

ARTICLE VIIB
DEVELOPMENT STANDARDS FOR LARGE TRACT SUBDIVISIONS

Section 1 Conservation Lands

1. Allowed uses on conservation lands are shown in Section 5.2(7) of the Marvin Zoning Ordinance. The Village Council may approve structures and improvements required for storm drainage, sewage treatment and water supply within such conservation land on finding that such facilities would not be detrimental to the conservation land (and that the acreage of lands required for such uses is not credited towards minimum conservation acreage requirements for the tract, unless the land they occupy is appropriate for passive recreational use).
2. Required conservation lands (other than viewsheds) shall be at least seventy-five (75) feet in width. Exceptions shall be granted for natural features used as conservation lands (i.e., ponds, lakes, floodplains, etc.) that have natural widths of less than seventy-five feet. Pocket parks, as well as Exterior Perimeter Preservation Strips and Interior Preservation Areas, as defined and referenced in Article 2 and in Article 3, section 3.2 of the Village of Marvin Tree Ordinance, as amended, are also exempted from this requirement.
3. All common or publicly owned conservation lands shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe and convenient pedestrian access to conservation land.
4. All common or publicly owned conservation lands shall be interconnected wherever possible to provide a continuous network of conservation lands within and adjoining the subdivision.
5. All common or publicly owned conservation lands, to the greatest degree feasible, shall be contiguous adjoining parks, preserves or other protected lands.
6. All common or publicly owned conservation lands may be provided with pedestrian pathways for use by the residents of the subdivision. Public access shall be provided on such trails if they are linked to other publicly accessible pathway systems within Marvin. Provisions shall be made for access to the conservation lands, as required for land management and emergency purposes.
7. Conservation lands shall be made subject to such agreement with the Village of Marvin and such conservation easements shall be duly recorded in the office of the Union County Register of Deeds for the purpose of preserving the common open space for such uses.
8. Conservation lands shall be located in a manner that is consistent with the Village's Land Use Plan.
9. Pedestrian-accessed pocket parks shall be located within a one-quarter mile walking distance of all residences within the subdivision.

Section 2 Stream Valleys, Swales, Springs, and Other Lowland Areas

Stream valleys, swales, springs and other lowland areas are resources that warrant restrictive land use controls because of flooding hazards to human life and property, their ground water recharge functions, their importance to water quality and the health of aquatic communities, and their wildlife habitats. They are generally poorly suited for on-site subsurface sewage disposal systems. Accordingly, the following activities shall be minimized in such areas:

1. Disturbance to streams and drainage swales.
2. Disturbance to year-round wetlands, areas with seasonally high water tables and areas of surface water concentration.
3. Because of their extreme limitations, stream valleys, swales and other lowland areas may warrant designation as conservation lands. They may also require adjoining buffer lands to be included as conservation lands, to be determined by an analysis of the protection requirements of such areas as determined by the Village Council on a case-by-case basis upon finding that designation of such area(s) as conservation land would have significant and positive long-term environmental impact on the conservation lands.

Section 3 Forestlands

In designing a large tract subdivision, the applicant shall be guided by the most recently adopted version of the Marvin Tree Ordinance and the following standards:

1. Proposed site improvements shall be located, designed and constructed to minimize the loss or degradation of forestland areas.
2. Disturbance or removal of forestlands occupying environmentally sensitive areas is strongly discouraged and shall be undertaken on a limited, selective, as needed basis.
3. No clearing or earth disturbance (except for soil analysis for proposed sewage disposal systems) shall be permitted on a site before sketch plan approval.

Section 4 Slopes

1. Development in areas containing slopes of fifteen to twenty-five (15-25) percent shall be minimized. The only permitted grading shall be in conjunction with the citing of a dwelling, its access driveway and the septic system.
2. No site disturbance shall be allowed on slopes exceeding twenty-five (25) percent except grading for a portion of a driveway accessing a dwelling when it can be demonstrated that no other routing that avoids slopes exceeding twenty-five (25) percent is feasible.
3. Grading or earthmoving on all sloping lands of fifteen (15) percent or greater shall not result in earth cuts or fills whose highest vertical dimension exceeds six feet, except where in the judgment of the Village's consulting engineer, no other available alternatives exist for construction of roads, drainage structures and other public improvements, in which case such vertical dimensions shall not exceed twelve (12) feet. Roads and driveways shall follow the line of existing topography to minimize the required cut and fill. Finished slopes of all cuts and fills shall be as required to minimize disturbance of natural grades.

Section 5 Significant Natural Areas and Features

Natural areas containing rare or endangered plants and animals, as well as other features of natural significance may exist in Marvin. Subdivision applicants shall take all reasonable measures to protect significant natural areas and features identified by the applicant's Existing Resources and Site Analysis Plan.

Section 6 Location of House Sites

Applicants shall identify house site locations in the tract's designated development areas, and be designed to:

- fit the tract's natural topography
- be served by adequate water and sewerage facilities
- provide views of and/or access to adjoining conservation lands in a manner consistent with the preservation of the conservation lands

Section 7 Alignment of Streets; Street Access

1. With house site locations identified, applicants shall delineate a street system to provide vehicular access to each house in a manner conforming to the tract's natural topography and providing for a safe pattern of circulation and ingress and egress to and from the tract.
2. Streets shall be designed and laid out in a manner that minimizes adverse impacts on the conservation lands. To the greatest extent practicable, wetland crossings and new streets or driveways traversing steep slopes shall be avoided.
3. Where practical, at least two (2) means of ingress and egress from the large tract subdivision onto adjoining public roads shall be provided for all large tract subdivisions containing fifteen (15) or more lots. Where practical and to the greatest degree feasible, connectivity between the large tract subdivision and adjoining subdivisions and/or undeveloped tracts shall be required.
4. Developable lots shall be accessed from interior streets, rather than from roads bordering the tract. Single loaded streets are encouraged to the greatest degree feasible.
5. Curvilinear streets, as opposed to straight streets and/or a grid street pattern, shall be required internally within large tract subdivisions as a means of promoting safety and to increase the aesthetics of the subdivision.
6. A terminal vista shall be required to be placed on any internal street within the large tract subdivision that is visible from and connects with an adjoining major road. The purpose of this requirement is to mitigate the view of a significant portion the internal subdivision road from the adjoining major road. The placement of a terminal vista may be waived if, due to topography, tree cover, and/or layout of the internal road network, it is determined that a terminal vista would serve no useful purpose.

Section 8 Protection of Vegetation from Mechanical Injury

Where earthwork, grading, or construction activities will take place in or adjacent to forestlands, or other significant vegetation or site features, the Village of Marvin shall require that the limit of disturbance be delineated and vegetation protected through installation of temporary fencing or other approved measures. Such fencing shall be installed prior to commencing of and shall be maintained throughout the period of construction activity.

Section 9 Protection of Vegetation from Excavations

1. When digging trenches for utility lines or similar uses, disturbances to the root zones of all woody vegetation shall be avoided.
2. If trenches must be excavated in the root zone, all disturbed roots shall be cut as cleanly as possible. The trench shall be backfilled as quickly as possible.