

Chapter 16.12

RULES AND DEFINITIONS

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16.12.010 Rules of Construction

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

- A. The singular number includes the plural and the plural singular;
 - B. The present tense includes the past and future tenses, and the future the present;
 - C. The word "shall" is mandatory, while the word "may" is permissive; the masculine gender includes the feminine and neuter;
 - D. Whenever a word or term defined hereinafter appears in the text of this Title, 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;
 - E. All measured distances, expressed in feet, tenths, and hundredths.
- (Ord. 2012-M-45 § 2; Ord. 1963-21 § 2(1): Prior code § 11.002(1).)

16.12.020 Definitions

The words and terms set out in Title 16, wherever they occur, shall be construed and defined as follows:

Block. Any tract of land bounded by streets or by a combination of streets and public land, parks, cemeteries, railroad, rights-of-way, shoreline or waterway, boundary lines of a municipality or any other barrier to the continuity of development.

Building Permit. Written permission issued by the City of St. Charles Department of Community Development for the construction repair, alteration, or addition to a structure.

Building Setback Line. A line within a lot or other parcel of land, so designated on the preliminary plan, between which line and the adjacent street the erection of an enclosed structure is prohibited.

Checklist. A list of all necessary data and information required to be shown on or submitted along with each application, as appropriate.

City. The City of St. Charles, Kane and DuPage Counties, Illinois.

Comprehensive Plan. The official Comprehensive Plan for the City of St. Charles.

Concept Plan. Any and all information adequately delineating the concept of any proposed development as described in 16.04.060, "Concept Plan".

Contractor. See Section 12.30.030, Definitions A. "Contractor"

Cul-de-sac. A minor street having one open end and being permanently terminated at the other by a vehicular turnaround.

Dedication. The conveyance of a property by its owner to another party.

Demographic Study. A study of the estimated ultimate population expected to be generated by a proposed development, based upon empirical historical data from similar developments. Such a study shall take into consideration demographic changes over time, dwelling types, number of bedrooms, and the number of pre-school children, school age (grades K-12) children, and adults.

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Designee. A Staff member or person designated by the person with authority to carry out duties in their place.

Development Engineering Division Manager – Designee of the Director of Community Development.

Director of Community Development. The Director of Community Development as defined in Title 2, “Administration and Personnel” Chapter 2.10, “Appointive Offices” of the St. Charles Municipal Code.

Director of Public Works. The Director of Public Works of the City as defined in Title 2, “Administration and Personnel” Chapter 2.10, “Appointive Offices” of the St. Charles Municipal Code.

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

Engineering Design and Inspection Policy Manual. The official design and inspection manual for all publicly owned, sanitary, water utilities, street and stormwater facilities providing public benefit, as approved by the City Council and amended from time to time.

Estate Streets. Streets located in areas zoned “Residential Estate” per Title 17, “Zoning” of the St. Charles Municipal Code. Roadways in areas zoned “Residential Estate” may be constructed without combination curb and gutter provided the flow velocity of water in the ditches will not exceed four feet per second.

Final Engineering Plan. A set of plans, specifications, and calculations prepared by a registered engineer, showing in detail all data required in Section 16.06.060, “Final Engineering Plans” to construct land improvements.

Final Plat of Subdivision. A surveyor's plat of a proposed subdivision as described in Section 16.06.050, “Final Plat of Subdivision”.

Improved Land. Land located within a development which has been improved by installation of the required land improvements.

Land Improvements. Any sanitary sewer, storm sewer and water systems, including all appurtenances thereto, retention and detention basins, grading and surface drainage ways and facilities, curbs, paving, streets, street lighting, sidewalks, street signs, seeding, and tree plantings.

Land Improvement Agreement. An acknowledgement executed by the Subdivider/Applicant accepting the responsibility for the installation of the Land Improvements as shown on the approved engineering plans and specifications and agreeing to furnish qualified field supervision of the installation of all Land Improvements in the person of a registered engineer approved by the City.

Licensed Professional Engineer. A person holding a current license to provide professional engineering services in the State of Illinois.

Lot. A portion of a subdivision or other parcel of land intended as a unit for the purpose whether immediate or future, of transfer or ownership or for building development.

Owner. Any individual, firm, association, partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this Title.

Park District. The St. Charles Park District, Kane and DuPage Counties, Illinois, or any public Park District within which a development or part of a development is located.

Person. Any individual, firm, association, partnership, corporation, trust, or any other legal entity.

Plan Commission. The Plan Commission of the City, as defined in Title 2, “Administration and Personnel” Chapter 2.28, “Plan Commission” of the St. Charles Municipal Code.

Planned Unit Development (PUD). A unified development of one or more tracts of contiguous land in single or unified ownership where the specific requirements of a given zoning district may be modified if the application is processed and approved under the Planned Unit Development procedure in Title 17, “Zoning”.

Preliminary Plat. A surveyor's plat of a proposed subdivision (and related documents) as described in Chapter 16.06.030, “Preliminary Plat”.

Preliminary Engineering Plan. A set of plans, specifications, and calculations prepared by a registered engineer, showing in detail all data required in Section 16.06.040, “Preliminary Engineering Plans”.

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Protective Covenants. Contracts entered into between private parties and constitute a restriction on the use of all private property within a subdivision for the benefit of property owners and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.

Public Land. Real estate to be conveyed pursuant to the provisions hereof and to be utilized by the City, School District, and/or Park District for uses including, but not limited to, parks, recreational sites, lakes, storm water retention and detention areas, public forest areas, municipal service areas, public utility substations, storage areas and well sites, public natural resource areas, public golf course areas, school building sites, playgrounds and other similar uses.

Right-Of-Way. See Section 12.30.030. Definitions H. "Right-Of-Way".

School District. Community Unit School District No. 303, Kane and DuPage Counties, Illinois, or any public School District within which a development or part of a development is located.

Soil and Water Conservation District. The Kane-DuPage Soil and Water Conservation District.

Street, Arterials. Any streets primarily for through traffic, usually on a continuous route moving large volumes of traffic. Arterials should remain free flowing with limited access.

Street, Collector. Streets serving the internal traffic movement within and between neighborhoods of the City, and connecting Local Street with the arterials system.

Street, Local. Streets primarily for access to residences, businesses, residential lots, or other abutting property.

Street width. The shortest distance between lines delineating the right-of-way of a street.

Subdivider and/or Applicant. A record owner of the subject property, or a lessee, agent or contract purchaser with specific written authorization from the record owner, who commences proceedings under this Title.

Subdivision. 1) A described tract of land which has been or is to be divided into two (2) or more lots, parcels, or tracts, for the purpose of, either immediate or future transfer of ownership, lease, or building development, including a re-subdivision for any such purpose, and 2) A planned unit development involving one or more parcels of land.

Traffic Study. An engineering study that evaluates the impact of a subdivision proposal upon the existing and proposed transportation network. This study shall be performed by a Licensed Professional Engineer. The study typically contains documentation of existing and proposed conditions, evaluation of impacts and recommendations to mitigate impacts.

Utility Capacity Study. An engineering study that evaluates the impact of a subdivision proposal upon the existing and proposed utility networks. This study shall be performed by a Licensed Professional Engineer. The study typically contains documentation of existing and proposed conditions, evaluation of impacts and recommendations to mitigate impacts.

Utility. Public improvements intended for the transference of public services such as water and sanitary sewers.

(Ord. 2012-M-45 § 2; Ord. 1989-M-64 § 1; Ord. 1987-M-45 § 2; Ord. 1979-M-41 § 1(b); Ord. 1977-M-42 § 2(part); Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)