

Subdividing in Clark County within City of Marshall's Authority

Extraterritorial Authority

If your proposed subdivision is located within the corporate limits or within 1 ½ miles of the corporate limits of the city, the proposed subdivision will need to be in accordance with the laws of the state and the provisions of Chapter 74, Subdivisions, and its amendments of the Code of Ordinances of the City of Marshall. City of Marshall staff will be able to let you know if your proposed subdivision is affected.

Subdividing Property

When a tract of land is divided into two or more lots, any of which is less than 5 acres, the process is known as "subdivision." There are several exceptions to this rule, but there are too many possible variations to explain here. You may want to review the State of Illinois Plat Act and the City of Marshall's Subdivision Code for more information.

All subdivisions within the City Limits or in the extraterritorial authority area of the unincorporated areas of Clark County must be reviewed and approved before lots can be sold or represented for sale. This is done to ensure that the subdivision of land is occurring in a responsible fashion. New lots with new land uses will increase traffic on existing roads. They often increase storm water drainage and erosion from an area. They create a need for more water supply or sewage disposal, and they increase the need for public services like police, and fire, street maintenance, schools, parks, etc.

The subdivision review process helps ensure that the new development will be a long-term benefit to the community, not a detriment. When subdivisions are poorly designed, problems may result for the community for years to come. If the lots are not large enough, there may be problems with septic systems. If roads are not designed and built adequately, they may deteriorate early and require expensive maintenance and repairs.

Special Provisions for Tract Surveys

If your land division is comprised of parcels of five or more acres, you may not have to go through the subdivision process. Instead, a tract survey may be in order. Consult the Tract Survey Guidelines for details.

Conclusion

Your Illinois Registered Land Surveyor or Illinois Registered Professional Engineer is probably your most important resource in this process, so be sure to communicate clearly with them. The City of Marshall Planning and Zoning staff is also here to help you navigate the subdivision process, so please feel free to call city hall with any questions.

The Subdivision Process

There are 4 main steps in the subdivision process:

1. The Sketch Plat (recommended, not required);
2. Preliminary Plat (always required, see preliminary plat checklist);
3. Construction Plans (required only if there are public improvements);
4. Final Plat (always required, see final plat checklist).

Time Involved

Please keep in mind that subdivision approval can take three or more months, so plan ahead! Even the most straight-forward subdivisions take at least a month for review and approval.

Erosion and Storm Water Control

Storm water runoff has been a source of great concern for many years. It can pollute lakes and streams. As a result, the 1987 amendments to the Clean Water Act required the United States Environmental Protection Agency (U.S. EPA) to address storm water runoff in two phases. Phase I of the NPDES Storm Water Program began in 1990 and applied to large and medium municipal separate storm sewer systems, including construction sites disturbing five acres of land or more. Phase II of the NPDES Storm Water Program began in March 2003 and applies to construction sites disturbing equal to or greater than one but less than five acres of land. Illinois Environmental Protection Agency (Illinois EPA) is in charge of implementing both phases of the NPDES Storm Water Program.

Phase II of the storm water program automatically applies to all construction activities disturbing one or more acre to less than five acres of land. These sites must receive an NPDES permit before any earthmoving activities begin. Illinois EPA may require construction sites disturbing less than one acre of land to obtain a storm water discharge permit if such activities would adversely affect water quality.

For more information on how to comply with the storm water program, see Illinois EPA's fact sheet "Storm Water Management for Construction Activities." More information about NPDES storm water permits can be obtained by contacting the Illinois EPA Office of Small Business.