormwater Management Ordinance shall control.

*Pjh:PrarieGrove.Code\Chapter.022.Sect1.July06.doc*