

Chapter 8A

SUBDIVISION AND PLANNED UNIT DEVELOPMENT DESIGN STANDARDS

8A.1 Site Development and Design Standards

8A.1.1 Lot and Block Standards

8A.1.2 Street and Sidewalk Standards

8A.1.3 Tree Standards

8A.1.4 Street Lighting

8A.1.5 Sanitary Sewer Collection System

8A.1.6 Storm Water Management

8A.1.7 Potable Water System

8A.1 Site Development and Design Standards

The purpose of good development and design standards is to create functional and attractive subdivision/PUD development, to minimize adverse impacts upon the community and environment, and to ensure that a proposed development can be served by public and private utilities and by City services. The design of each project should address the natural and built features of a site and the proposed use of the land. No land should be developed which because of flooding, poor drainage and soils, severe topography or other conditions is considered to be harmful to the public health, safety, or general welfare, unless such conditions can be satisfactorily addressed and resolved.

The mass grading of development sites is discouraged and is limited to between 20 and 40 acres at any one time. Large developments shall stabilize areas of up to 40 acres that are graded before proceeding with subsequent grading activity. Areas of the site that have been rough-graded, but will not be subject to immediate building and development activity shall be seeded to lessen wind, soil, and water erosion.

Buffers installed to protect natural resources and amenities, or buffers which are located in close proximity to or abut such natural resources and amenities, shall be planted and stabilized prior to the start of grading activity.

8A.1.1 Lot and Block Standards

A. All lots shall be arranged to provide satisfactory building sites which are properly related to topography and surrounding land uses. Lots shall be laid out in an efficient and uniform manner to avoid the creation of odd shaped lots and unusable remnants of land.

B. Lot dimensions, frontage area, and building setbacks must conform to the standards of this Ordinance, or with McHenry County Zoning Ordinance standards for unincorporated land within one and one-half (1 and ½) miles of the City limits.

C. When practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines, except where an exception to this provision will result in a better street and lot layout.

D. Lots shall not block any street extensions depicted in Woodstock's comprehensive planning documents.

E. All lots shall front on a publicly dedicated street or, if approved by the City Council, on a private street or drive established by a dedicated access easement. Such an easement shall have a minimum width of twenty-eight (28) feet and shall not be used for parking purposes.

F. Double frontage or reverse frontage lots are prohibited except where lots back onto a major street, in which case such lots shall have an additional depth and an additional rear yard setback of at least twenty (20) feet. This additional depth shall be landscaped and bermed in order to provide a buffer between street activity and the rear of the lot. Access to a double frontage or reverse frontage lot shall be from a minor or secondary street and not from a major street.

G. The width of irregularly shaped lots shall be measured along a line drawn parallel to the front lot line at a distance from the front lot line equal to the required front yard setback. In the case of a curved front lot line, the lot width shall be measured as the length of the arc, which is parallel to the front lot line at the building setback.

H. Corner lots at intersecting streets must be of sufficient area and width to accommodate the building setbacks required on both of the intersecting streets. Lots containing water courses, drainage ways, utility easements, or similar restrictions shall be designed to have adequate building area and to meet building setbacks.

I. Flag lots are prohibited.

J. The maximum length of blocks shall be 1,200 feet except as provided for herein and where the Plan Commission determines that a greater length is required in order to avoid or reduce a traffic hazard or to avoid encroachment or disturbance of a significant natural resource. Blocks greater than 1,200 feet in length shall provide a twenty (20) foot wide pedestrian crossway easement through the approximate center of the block. Pedestrian crossway locations should take into account topography, drainage, and similar physical features on a site. The pedestrian crossway shall have a six (6) foot wide paved surface, shall be a required public improvement, and shall be centered within said easement.

K. Blocks within subdivisions zoned for business and industrial activity shall be adequate to provide for the use intended and to comply with the standards for such lots as set forth in this Ordinance.

L. Lots and blocks adjacent to railroad right-of-way shall be designed to minimize access from said lots and blocks to the railroad the right-of-way. Fencing or similar protection shall be provided between a residentially zoned subdivision and the railroad right-of-way.

8A.1.2 Street and Sidewalk Standards

A. Streets shall be located and designed to permit the safe, efficient, and orderly movement of traffic; to be easily maintained; to meet current and future needs of the population; and to present an attractive streetscape. Street improvements shall be designed and constructed in accordance with the specifications of the City.

- B. The design and layout of collector and arterial streets shall take into account and conform to the comprehensive planning documents and planning policies of the City. Where a subdivision contains the location of a major street recommended by the comprehensive planning documents, such a street shall be provided.
- C. At street intersections, corners shall be rounded with a radius sufficient to provide the right-of-way necessary to accommodate sidewalks, traffic control facilities, utilities, and other essential necessary improvements without encroaching onto the corner lots.
- D. When land is subdivided into large lots, such lots shall be arranged and laid out to permit the logical location and opening of future streets and the resubdivision of said lots.
- E. All subdivisions/PUDs, where practical, shall be accessible from at least two publicly dedicated streets. Half streets are not permitted.
- F. Lots abutting major streets, including arterials and collectors, shall be located so as not have direct access to and from said streets unless approved by the City.
- G. Minor streets shall be designed so that high-volume through traffic is discouraged, while safe connections to major streets, including arterials and collectors, are provided.
- H. Existing streets terminating at the boundary of a proposed subdivision/PUD shall be extended into the subdivision/PUD and be incorporated into the street pattern.
- I. Streets which are or will become extensions of existing streets shall have the same name as the existing street. New street names shall not be the same as or similar to names of existing streets. Proposed street names shall be submitted to the City Engineer for review and approval.
- J. Streets which are extensions of existing streets shall have their centerlines and grades in alignment with such existing streets.
- K. Clear visibility from the centerline intersection of streets shall be provided for at least three-hundred feet on major residential streets and streets in commercial and industrial subdivisions/PUDs, and two-hundred feet on minor residential streets.
- L. Streets that connect to other streets, or looped streets, are preferable for the provision of emergency services, maintenance, and circulation. Cul-de-sac streets are discouraged and are permitted only when topographic, physical, or similar site conditions make alternative provisions impractical. When permitted, the length of a cul-de-sac street shall not be greater than eight hundred feet. Cul-de-sac length shall be measured along the street centerline from the point of intersection to the center of the cul-de-sac. An increase in permitted length may be approved if additional access is not possible or practical, and if such increase does not jeopardize public health and safety.
- M. Dead-end streets are prohibited except where a street is intended to extend beyond the perimeter of the subdivision/PUD or to provide access to adjoining undeveloped land, in which case a temporary turning area may be required.
- N. Streets both within and abutting a subdivision/PUD shall be fully improved in compliance with the public improvement details and standards established by the City Engineer.

O. When any subdivision/PUD or any part of a subdivision/PUD is adjacent to only one side of an existing right-of-way whose width is less than the minimum right-of-way width required herein, the developer shall dedicate such additional right-of-way as may be required to meet the minimum right-of-way width requirements unless waived by the City Council.

P. Curbs and gutters are required unless waived by the City Council. The use of shoulders and vegetated swales in lieu of curbs and gutters may be approved by the City Council in order to achieve the goals of conservation design and more efficient storm water management, and to achieve improved groundwater protection and quality.

Q. Sidewalks are required along all interior streets and along all street frontage abutting the development site, unless it is determined by the City Engineer that they can not be physically installed. In such a case, the City Engineer may (a) authorize the installation of an equal sidewalk improvement at another location determined by the City or (b) may allow the developer to contribute funds in an amount equal to the cost of installing said sidewalks, which funds shall be used by the City to install other sidewalk amenities at other locations in the City. The use of pedestrian paths in lieu of sidewalks may be approved by the City Council provided such alternative paths provide a convenient pedestrian route and are available for use by the public.

R. Sidewalks shall have a minimum width of four (4) feet, a thickness of at least four (4) inches except when situated within a driveway, wherein the thickness shall be six (6) inches, and shall extend a distance of at least one (1) foot into the right-of-way. Sidewalks in commercial and industrial business areas shall be at least six (6) feet wide and may abut the curb.

S. Streets outside the City shall meet applicable County and/or Township road standards.

T. Access to all lots and property must be provided by either a dedicated public street or, if approved by the City Council, a private street or drive located within a dedicated public access easement having a minimum width of thirty (30) feet. The creation of private streets or private drives may be considered based on site suitability and provided a binding easement described on a final plat or other recorded document shall assure the continued existence and maintenance of said private street or private drive.

U. Minimum public street surface width, measured from back of curb to back of curb, is as follows (these are minimum widths and changes may be required based on projected trips and the area and/or population being served):

| | |
|--------------------------|---|
| Major residential street | 37 feet <u>or</u> 31 feet if on-street parking is limited to one side of the street |
| Minor residential street | 31 feet <u>or</u> 28 feet if on-street parking is limited to one side of the street |
| Business street | 37 feet <u>or</u> 31 feet if on-street parking is limited to one side of the street |
| Cul-de-sacs | 100 foot diameter |

V. Minimum public street right-of-way width is as follows (these are minimum widths and changes may be required based on projected trips and the area and/or population being served):

| | |
|--------------------------|---------|
| Major residential street | 60 feet |
| Minor residential street | 60 feet |

| | |
|-----------------|-------------------|
| Business street | 66 feet |
| Frontage road | 50 feet |
| Cul-de-sacs | 130 foot diameter |

W. Street jogs and intersections with centerline offsets of less than one-hundred-fifty feet are prohibited.

X. Streets shall be designed to intersect at right angles whenever possible and two (2) streets shall not intersect at an angle of less than seventy-five (75) degrees.

Y. Frontage road improvements are required where the proposed development will significantly affect traffic flow and volumes.

AA. Approval of a final plat showing publicly dedicated street right-of-way does not constitute acceptance of street improvements by the City.

Z. Upon completion of required curbs, gutters, and street base/binder course, fine grading and seeding/sodding improvements shall be installed over the unimproved portion of the public street right-of-way abutting the back of each curb.

AA. The bituminous binder course shall be ramped up to meet the top of the gutter flag and the top of all utility structures, such as sanitary sewer manholes, storm sewer inlets, valve vaults, and similar improvements. The binder course shall be ground off around the utility structures and around the gutter flag prior to placement of the final surface course.

BB. Where it is desirable and appropriate to provide for public street access to adjoining land, the proposed street right-of-way shall be extended by dedication to the boundary of such land.

CC. Where deemed necessary to provide adequate protection of residential properties, to afford separation of through and local streets, or where alternative traffic movement and routes are desirable, the City Council may require that access streets be installed to service areas fronting on major streets.

DD. Boulevards and center islands shall not be installed within a public street right-of-way or cul-de-sac unless approved by the City Council and provided a binding agreement contained on a final plat or other recorded document shall assure the private ownership, continued existence, and maintenance of said boulevards and center islands. Such boulevards and center islands shall be identified on a plat as an outlot.

EE. Bicycle paths are required within or adjacent to a subdivision/PUD where a bicycle path is depicted on the City's comprehensive planning documents and is shown as running through all or a part of, or adjacent to, such subdivision/PUD. Bicycle paths shall also connect to existing regional or area-wide bicycle path systems or be extended to such systems when they are located within 1,000 feet of the subdivision/PUD. Bicycle paths may be installed in lieu of sidewalks.

8A.1.3 Tree Standards

A. While allowing for reasonable development of land, it is the stated public policy of the City to add to the tree population where possible and to maintain existing trees within the City. The planting of additional trees and the preservation of existing trees is intended to accomplish, the following objectives: (Ordinance Number 09-O-64, adopted October 20, 2009).

1. To preserve trees as an important public resource enhancing the quality of life and the general welfare of the City;
2. To conserve and enhance the City's unique character and physical, historical, and aesthetic environment;
3. To encourage the protection of healthy trees and provide for the replacement and/or replanting of trees removed during construction, development or redevelopment;
4. To prevent clear cutting and to minimize mass grading;
5. To aid in the reduction of air pollution through the removal of harmful carbon dioxide, the generation of oxygen, and the precipitation of dust and other airborne pollutants;
6. To reduce noise pollution through the baffle and barrier effect of trees on the spread of noise;
7. To reduce topsoil erosion through the soil retention effect of tree roots;
8. To reduce energy consumption through the natural windbreak and shade producing functions of trees.
9. To preserve and enhance nesting areas for birds, insects, and other wildlife that are essential to the maintenance of the food chain and that help control and eliminate disease-carrying mosquitoes;
10. To reduce storm water runoff and replenish ground water supplies; and
11. To protect and increase property values.

B. Tree Protection

1. A minimum of 1 shade tree shall be planted in the front yard of each single-family residential lot or building site and within 20 feet of abutting street right-of-way or easement used for lot access. A minimum of 2 trees shall be required for lot, building site having an area of 15,000 or more square feet. For residential building lots containing a duplex dwelling unit, a minimum of 2 trees shall be required. For residential building lots containing 3 or more dwelling units or for non-residential lots or building sites, the number of required trees shall be determined in accordance with the City's landscape design guidelines at the time building plan approval and permits are requested. (Ordinance Number 09-O-64, adopted October 20, 2009).
2. As part of the preliminary plat and final engineering plan submittal, a tree survey as defined and provided for in this Ordinance is required. Trees intended to be preserved shall be depicted. A tree preservation plan prepared by a qualified arborist, forester, or similarly qualified professional in the field of natural resources is also required as part of the final engineering plan submittal. Failure to submit these items is a valid reason to delay consideration of a preliminary plat or to withhold approval of final engineering plans or a final plat until such items are available. (Ordinance Number 09-O-64, adopted October 20, 2009).

3. The tree survey shall consist of a scaled drawing that shows the location of all desirable native tree species listed in Table 8A.1 having a diameter at breast height (DBH) of 4 or more inches and all other existing trees with a DBH of 8 or more inches, excluding dead or dying trees, buckthorn and similar invasive and noxious species.. In the case of a multi-stemmed tree, the diameter of the clump taken as a whole shall be used. The survey shall include, at a minimum, an inventory listing individual trees by tag number, the tree species by common name and scientific name, size (DBH), condition, and any observed problems. Where trees are within a permanently dedicated conservation easement or protected by deed restrictions and will not be subject to grading activity, identification of individual trees is not required. (Ordinance Number 09-O-64, adopted October 20, 2009).
4. Where individual trees or stands of trees are removed on property proposed for development or which is the subject of a development approval petition, including a annexation, subdivision, PUD, or special use, the Plan Commission may recommend and the City Council may require that the area containing the removed trees or stands of trees be replanted, made subject to a tree preservation easement, and/or be maintained in perpetuity as open space. (Ordinance Number 09-O-64, adopted October 20, 2009).
5. As part of a final engineering and final plat submittal, the City shall require the developer/owner to submit a tree survey, as defined in this Ordinance and as provided for below, and a tree preservation plan prepared by a qualified arborist, forester, or similar professional in the field of natural resources that is acceptable to the City. Failure to submit these items shall be a valid reason to delay consideration or to withhold approval of final engineering plans or a final plat until such items are available to the Plan Commission.
 - A. The survey shall consist of a scaled drawing that shows the location of all desirable native tree species listed in Table 8A.1 having a diameter at breast height (DBH) of 4 or more inches and all other existing trees with a DBH of 8 or more inches, including dead or dying trees. In the case of a multi-stemmed tree, the diameter of the clump taken as a whole shall be used. The survey shall include, at a minimum, an inventory listing individual trees by tag number, the tree species by common name and scientific name, size (DBH), condition, and any observed problems.
 - B. Where trees are located in a permanently dedicated conservation easement or protected through deed restriction and will be free from any grading activity, identification of individual trees is not required.
 - C. Where individual trees or stands of trees are removed on property proposed for development or which is the subject of a development approval petition, including a annexation, subdivision/PUD, or special use, the Plan Commission may require that the area containing the removed trees or stands of trees be replanted and that said area be dedicated as and made subject to a tree preservation easement, and be maintained in perpetuity as open space.
6. During construction and development activity, reasonable steps shall be taken to prevent damage to or destruction of protected trees. These steps shall include:
 - a Soils shall not be removed or disturbed within the critical root zone.

- b Protective fencing approved by the City shall be erected around the critical root zone of any protected tree. Signage shall be affixed to said fence indicating the presence of the critical root zone and a protected tree.
- c All trees on property adjacent to the subject site and within 10 feet of the site's property line or having a critical root zone extending into the subject site, shall be protected from unreasonable damage by the use of acceptable tree protection measures.
- d Mass cutting and grading are discouraged.
- e The developer/owner shall ensure that all applicable subcontractors are trained in proper tree protection.
- f Excess soil, additional fill, equipment, trailers, liquids or construction debris shall not be placed within the calculated critical root zone of any tree that is to remain at its original location.
- g Only protective non-damaging devices or attachments approved by the City shall be attached to any tree during construction, and if approved by the City.

C. Tree Replacement

1. Unless otherwise authorized by the City, it shall be unlawful for any person, firm or corporation, whether owner, builder, developer, contractor or otherwise, to damage or remove any protected tree. The term "remove" or "removal" shall mean (a) the actual cutting, felling, chopping or any other similar procedure, the result of which is likely to cause the death or substantial destruction of a tree, or (b) the effective removal through damaging, poisoning, or other direct or indirect action resulting in or likely to result in the death of a tree.
2. The removal of any protected tree prior to or without approval of the City is punishable by a fine of not less than \$500 nor more than \$1,000 per protected tree removed.
3. Invasive species, including but not limited to common buckthorn, glossy buckhorn, and honeysuckle, which are commonly removed as part of good forestry practices and ecological restoration, are not treated or acknowledged as protected tree species and may be removed. (Ordinance Number 09-O-64, adopted October 20, 2009).
4. Any protected tree removed pursuant to City approval shall be replaced as provided for below:

| Diameter of Removed Tree | Number and Diameter of Replacement Trees |
|---------------------------------|---|
| 4 inches | 1 tree @ 4 inches or 2 trees @ 2 1/2 inches |
| 5-6 inches | 1 tree @ 6 inches or 2 trees @ 3 inches |
| 7-8 inches | 1 tree @ 8 inches or 2 trees @ 4 inches or 3 trees @ 3 inches |
| 9-10 inches | 2 trees @ 5 inches or |

| | |
|-------------------|---|
| | 3 trees @ 3 1/2 inches or 4 Trees @ 2 1/2 inches |
| 11-12 inches | 2 trees @ 6 inches or 3 trees @ 4 inches or 4 trees @ 3 inches |
| 13 – 25 inches | Minimum 2 trees @ 6 1/2 inches or 3 trees @ 4 1/2 inches or 6 trees @ 4 inches or 8 trees @ 3 inches |
| 26 or more inches | Minimum 9 trees @ 3 inches or 6 trees @ 4 1/2 inches or 4 trees @ 6 1/2 inches |

5. When a high density of trees is not appropriate or the full replacement of trees on a site would result in unreasonable crowding of trees, a fee in lieu of tree replacement and ecological restoration may be approved by the City Council.
6. A tree replacement plan shall be prepared as part of the final engineering submittal by a qualified arborist, forester, or similar professional in the field of natural resources. The tree replacement plan shall depict the location and corresponding elevation of each replacement tree and each preserved tree. Corresponding text shall state the species and diameter of each tree with a description of the proposed management strategy to ensure its health and survival on the property.
7. Replacement trees shall be high quality, locally grown, and of a species similar to that of the tree removed. Whenever possible, trees with local genotypes (*from a 250 mile radius*) should be used. All trees shall be installed free of disease and in a manner that ensures the availability of sufficient soil and water to sustain healthy growth. Unless otherwise approved by the City, replacement trees shall be from the following varieties:

| Table 8A.1: Desirable Native Tree Species | |
|--|----------------------|
| <i>Acer nigrum</i> | Black Maple |
| <i>Acer saccharum</i> | Sugar Maple |
| <i>Aesculus glabra</i> | Ohio Buckeye |
| <i>Carpinus caroliniana</i> | American Hornbeam |
| <i>Carya cordiformis</i> | Bitternut Hickory |
| <i>Carya ovata</i> | Shagbark Hickory |
| <i>Celtis occidentalis</i> | Hackberry |
| <i>Juglans nigra</i> | Black Walnut |
| <i>Ostrya virginiana</i> | American Hophornbeam |
| <i>Quercus alba</i> | White Oak |
| <i>Quercus coccinea</i> | Scarlet Oak |
| <i>Quercus ellipsoidalis</i> | Hill's Oak |

| | |
|---------------------------|-----------|
| <i>Quercus macrocarpa</i> | Bur Oak |
| <i>Quercus rubra</i> | Red Oak |
| <i>Quercus velutina</i> | Black Oak |
| <i>Tilia americana</i> | Linden |

7. Consistent with good forestry practices, replacement trees shall be of either equivalent or a superior quality of species; for example, a softwood tree may be replaced with a hardwood tree, but an inferior species shall not be substituted for a superior species. In order to preserve and enhance the oak-hickory forest natural to Woodstock and McHenry County, oak and hickory trees must be replaced in kind with native oak and hickory species.
8. The following trees shall not be used to satisfy the requirements of the these tree standards:

| Table 8A.2: Prohibited Tree Species | |
|--|------------------|
| <i>Acer negundo</i> | Box Elder |
| <i>Acer saccharinum</i> | Silver Maple |
| <i>Ailanthus altissima</i> | Tree of Heaven |
| <i>Elaeagnus angustifolia</i> | Russian Olive |
| <i>Elaeagnus umbellata</i> | autumn Olive |
| <i>Fraxinus species</i> | Ash species |
| <i>Gleditsia triacanthos</i> | Honey Locust |
| <i>Populus species</i> | Poplar species |
| <i>Rhamnus cathartica</i> | common buckthorn |
| <i>Rhamnus fragula</i> | glossy buckthorn |
| <i>Robina pseudoacacia</i> | Black locust |
| <i>Ulmus pumila</i> | Siberian elm |

- D. Tree protection and tree replacement requirements shall not apply in the following instances or exceptions:
 1. Emergencies involving, but not limited to tornados, windstorms, floods, freezes or other natural disasters;
 2. Trees which have become, or immediately threaten to become, a hazard to persons, property or other vegetation and require immediate removal or destruction. The City may grant immediate verbal authorization by on-site inspection confirmed later with the issuance of written authorization from the City;

3. Diseased, dead or dying trees as confirmed by the arborist, forester, or a qualified professional in the field of natural resources and approved by the City;
4. All active orchards and state or government approved tree nurseries shall be exempt from the terms and provisions of this chapter, but only in relation to those trees which are planted and growing for the sale or intended sale to the general public in the ordinary course of business or for a public purpose;
5. Invasive species, including but not limited to common buckthorn (*Rhamnus cathartica*), glossy buckthorn (*Rhamnus frangula*) and honeysuckle (*Lonicera sp.*), which are commonly removed as part of good forestry practices and ecological restoration, are not protected tree species.

E. Final approval and release of improvement guarantees shall not occur until final inspection by the City confirms that the conditions of the tree preservation plan and tree replacement plan have been met. In the event that conditions of either plan cannot be met, an alternative plan shall be prepared or a fee-in-lieu of payment, to be determined by the City, may be used to meet the objectives of this section.

8A.1.4 Street Lighting

Street lights shall be provided at all street intersections and where there are significant curves in street alignment. The final determination regarding the type, number, and location of street lights shall be made by the City Engineer except as provided for herein. Changes in the type of street light fixture shall be approved by the City Engineer and, if applicable, by Commonwealth Edison. The developer shall arrange and pay for all street light installation costs required by Commonwealth Edison.

8A.1.5 Sanitary Sewer Collection System

All lots and building sites shall be served by the City's municipal sanitary sewer system. Sanitary sewer improvements shall be designed and constructed in accordance with applicable standards and specifications established by the City Engineer. Where a zoning lot in existence at the time of the passage of this Ordinance is not legally or physically capable of connecting to the City's sanitary sewer system, solid waste disposal may be accommodated by a private septic system approved by the McHenry County Health Department. The use of a private septic system shall be subject to the property owner agreeing to connect to the City's sanitary sewer system at such time as it is within 200 feet of the subject property if a residential use or 1,000 feet of the subject property if a non-residential or institutional use. Such agreement shall be provided by the property owner in written form, shall be recorded in the Office of the McHenry County Recorder, and shall be a covenant running with the land.

8A.1.6 Storm Water Management

Storm water management, drainage, and detention facilities shall be designed and installed in compliance with the McHenry County Stormwater Management Ordinance, as amended and adopted by the City. The use of "best management practices" to comply with storm water management requirements is encouraged in order to provide water quality benefits and promote groundwater recharge. The use of "best management practices" may occur when approved by the City Engineer. In all cases an effort shall be made to design stormwater management facilities,

including detention ponds and drainage swales, in a manner that complements existing natural features on and adjoining the development site.

8A.1.7 Potable Water System

All lots and building sites shall be served by the City's municipal water system. Water system improvements shall be designed and constructed in accordance with applicable standards and specifications established by the City Engineer. Where a zoning lot in existence at the time of the passage of this Ordinance is not legally or physically capable of connecting to the City's potable water system, potable water may be provided by a private well system approved by the McHenry County Health Department. The use of a private well system shall be subject to the property owner agreeing to connect to the City's water system at such time as it is within 200 feet of the subject property if a residential use or 1,000 feet of the subject property if a non-residential or institutional use. Such agreement shall be provided by the property owner in written form, shall be recorded in the Office of the McHenry County Recorder, and shall be a covenant running with the land.