

Section 8 Development Regulations

This section summarizes the existing municipal and county regulations within the Metropolitan Planning Area (MPA) that affect new development, as related to pedestrian and bicycle facilities. The municipalities and counties provide numerous good examples of how new development should be regulated to encourage walking and bicycling. Local governments within the MPA should consider adopting uniform standards to provide continuity between communities.

8.1 Background

The adoption of subdivision and zoning regulations are the primary means in which local communities exercise control over real property and circulation within new developments. These regulations have directed how pedestrians and bicyclists are accommodated in existing facilities. Development regulations also can help dictate where and how connections to current and planned pedestrian and bicycle facilities are to be located.

Communities within the MPA have established various subdivision and zoning ordinances requiring developers to construct pedestrian and bicycle networks as a contingency to development approval (See **Tables 8-1, Subdivision and Zoning Regulations that Require Pedestrian Facilities** and **8-2, Subdivision and Zoning Regulations that Require Bicycle Facilities**). For this reason, various subdivision and zoning ordinances were collected for the communities within the MPA. A determination was made if the regulations contained elements related to pedestrian and bicycle improvements. The review and analysis of the current regulations formed the basis for recommendations for regulations for the MPA.

8.2 County and Municipal Regulations

Some of the municipalities within Boone and Winnebago Counties do not have their own subdivision ordinances. Instead, they have chosen to adapt the county requirements to fit their own needs. For instance, both the Villages of Timberlane and Winnebago adopted their respective County regulations.

Subdivision and zoning regulations were not evaluated for Poplar Grove and New Millford. These municipalities did not respond to requests for information.

With regard to providing bicycle facilities, no mention is made within the Subdivision and/or the Zoning Ordinances for the Villages of Caledonia, Timberlane, and Roscoe and the City of Rockford. However, within the Village of Roscoe, the Village Board may require bicycle facilities if a connection could be made to an existing one. Within the City of Rockford, bicycle facilities are required as per the 2020 Plan.

| Table 8-1 Subdivision and Zoning Regulations that Require Pedestrian Facilities | | | |
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| Jurisdiction | Source | | Notes |
| | Subdivision | Zoning | |
| Boone County | Section 507. Thoroughfares | Section 7A.11 Procedures for Establishing the R-C District and Commencing Development and Section 18.15 Development Plan | |
| Belvidere | Article III. Section 151.41 Design Requirements | Section 150.204 Detailed Land Use Descriptions and 150.205 Group Developments | |
| Caledonia | Section 3.02 Design Requirements | No Mention | |
| Timberlane | Adopted the Boone County Subdivision Ordinance | Section 15.2.2 Map and Section 19.3 Drawings to be Submitted | Only identifies a description of the plan map that includes pedestrian walks and as part of the design review |
| Winnebago County | Section 74. Subdivisions | Section 90-58 Planned Unit Developments | As part of Section 74-12. General Requirements |
| Cherry Valley | Section 62-127. Standard A. and 62-128. Standard B | Section 50-101 Scope of Site Plan Review, Section 50-121. Single Family Development Criteria (RR and R1 Zoning), Section 82-492. Development Standards | As part of site plan review in Section 50-101. |
| Loves Park | Section 78-53 Required Improvements | No Mention | Section 66, Public Improvements-Division 4 Sidewalk Design of the Code of Ordinances is cross-referenced with Section 78 of the Subdivision Ordinance. |
| Machesney Park | Information provided by Machesney Park official as per the subdivision ordinance | Section 20-76, Special Use Permit for Planned Community Developments, 20-77. Planned Unit Development, and 20-82.5 Site Development Plan Review Procedures and Standards | Incentives offered for pedestrian ways |
| Rockford | Section 27-10 Design and Layout Standards | Section 26. Zoning Article VI-Sidewalk Construction | |
| Roscoe | Section 1001.1 General Considerations and 1001.5 Design Criteria | No Mention | Village Trustees have the responsibility to determine construction and design standards |

| Table 8-2 Subdivision and Zoning Regulations that Require Bicycle Facilities | | | |
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| Jurisdiction | Source | | Notes |
| | Subdivision | Zoning | |
| Boone County | Section 403. Subdivision Plats and Procedures | Section 7A.11 Procedure for Establishing the R-C District and Commencing Development | Incentives offered for construction of bicycle facilities; as part of requirements for application need to show location of bike paths |
| Belvidere | No Mention | Article 2: Land Use Regulations Section 150.204 and 150.205 Group Developments | Requirements for bicycle parking and circulation for bicycles |
| Winnebago County | No Mention | Section 90-58. Planned Unit Development | May be required as part of site review; incentives are offered |
| Cherry Valley | No Mention | Article I. In General, Section 50-1 Capital Improvements | Mention of path systems as per transportation improvements |
| Loves Park | No Mention | Section 186-190, Section 102-4. Application, and Section 102-336 Traditional Neighborhood Development | Designated bicycle route; bicycle parking requirements, and may be required as part of site review |
| Machesney Park | No Mention | Section 20-77. Planned Unit Development | Incentives offered for construction of bicycle facilities (paths and racks) |

Table 8-3, Comparison of Sidewalk Regulations summarizes the development regulations for sidewalks. Detailed explanations of the individual municipalities' subdivision and zoning regulations are presented within this section.

| Table 8-3 Comparison of Sidewalk Requirements | | | | | | | | | |
|--|---|--|--|---|--|---|---|--|---|
| Location | Boone County | Winnebago County | Belvidere | Caledonia | Cherry Valley | Loves Park | Machesney Park | Rockford | Roscoe |
| Requirement | | | | | | | | | |
| Width | Specifications shall meet the requirements of the County engineer | 4 ½ feet | 4 feet | 4 feet | Min. 4 feet (no more than 5 feet in residential areas) | 54 inches | 5 Feet | As per specifications at the time of application by the engineering department of the city | 5 feet |
| Thickness | Specifications shall meet the requirements of the County engineer | 4 ½ inches; 6 inches at driveways with wire mesh reinforcing | 4 inches; 6 inches at thru driveways | As per standards approved by the Village Board. | 4 inch aggregate base under the sidewalks | 4 ½ inches; 6 inches thick at driveways | 4 ½ inches | As per specifications at the time of application by the engineering department of the city | 4 inches ¹ |
| Material | Specifications shall meet the requirements of the County engineer | Concrete | As per standards determined by the City Council | As per standards approved by the Village Board. | SI ² Concrete | Non-reinforced Portland Concrete Cement (IDOT SI Mix) | Concrete | As per specifications at the time of application by the engineering department of the city | Non-reinforced Portland Concrete Cement, IDOT Class 1 Mix |
| Location along roadway | Specifications shall meet the requirements of the County engineer | Both sides of the street (except in low cost subdivisions) | As per standards determined by the City Council | As per standards approved by the Village Board. | Along both sides of street in residential areas | Shall be constructed entirely within the public right-of-way on both sides of the street* | Along both sides | Along both sides of all streets within the public right of way for new subdivision | Residential-both sides of the street; Industrial-one side of the street* |
| Placement from property line | Specifications shall meet the requirements of the County engineer | 1 ½ feet from the property line | Back of the walk is to be located 6 inches to the street side of the property line | Within 6 inches of the right of way line | 18 inches off property line-1 ½ feet | Outer edges of the sidewalk will be located 6 inches from the right-of-way line | 1 ½ feet from the property line | As per specifications at the time of application by the engineering department of the city | All sidewalks should be offset from the property line by one foot horizontal to the nearest edge of the sidewalk; should be located above the curb ¼” for every foot horizontal from the curb and should slope toward the street at rate of ¼” per foot |
| ADA Requirements | Specifications shall meet the requirements of the County engineer | As per state department of transportation specifications | As per standards determined by the City Council | As per standards approved by the Village Board. | All sidewalks are to be installed to meet ADA requirements | Ramps required at all street intersections and at other locations required by the city engineer | Specifications for ADA requirements are not included as part of the Subdivision Ordinance, but are subject to plan review by the Village engineer | As per specifications at the time of application by the engineering department of the city | Adhere to IDOT specifications for ramps at intersection |

¹ Sidewalks currently do not pass through driveways.

² SI refers to the class of concrete based upon intended use or structural incidental. If the class of concrete is not specified, Class SI concrete should be used.

* This may be waived if the development installs an 8-foot shared use path along one side of the street within the public right of way and also through dedications of right of way.

Boone County

Sidewalks are required in all new subdivisions. Incentives in terms of additional residential units are given to developers that include bicycle facilities.

The construction of sidewalks should meet the requirements of the county engineer.

Sidewalks and bike paths also are listed as improvements within the site review process for the Residential Conservation (R-C) Development District and within Planned Unit Developments (PUD). Preliminary engineering reports for the R-C Development District need to include the size, dimensions, and location of miscellaneous items, such as sidewalks and bike paths. A site plan is required that includes the widths of paved surfaces and construction details for sidewalks within Planned Unit Developments.

Winnebago County

Sidewalks are required on both sides of the street within the public right of way, except within low cost subdivisions. Sidewalks are subject to the standards presented within the ordinance, but also subject to requirements set forth by the County Engineer as they pertain to the Americans with Disabilities Act (ADA).

In planned unit developments (PUD), sidewalks can earn developers additional dwelling units through an incentive program. Sidewalks and other right-of-way provisions have the potential to earn a one percent increase in the amount of dwelling units allowed. The incentive program suggests that the number of permitted dwelling units may be increased up to 20 percent provided that the percentages for each item may be applied cumulatively and may not exceed more than 20 percent for each planned unit development. Bicycle facilities, including paths and bicycle racks, also can be provided by developers in order to gain additional building units. Incentives of one percent are given.

City of Belvidere

The Belvidere Subdivision Control Ordinance requires that sidewalks be constructed in all residential subdivisions, with the exception of Estate Residential Zoning, which is a large-lot rural zoning classification. Multi-purpose paths are required in developments, in which links to existing path systems could be provided; or if proposed plans for the City of Belvidere and Boone County demonstrate the need for them.

In order to gain development approval, large scale development plans must show the pedestrian and non-motorized vehicle circulation plan. Large scale developments involve commercial land uses with an enclosed building area of over 40,000 gross square feet, which have more than 50 percent of the floor area devoted to conducting or displaying sales; rental merchandise or equipment; or personal or professional services. The pedestrian circulation routes should include safe access to all uses within large scale developments, as well as connections to existing facilities and to adjacent properties.

Pedestrian walkways should be provided from all building entrances to existing or planned public sidewalks and/or pedestrian and bike facilities within these large scale developments. The minimum width for sidewalks adjacent to the buildings should be at least 10 feet and at least 5 feet elsewhere in the development. Sidewalks also should be landscaped along at least 50 percent of their length, so long as they are not street sidewalks or building aprons. Crosswalks should be distinguished from other driving surfaces, and secure, integrated bicycle parking at a rate of one bicycle rack space for every 50 vehicle spaces should be constructed.

Within group developments, full and safe³ pedestrian and bicycle access is to be provided with connections to existing and planned pedestrian and bicycle facilities in the community and surrounding neighborhoods. Group developments are special use developments that consist of two or more structures containing principal land uses⁴ on the same lot; institutional or commercial buildings in excess of 40,000 gross square feet; or any building additions to institutional or commercial buildings that bring the total building size to over 40,000 gross square feet. Group developments should provide secure bicycle parking and pedestrian furniture in appropriate quantities and location, as well as a central pedestrian gathering area. Appropriate quantities and locations are not specified within the context of the regulation.

Village of Caledonia

The Village of Caledonia currently is updating their existing development regulations. The proposed changes have not been approved by the Village Board as of June 2006.

Village of Cherry Valley

Sidewalks are required within new development, as per Article III. Required Improvements of the Subdivision Ordinance. Two standards, A (Section 62-127) and B (Section 62-128), are available for residential streets. Standard A is a residential lot where public sanitary sewers and water is available, and Standard B refers to lots where these services are not available. Standard A requires the installation of sidewalks according to specified guidelines, whereas Standard B does not require sidewalks to be included as part of new development.

According to the Village of Cherry Valley Public Works Department⁵, the Village also will allow bicycle paths or sidepaths to be built in lieu of sidewalks with the permission of the Village Board. These paths need to be 10 feet wide with 2 foot shoulders or grassy areas. The distance of the path from the back of the curb should be 4 feet to accommodate traffic signs.

³ "Full and safe" is not defined within the context of the City of Belvidere zoning regulations.

⁴ Principal land uses are any and all primary uses of the property, treated as a use permitted by right or as a conditional use.

⁵ Cherry Valley Public Works Director.

Furthermore, the Large Retail Building Development standards (Article IX) contain an extensive listing of sidewalk requirements. Sidewalks in these types of developments must be at least eight feet in width and be provided along all sides of the lot that abut a public street. Internal pedestrian walkways should be provided to serve the customer entrances and public parking areas. Specifications for residential areas are not outlined within the existing regulations for Cherry Valley.

City of Loves Park

Sidewalks are required in all new subdivision developments. The Subdivision Ordinance provides directions for developers, whereas the Code of Ordinances contains the design specifications required for the installation of sidewalks. The ordinance requires that the sidewalks be constructed according to specifications within “Section 624 of the IDOT Standard Specifications for Road and Bridge Construction (SSRBC).” (This suggestion appears to contain a typographical error, as the relevant section of the IDOT-SSRBC is 424.)

Multi-purpose paths may be required as part of a site review to ensure that proper linkages are made to existing path systems within Winnebago County.

The zoning ordinance regulates the inclusion of pedestrian and bicycle facilities within certain types of developments. For instance, Traditional Neighborhood Developments require pedestrian and bicycle facilities. Pedestrian circulation, including walkways and paths, are to be built so as to minimize conflicts between pedestrians and motor vehicles. Bicycle circulation should be included in these developments at the developer’s expense. The bicycle facilities may include bicycle and multi-use paths, striped bicycle lanes, signed routes, and/or some combination of these facilities. Bicycle parking also should be provided when shelters for public transit are available.

Bicycle parking specifically is required within the City of Loves Park at amusement centers. The requirements include bicycle racks with the capacity for one bicycle per each two game machines (Section 102-260. Schedule of parking requirements). Bicycle parking should not interfere with persons getting into and out of vehicles or with pedestrians (Section 86-187. Parking).

According to the ordinances, a bicycle route should be designated and marked properly through the city, as follows:

Starting at Wilgus Court and Illinois Street, north on Illinois Street to Pearl Avenue, west to Bennett, south to Evelyn, Evelyn to East Drive, East Drive to the south entrance to Martin Park; through Martin Park to the exit, then from North Park Ridge Road to Sheridan, east to East Drive, north to Clifford Avenue, east to Walker Avenue, south to Lawn Drive, west to Hollis, south to Pearl Avenue, west to Lousia Street, and south to Loves Park Playground (Section 86-189. Bicycle Route).

This route was not included within the analysis of bicycle facilities for this Plan, as the route is contained on local streets not included as part of the RATS Geographic Information Systems database. However, it should be considered in future planning efforts within the City of Loves Park due to its presence within the Code of Ordinances.

Village of Machesney Park

Machesney Park has adopted a variety of ordinances pertinent to the development of new construction and re-building older areas of the village. These regulations refer to planned community developments and PUD's. With reference to these developments, incentives are offered by the Village to plan and to construct pedestrian amenities, such as sidewalks and bicycle facilities. The incentives are described as environmental incentives, in which the developer can choose to include amenities and in return receive the ability to increase the number of permitted dwelling units. Specific design guidelines are not suggested. An overall plan, however, must be approved in order to receive permission to build.

City of Rockford

Section 27-10. Design and Layout Standards requires that sidewalks be installed by a developer along both sides of all streets within the public right-of-way. The city engineer will determine locations if topography or existing trees interfere with this requirement.

Section 26 of the Code of Ordinances, Article VI- Sidewalk Construction, dictates the specifications for construction. Specifications are determined at the time of application by the city engineer. All developers are required to submit a written application to the city engineer for approval before construction can begin.

Village of Roscoe

Sidewalks are required in all new subdivisions. At times, the sidewalk requirement may be waived to allow for the construction of an 8-foot shared use path (See **Figure 8-1, Roscoe Sidepath**). This also may be required as part of the site review process in order to ensure that proper linkages are made to existing pathway systems. Shared use paths are not required otherwise as part of the regulations of Roscoe.



Figure 8-1
Roscoe Sidepath

8.3 Recommendations

Communities throughout the MPA have regulations regarding sidewalks in new developments. However, specific requirements and specifications regulating the construction and placement of them are needed within all MPA ordinances.

One of the most extensive pedestrian system requirements was passed by the Village of Roscoe. These regulations incorporate existing standards for sidewalk construction that adhere to the Illinois Department of Transportation (IDOT) and Federal Highway Administration (FHWA) standards. Their standards suggest an easily implemented guideline. For this reason, municipalities within the MPA should consider adopting and/or amending their existing regulations to follow regulations similar to the Village of Roscoe's requirements. To summarize, the regulations should include the following:

- Sidewalks are to be at least 5 feet in width with a thickness of 4 to 4.5 inches.
- In all new development, sidewalks are to be constructed on both sides of the street.
- All sidewalks are to be offset from the property line by one foot horizontal to the nearest edge of the sidewalk.
- Sidewalks should adhere to Americans with Disability Act (ADA) standards for ramps and disabled access.

Municipalities within the MPA also may want to consider allowing the construction of shared use paths in lieu of sidewalks. These paths should be 10 feet in width with 2-foot shoulders or grassy areas on either side. The construction of paths particularly is important when connections to existing paths or sidewalk networks can be made.

More detailed standards for construction and placement of sidewalks are discussed in **Section 9. Pedestrian Facility Standards.**

8.4 Complete Streets

Complete Streets measures recognize the need for accommodating all users including pedestrians, bicyclists, transit vehicles and users, and motorists within an entire roadway system. The measures are intended to recognize the need for flexibility within planning processes so as to provide performance standards amenable to new and existing roadways and non-motorized facilities. Thus, these measures ensure that the entire right of way is designed and operated in such a manner as to allow safe usage and access for all users. Communities around the country have adopted Complete Streets measures as internal policy, legislation, resolutions, tax ordinances, best practices, design standards, and policy guidance. The general language of the following model for Complete Streets may be adopted into municipal regulations:

As an element of good highway design, all projects involving new construction or reconstruction, on which bicycles and/or pedestrians are permitted, shall include appropriate provisions to accommodate bicycles and pedestrians. Exceptions to this standard are allowed if, in non-urbanized areas there is a demonstrable lack of need for such accommodations, or such accommodations would exceed 20 percent of the overall costs of the larger highway project.⁶

⁶ America Bikes. "Resources: Complete Streets." www.americabikes.org/completestreets.asp.

No municipality within the MPA has adopted a comprehensive bicycle system regulation requiring the installation of bicycle facilities in new developments and/or retrofitting existing facilities. However, all bicycle facility construction should follow established design guidelines, such as those recommended by the American Association of State Highway and Transportation Officials (AASHTO) or by the Illinois Department of Transportation (IDOT). Bicycle facilities should include both on-street and off-street routes, as well as ample bicycle parking and storage located throughout the MPA. Bicycle facilities should be developed in all new residential and commercial developments that provide connections to existing neighborhoods and service areas. Further standards for bicycle facility construction and placement are discussed in **Section 10. Bicycle Facility Standards**.