



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Bruce Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director

DATE: January 4, 2007

SUBJECT: Plan Case 2020-T-06: Zoning Text Amendment to Section XIII-3. Planned Unit Developments

Introduction

The Zoning Administrator is requesting a text amendment to Section XIII-3. Planned Unit Developments of the Urbana Zoning Ordinance. This amendment is a comprehensive revision of the Planned Unit Development (PUD) regulations, and includes such changes as creating a PUD Permit, adding definitions and a purpose statement, revising the PUD goals, creating applicability criteria, revising the development approval process, expanding the permitted uses in a PUD, creating recommended design features, and revising Table V-1. Table of Uses. These changes are requested to revise the PUD regulations to facilitate development that more closely matches the adopted Urbana Comprehensive Plan and other city plans and policies.

Background

PUDs are large, integrated developments that adhere to a detailed site plan and are located on a contiguous tract of land that may include a mixture of residential, commercial and/or industrial uses. PUDs have been utilized for decades and can be an effective zoning tool that accommodates both the desire of cities to achieve specific types of developments and for developers that they be financially feasible.

Typical zoning and subdivision regulations focus on individual parcel development and offer predictability, while PUDs approach development in terms of an entire site and encourage innovation. The classic PUD example is a conservation subdivision where clusters of higher density development are allowed in order to preserve natural features on the larger site. The clustered development approach may require that setbacks be minimized, parcels be smaller than normal or narrower streets be provided in exchange for preservation of natural features on the larger development site. To mitigate potential conflicts that may arise as a result of such deviations, PUDs require higher levels of urban design and review procedures.

Urbana enacted its PUD regulations in the late 1960s, and they were last updated in the 1970s. The current PUD regulations have been infrequently utilized. Their primary application has been for shopping centers and condominium or apartment developments. The current regulations are out-of-date and are onerous in terms of submittal requirements for the developer and review procedures for the City. The regulations contain little incentive for either the City or a developer to undertake a process that is intended to provide mutual benefit for both parties. A review of the problems with the current PUD regulations, as well as how they pertain to specific types of development the City wants to encourage is attached (see Exhibits C and D).

As the City has grown, there has been increasing interest in alternative patterns of development. The 2005 Urbana Comprehensive Plan calls for a number of innovative approaches to land use planning. These include the Mixed Residential and Campus Mixed-Use Future Land Use Descriptions, traditional neighborhood development regulations, and energy efficiency in building and site design. The proposed amendments to the PUD purpose statement, goals, and recommended design features are all in part based on the goals, objectives and future land uses of the 2005 Comprehensive Plan. The intent of the proposed amendment is to provide a means for incorporating elements of the Comprehensive Plan, as well as current professional planning practices, into the PUD regulations. The amendment also streamlines and simplifies the submittal and review requirements for PUD so that the process no longer serves as a disincentive.

Plan Commission Discussion

The Urbana Plan Commission discussed the proposed text amendment at their November 30, December 7, and December 21, 2006 meetings. At the November 30, 2006 meeting, some commissioners noted that it was difficult to determine which aspects of the current regulations were inadequate, as well as the final outcome under the proposed regulations. At the December 7, 2006 meeting, staff presented additional information to address these concerns, including a review of the problems with the current PUD regulations and how the proposed amendment would encourage desired development types (see Exhibits C and D). At the December 21, 2006 meeting, the commissioners continued their discussion and voted six ayes to one nay to forward the proposed text amendment to the City Council with a recommendation of approval. An amendment to the motion to require both a preliminary and final development plan was not seconded.

Discussion

Because the proposed changes to the current PUD ordinance are so extensive, an all new ordinance without strikethrough and underline notation is provided. Changes recommended by the Plan Commission, however, are noted using a ~~strikethrough~~ and underline system. Two versions of Section XIII-3. Planned Unit Developments are attached: one with the proposed regulations (Exhibit A), and one with the current regulations (Exhibit B). In addition, revisions to Table V-1. Table of Uses to reflect the new PUD categories are proposed.

Below is a summary of the proposed changes:

Definitions (Section XIII-3.A)

Definitions will be added consistent with American Planning Association recommendations.

Purpose Statement (Section XIII-3.B)

The proposed purpose statement is as follows:

“The purpose of a planned unit development is to encourage development that goes beyond the minimum zoning and development standards in terms of design, public amenities, and implementation of the Comprehensive Plan and other official development plans and policies. In exchange for public amenities, developers are granted flexibility in applying the typical zoning and development regulations. These amenities may include bicycle trails, public art, unique architecture, protection of natural resources, or higher density and mixed-use development. For developers, flexibility allows more creative development that encourages infill development, provides a wider variety of housing choices, or meets a market niche. In all planned unit developments, the final built form should be generally consistent with the goals, objectives, and future land uses of the Urbana Comprehensive Plan and other relevant plans and policies.”

Commentary: The purpose statement, in conjunction with established goals, clearly define the intent of the PUD regulations and provide guidance when reviewing a development. This is particularly important for PUDs as there needs to be a rationale for such a flexible form of development.

Goals (Section XIII-3.C)

This section updates the goals to reflect goals, objectives and future land uses from the 2005 Urbana Comprehensive Plan and the proposed PUD purpose statement. The proposed goals are as follows:

1. To encourage high quality non-traditional, mixed use, and/or conservation development in areas identified in the Comprehensive Plan;
2. To promote infill development in a manner consistent with the surrounding area;
3. To promote flexibility in subdivision and development design where necessary;
4. To provide public amenities not typically promoted by the Zoning Ordinance;
5. To promote development that is significantly responsive to the goals, objectives, and future land uses of the Urbana Comprehensive Plan;

6. To provide a higher level of street and pedestrian connectivity within the development and the surrounding neighborhood in accordance with the Urbana Comprehensive Plan.
7. To coordinate architectural styles, building forms, and building relationships within the development and the surrounding neighborhood;
8. To encourage the inclusion of a variety of public and private open space, recreational facilities, greenways and trails not typically promoted by the Zoning Ordinance;
9. To conserve, to the greatest extent possible, unique natural and cultural features, environmentally sensitive areas, or historic resources, and to utilize such features in a harmonious fashion.

Commentary: The proposed goals are specific statements regarding the intent of a PUD. While the purpose statement discusses PUDs in terms of their flexibility, the goals highlight the ideal performance of a PUD, such as type of development (i.e., mixed use, infill, etc.), compatibility with the Comprehensive Plan, and pedestrian and vehicular connectivity. As with the purpose statement, the goals are used when reviewing a development, and are tied to the proposed review criteria.

Applicability (Section XIII-3.D)

This section identifies criteria that must be met in order to qualify as a PUD as follows:

1. In order to qualify as a planned unit development, the development plan must include a gross site area of at least one-half acre and meet at least one of the following criteria. The Zoning Administrator shall determine if a development may qualify as a planned unit development in accordance with these criteria:
 - a) *Mixed-Use.* Either in the same building or with a “campus” approach, provide for a mixture of single-family, two-family, multi-family, commercial, office, industrial and/or recreational uses.
 - b) *Conservation.* Protect natural, cultural and/or historical resources and harmoniously utilize such features as part of the development. This may include environmentally sensitive, or “green” building and site design.
 - c) *Infill.* Redevelop properties within the urban area that are vacant or underutilized due to obstacles such as lot layout, utility configuration, and road access.
 - d) *Unique Development.* Development that significantly responds to the goals and objectives of the Comprehensive Plan and other relevant plans and policies and/or addresses unique features of the site.

Commentary: The City’s existing zoning and subdivision regulations are usable and

appropriate for the vast majority of development projects. In many cities, PUDs are susceptible to overuse because of the mutual benefits offered to cities and developers. The proposed amendment is not intended to provide a means for developers to circumvent regulations intended to protect the public welfare. Instead, the amendment is intended to allow specific, unique types of development, as described above, that would not typically be allowed by the City's regulations. The proposed applicability criteria specifically state the types of development that may qualify as a PUD, and grants the Zoning Administrator the authority to make the final determination as to whether a development is eligible to be reviewed under PUD provisions. In all cases, PUD approval requires a public hearing and review by the Plan Commission, followed by final approval by the City Council.

Minimum Development Guidelines (Section XIII-3.E)

This section adds language regarding flexible zoning and subdivision standards:

1. *Flexible Zoning Standards.* Except as otherwise provided herein, standards for lot width, building height, floor area ratio, setbacks, off-street parking and loading, landscaping and screening, and fences may vary from the standards established in this Ordinance if justified by the circumstances peculiar to the site or the project and approved by City Council in accordance with the purpose and goals of this section.
2. *Flexible Subdivision Standards.* All dimensional and design standards, such as public and private streets, sidewalks, and stormwater management facilities, shall meet the requirements of the Urbana Subdivision and Land Development Code. A waiver of the requirements for public improvements may be considered concurrently or subsequently with the planned unit development as part of a subdivision plat subject to the criteria in Section 21-7 of the Urbana Subdivision and Land Development Code.
3. *Multiple Structures and Uses.* There may be more than one principal and/or accessory building on a lot in a planned unit development. Similarly, there may be more than one principal and/or accessory use on a lot in a planned unit development.

***Commentary:** City zoning and subdivision regulations approach development from the perspective of an individual parcel, not an entire site. Therefore, some regulations can hamper what may be appropriate urban and site design. Similar to the Mixed Office Residential and Boneyard Creek Overlay Districts, certain zoning regulations can be varied by the City as long as the changes are consistent with the purpose statement and goals of a PUD. The same approach can be used for City subdivision regulations, although waivers would be considered separately as part of a subdivision plat. A waiver request would be reviewed per the criteria in Section 21-7.B of the Urbana Subdivision and Land Development Code (SLDC). Amendments to the SLDC are under preparation and could include additional accommodations for PUDs.*

Development Plan Submittal Requirements (Section XIII-3.F)

This section revises the required PUD Permit application components. The application requires essential information without being overly specific or onerous in its requirements as in the existing language.

Development Plan Review and Criteria for Approval (Section XIII-3.G)

This section revises the PUD Permit review process to follow a procedure similar to that employed for a Special Use Permit. It also adds PUD Permit review criteria as follows:

- (2) The applicant shall demonstrate that the development plan meets the following criteria
 - a) That the proposed development is conducive to the public convenience at that location; and
 - b) That the proposed development is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the surrounding areas, or otherwise injurious or detrimental to the public welfare; and
 - c) That the proposed development is consistent with the goals, objectives, and future land uses of the Urbana Comprehensive Plan and other relevant plans and policies; and
 - d) That the proposed development is consistent with the purpose and goals of this section; and
 - e) That the proposed development is responsive to the relevant recommended design features identified in Table XIII-2.

Commentary: The proposed text amendment will create a new type of zoning permit, entitled a Planned Unit Development (PUD) Permit, modeled after the Special Use Permit. In order to review PUD Permit requests, appropriate review criteria are required. Both Criteria a) and b) are the same as for Special and Conditional Use Permits, and address whether or not a development will be beneficial at that location. Criteria c) and d) ensure that a development is consistent with the Comprehensive Plan and PUD regulations. Criteria e) addresses if a development has sufficiently incorporated the PUD recommended design features. In reviewing a PUD Permit, staff, the Plan Commission and the City Council would determine if these five criteria had been adequately addressed before the permit is granted.

Administrative Review of Changes (Section XIII-3.H)

This section revises the type of minor changes to a development plan that can be approved by the

Zoning Administrator as follows:

Changes in the Approved Development Plan. Minor changes to an adopted development plan may be approved by the Zoning Administrator, provided that the changes do not:

1. Substantially alter the overall use or character of the development; or
2. Significantly increase the overall lot coverage of structures, individual building height, or intensity of use; or
3. Significantly reduce approved open space, off-street parking and loading space, or required street widths; or
4. Create problems regarding traffic circulation, public safety, emergency access, or public utilities.

Commentary: The current PUD regulations (see Exhibit B) allow for the Zoning Administrator to allow certain minor changes to an approved development plan. However, the parameters have proven too strict in practice and have actually served as a disincentive to use the PUD approach. There have been a number of cases where very minor, nonsubstantive changes have required multiple re-approvals by the Plan Commission and City Council. The proposed amendment condenses the existing parameters into more general categories. The Zoning Administrator will have greater ability to administratively approve minor changes to a development plan which remain in conformance with the overall concept and approval. Such changes must still be in general conformance with the approved development plan; otherwise the plan would be referred back to the Plan Commission and City Council. Additional flexibility in allowing for modest revisions to the site plans is desirable for the promotion, use, and administration of PUDs.

Permitted Uses (Section XIII-3.I)

This section revises the list of permitted uses in each type of PUD: Residential, Commercial, Mixed Use or Industrial. The goal is to allow for greater flexibility in arrangement of uses, while avoiding obvious land use conflicts:

1. In a Residential or Mixed Use Planned Unit Development, any agriculture, residential, public/quasi-public, or business use identified in Table V-1 ~~shall~~ may be permitted except the following uses and use categories:
 - a) Agriculture
 - (1) Agriculture, General
 - (2) Commercial breeding facility
 - (3) Farm Chemical and Fertilizer Sales
 - (4) Farm Equipment Sales and Service

- (5) Grain Storage Elevator and Bins
 - (6) Livestock Sales Facility and Stockyards
 - (7) Mineral Extraction, Quarrying, Topsoil Removal and Allied Activities
- b) Public and Quasi-Public
 - (1) Penal or Correctional Institution
 - (2) Public or Commercial Sanitary Landfill
 - (3) Public Maintenance and Storage Garage
- c) Business
 - (1) Adult Entertainment Uses
 - (2) Wholesale Produce Terminal
 - (3) Ambulance Service
 - (4) Express Package Delivery Distribution Center
 - (5) Building Material Sales
 - (6) Transportation, except for personal aviation facilities
 - (7) Vehicular Sales and Service
 - (8) Cemetery
 - (9) Construction Yard
 - (10) Crematory
 - (11) Kennel
 - (12) Lawn Care and Landscaping Service
 - (13) Self-Storage Facility
 - (14) Warehouse
- d) All Industrial uses
2. In a Commercial Planned Unit Development, any agriculture, public or quasi-public, business, or industrial use identified in Table V-1 ~~shall~~ may be permitted except the following uses and use categories:
- a) Agriculture
 - (1) Commercial Breeding Facility
 - (2) Farm Chemicals and Fertilizer Sales
 - (3) Grain Storage Elevator and Bins
 - (4) Livestock Sales Facility and Stockyards
 - (5) Mineral Extraction, Quarrying, Topsoil Removal and Allied Activities
 - b) Public and Quasi-Public
 - (1) Public or Commercial Sanitary Landfill
3. In an Industrial Planned Unit Development, any agriculture, public or quasi-public, business or industrial use ~~shall~~ may be permitted

Commentary: PUDs require a greater level of design than usually required by typical zoning and subdivision regulations. Traditional zoning is based on the notion that there is an inherent conflict between certain types of land uses. This does not take design and other mitigating site design techniques into consideration. In addition, Table V-1. Table of Uses is not a comprehensive list of suitable residential, commercial, and industrial land uses. There may be instances where a specific use is appropriately designed as part of a development, even if it is not included in Table V-1. Through the PUD Permit approval process, the City retains review authority, and can ensure that any proposed uses are compatible with both the development and the surrounding neighborhood. Proposed revisions to Table V-1 to reflect the added PUD categories are attached and addressed below.

Recommended Design Features (Section XIII-3.J)

This section adds recommended design features (see Table XIII-2 in Exhibit A).

Commentary: The recommended design features (RDFs) are intended to provide guidance on how a development plan may meet the PUD Permit review criteria. Among these criteria are responsiveness to the RDFs. The RDFs have been categorized to match the four types of PUD Permits; Residential, Commercial, Mixed-Use and Industrial. In some instances, a particular feature may be applicable to every type of PUD Permit. Table XIII-2 would be a part of a PUD Permit application, and the petitioner and staff would check off which RDFs had been addressed by a proposed development plan. This would help the City determine if Criteria E of the proposed PUD review criteria, which requires that a development plan is responsive to the RDFs as a whole, has been met. Even within each type of PUD Permit, not every RDF would need to be addressed. Individual RDFs are based on the proposed PUD purpose and goals as well as the Comprehensive Plan.

Section V-3. Table of Permitted Uses, by District

Table V-1. Table of Uses

Section V-3.B is revised to include language that specifies when a PUD Permit is required by Table V-1. Table of Uses. Table V-1 is revised to include the four types of PUD Permits (Residential, Commercial, Mixed Use, and Industrial) and permitted zoning districts.

Commentary: Table V-1. Table of Uses already includes several types of PUDs. In order to match the proposed amendment, some of the types of PUDs have been reworded and permitted in additional zoning districts with a PUD Permit.

Summary of Findings

1. The proposed amendment would assist in the administration of the Urbana Zoning Ordinance.

2. The proposed amendment would update and improve the current PUD standards which date back over 30 years and are highly limited in their application and usefulness.
3. The proposed amendment would encourage PUD development patterns that more closely match the goals of the Urbana Comprehensive Plan and other relevant plans and policies.
4. The proposed amendment would eliminate unnecessary and labor intensive application and review procedures for PUDs that have acted as a disincentive for their proper use.
5. The proposed amendments would provide for additional flexibility and incentives and improved development guidelines for the use of the PUDS, for the mutual benefit of both the public and the applicant.
6. The purpose of the proposed amendment is to encourage development that goes beyond the minimum zoning and subdivision standards in terms of design, public amenities, and implementation of the adopted Comprehensive Plan and other official development plans and policies.
7. The proposed amendment is consistent with the goals and objectives of the 2005 Urbana Comprehensive Plan regarding allowing certain types of development, including traditional neighborhood development.
8. At their December 21, 2006 meeting, the Urbana Plan Commission voted 6 ayes to 1 nay to forward the case with a number of suggested language changes to the Urbana City Council with a recommendation of approval. An amendment to the motion to require both a preliminary and final development plan was not seconded.

Options

In Plan Case 2020-T-06, the City Council may:

- a. Approve the proposed text amendment to the Zoning Ordinance, as presented herein;
- b. Approval the proposed text amendment to the Zoning Ordinance, as modified by specific suggested changes; or
- c. Deny the proposed text amendment to the Zoning Ordinance.

Recommendation

Based on the evidence presented in the discussion above, the Plan Commission recommends, and staff concurs, that the City Council **APPROVE** the proposed text amendment to the Zoning Ordinance in its entirety, as presented herein.

EXHIBIT A: PROPOSED REVISIONS (12/7/2006)

ARTICLE XIII. Special Development Provisions

Section XIII-3. Planned Unit Developments

A. *Planned Unit Development Definitions.*

1. *Planned Unit Development.* A large, integrated development adhering to a detailed site plan and located on a contiguous tract of land that may include a mixture of residential, commercial and/or industrial uses. Zoning and development regulations may be varied in conformance with this section and the adopted Urbana Comprehensive Plan.
 - a) *Residential Planned Unit Development.* A type of planned unit development focusing primarily on residential uses, which may include limited compatible business development.
 - b) *Commercial Planned Unit Development.* A type of planned unit development focusing primarily on business uses, which may include compatible residential development.
 - c) *Mixed Use Planned Unit Development.* A type of planned unit development focusing on the integration of residential and business uses in a manner compatible with the surrounding uses and with the goals of the Urbana Comprehensive Plan.
 - d) *Industrial Planned Unit Development.* A type of planned unit development focusing primarily on industrial uses, and permitting other compatible business uses.
2. *Conservation Development.* A development design technique that concentrates buildings on specific areas on a site to allow remaining land to be used for recreation, common open space, or the preservation of historically or environmentally sensitive features.
3. *Infill Development.* Development of vacant or partially developed parcels which are surrounded by areas that are substantially or fully developed and served by existing public infrastructure.

- B. *Purpose Statement.* The purpose of a planned unit development is to encourage development that goes beyond the minimum zoning and development standards in terms of design, public amenities, and implementation of the Comprehensive Plan and other official development plans and policies. In exchange for public amenities, developers are granted flexibility in applying the typical zoning and development regulations. These amenities may include bicycle trails, public art, unique architecture, protection of natural resources, or higher density and mixed-use development. For developers, flexibility allows more creative development that encourages infill development, provides a wider variety of housing choices, or meets a market niche. In all planned unit developments, the final built form should be generally consistent with the goals, objectives, and future land uses of the Urbana Comprehensive Plan and other relevant plans and policies.

C. *Goals*

The general goals of a planned unit development are:

1. To encourage high quality non-traditional, mixed use, and/or conservation development in areas identified in the Comprehensive Plan;
2. To promote infill development in a manner consistent with the surrounding area;

3. To promote flexibility in subdivision and development design where necessary;
4. To provide public amenities not typically promoted by the Zoning Ordinance;
5. To promote development that is significantly responsive to the goals, objectives, and future land uses of the Urbana Comprehensive Plan;
6. To provide a higher level of street and pedestrian connectivity within the development and the surrounding neighborhood in accordance with the Urbana Comprehensive Plan.
7. To coordinate architectural styles, building forms, and building relationships within the development and the surrounding neighborhood;
8. To encourage the inclusion of a variety of public and private open space, recreational facilities, greenways and trails not typically promoted by the Zoning Ordinance;
9. To conserve, to the greatest extent possible, unique natural and cultural features, environmentally sensitive areas, or historic resources, and to utilize such features in a harmonious fashion.

D. *Applicability*

1. In order to qualify as a planned unit development, the development plan must include a gross site area of at least one-half acre and meet at least one of the following criteria. The Zoning Administrator shall determine if a development may qualify as a planned unit development in accordance with these criteria:
 - a) *Mixed-Use*. Either in the same building or with a “campus” approach, provide for a mixture of single-family, two-family, multi-family, commercial, office, and/or recreational uses.
 - b) *Conservation*. Protect natural, cultural and/or historical resources and harmoniously utilize such features as part of the development. This may include environmentally sensitive, or “green” building and site design.
 - c) *Infill*. Redevelop properties within the urban area that are vacant or underutilized due to obstacles such as lot layout, utility configuration, and road access.
 - d) *Unique Development*. Development that significantly responds to the goals and objectives of the Comprehensive Plan and other relevant plans and policies and/or addresses unique features of the site.

E. *Minimum Development Guidelines*

1. *Flexible Zoning Standards*. Except as otherwise provided herein, standards for lot width, building height, floor area ratio, setbacks, off-street parking and loading, landscaping and screening, and fences may vary from the standards established in this Ordinance if justified by the circumstances peculiar to the site or the project and approved by City Council in accordance with the purpose and goals of this section.
2. *Flexible Subdivision Standards*. All dimensional and design standards, such as public and private streets, sidewalks, and stormwater management facilities, shall meet the requirements of the

Urbana Subdivision and Land Development Code. A waiver of the requirements for public improvements may be considered concurrently or subsequently with the planned unit development as part of a subdivision plat subject to the criteria in Section 21-7 of the Urbana Subdivision and Land Development Code.

3. *Multiple Structures and Uses.* There may be more than one principal and/or accessory building on a lot in a planned unit development. Similarly, there may be more than one principal and/or accessory use on a lot in a planned unit development.

F. *Development Plan Submittal Requirements*

1. *Preliminary Conference.* Prior to the preparation of a formal application, the applicant shall meet with the Secretary of the Urbana Plan Commission and the Zoning Administrator, or his/her designee, to discuss the proposed development and determine if it meets the requirements of this Article and if additional information is needed.
2. The applicant shall submit a completed planned unit development permit application to the Secretary of the Urbana Plan Commission, together with five copies of the development plan, and an application fee as specified in Section XI-8. The development plan shall contain the following materials:
 - a) A general location map of suitable scale which shows the location of the property within the community and adjacent parcels.
 - b) A site inventory and analysis to identify site assets and constraints, such as floodplains, wetlands, soils, wooded areas, existing infrastructure and easements, existing buildings, and public lands.
 - c) A site plan with the following information:
 - (1) The location of proposed structures and existing structures that will remain, with height and gross floor area noted for each structure; and
 - (2) The circulation system indicating pedestrian, bicycle, and motor vehicle movement systems, including existing and proposed public right-of-way; transit stops; easements and other reservations of land; the location of existing and proposed curb cuts, off-street parking and loading spaces, including service drives; sidewalks and other walkways; and
 - (3) A landscape plan indicating the general location of trees, shrubs, and ground cover (proposed or existing); and
 - (4) The location of any proposed open space; and
 - (5) A preliminary stormwater plan indicating the general location of impervious surfaces, detention/retention basins, and the basic storm sewer layout; and
 - (6) A preliminary utilities plan indicating the general location of sanitary sewers, electricity, gas, telecommunications, and similar services; and
 - (7) The location of street and pedestrian lighting, including lamp intensity and height.

- d) Conceptual elevations of all proposed commercial buildings and conceptual typical elevations of residential buildings. Scaled elevations shall identify building materials, the location, height and material for screening walls and fences, storage areas for trash and rooftop equipment.
- e) Design, location, display area, and height of any proposed signage subject to the regulations of the Urbana Zoning Ordinance.
- f) A development program that provides general information about the development, including desired residential and commercial tenants, housing price targets, estimated construction costs, and any other information that conveys that purpose and intent of the development.
- g) Phasing plans, if applicable.
- h) Any other information deemed necessary by the Secretary of the Plan Commission.

G. *Development Plan Review and Criteria for Approval.*

1. The development plan shall be reviewed based on the procedures for a special use permit, in accordance with Sections VII-4 and VII-5. The development plan may be approved in phases if requested.
2. The applicant shall demonstrate that the development plan meets the following criteria
 - a) That the proposed development is conducive to the public convenience at that location; and
 - b) That the proposed development is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the surrounding areas, or otherwise injurious or detrimental to the public welfare; and
 - c) That the proposed development is consistent with the goals, objectives, and future land uses of the Urbana Comprehensive Plan and other relevant plans and policies; and
 - d) That the proposed development is consistent with the purpose and goals of this section; and
 - e) That the proposed development is responsive to the relevant recommended design features identified in Table XIII-2.
3. If the development plan involves a Zoning Map Amendment, such a request may be submitted concurrently or subsequently to ~~with~~ the planned unit development permit request.
4. If the development plan involves a subdivision plat and/or subdivision code waiver request, such a request may be submitted concurrently or subsequently to ~~with~~ the planned unit development permit request.
5. In the case of a valid written protest, the planned unit development shall not be authorized except by a favorable vote of two-thirds of the members of the City Council. Procedures for protest against any proposed planned unit development permit are specified in Section XI-11 of this Ordinance.
6. Unless otherwise specifically stated by the City Council, the planned unit development approval shall be valid for a period of two years from the date of City Council approval. The Zoning

Administrator may extend the approval for an additional year in response to a written request by the applicant detailing the reasons why the timeline set forth in the original application cannot be fulfilled. Valid planned unit development approval in the form of an ordinance is required before issuance of a building permit or Certificate of Occupancy.

7. If construction has not begun or an approved use has not been established in the planned unit development within the timeframe specified in Section XIII-3.G.6, the approval of the final development plan shall lapse and be considered void and no longer in effect.
 8. If approved, the development plan, approving ordinance and all dedications, covenants, and other such documents shall be recorded with the Champaign County Recorder's Office.
 9. Violation of the terms and conditions of the special use shall be deemed a violation of this Ordinance, subject to the revocation or cancellation of the permit and the provisions of Section XI-1. Extensions of any time period, or changes in the development schedule or other time sequence which were approved as part of the planned unit development permit may be approved by the Zoning Administrator. Any such extension or change which is not so authorized shall be deemed a violation of this Ordinance as provided above.
- H. *Changes in the Approved Development Plan.* Minor changes to an adopted development plan may be approved by the Zoning Administrator, provided that the changes do not:
1. Substantially alter the overall use or character of the development; or
 2. Significantly increase the overall lot coverage of structures, individual building height, or intensity of use; or
 3. Significantly reduce approved open space, off-street parking and loading space, or required street widths; or
 4. Create problems regarding traffic circulation, public safety, emergency access, or public utilities.
- I. *Permitted Uses*
1. In a Residential or Mixed Use Planned Unit Development, any agriculture, residential, public/quasi-public, or business use identified in Table V-1 shall may be permitted except the following uses and use categories:
 - a) Agriculture
 - (1) Agriculture, General
 - (2) Commercial breeding facility
 - (3) Farm Chemical and Fertilizer Sales
 - (4) Farm Equipment Sales and Service
 - (5) Grain Storage Elevator and Bins
 - (6) Livestock Sales Facility and Stockyards
 - (7) Mineral Extraction, Quarrying, Topsoil Removal and Allied Activities
 - b) Public and Quasi-Public
 - (1) Penal or Correctional Institution
 - (2) Public or Commercial Sanitary Landfill
 - (3) Public Maintenance and Storage Garage

- c) Business
 - (1) Adult Entertainment Uses
 - (2) Wholesale Produce Terminal
 - (3) Ambulance Service
 - (4) Express Package Delivery Distribution Center
 - (5) Building Material Sales
 - (6) Transportation, except for personal aviation facilities
 - (7) Vehicular Sales and Service
 - (8) Cemetery
 - (9) Construction Yard
 - (10) Crematory
 - (11) Kennel
 - (12) Lawn Care and Landscaping Service
 - (13) Self-Storage Facility
 - (14) Warehouse
 - d) All Industrial uses
2. In a Commercial Planned Unit Development, any agriculture, public or quasi-public, business, or industrial use identified in Table V-1 shall may be permitted except:
- a) Agriculture
 - (1) Commercial Breeding Facility
 - (2) Farm Chemicals and Fertilizer Sales
 - (3) Grain Storage Elevator and Bins
 - (4) Livestock Sales Facility and Stockyards
 - (5) Mineral Extraction, Quarrying, Topsoil Removal and Allied Activities
 - b) Public and Quasi-Public
 - (1) Public or Commercial Sanitary Landfill
3. In an Industrial Planned Unit Development, any agriculture, public or quasi-public, business or industrial use ~~shall~~ may be permitted

J. *Recommended Design Features.*

The following recommended design features are intended to provide guidance on how a development plan may meet the planned unit development review criteria. The recommended design features are directly based on the purpose and goals of this Section, as well as the Urbana Comprehensive Plan.

TABLE XIII-2. PLANNED UNIT DEVELOPMENT RECOMMENDED DESIGN FEATURES

General Site Design	Recommended Design Feature	Applicable PUD Type
Building Layout	Buildings should be placed in a manner that facilitates the recommended design features of this Article	All
Transition Area	The development shall incorporate general design features from the surrounding area, including street design, building configuration, landscaping and setbacks, to ensure compatibility and to provide a transition between differing land use intensities	All
Lighting	Lighting design and placement should reduce excessive lighting and minimize negative impacts on nearby residential areas	All
Street Lights	Street lighting approved by the City Engineer should be provided to enhance public safety and visibility	All
Pedestrian Connectivity		
Crosswalks	Crosswalks through intersections of sidewalks and streets should be designed with clearly defined edges, either by contrasting paving materials or striping	All
Connectivity	All pedestrian facilities should connect to existing and planned bicycle and shared-use paths identified in the <i>Champaign County Greenways and Trails Plan</i> , the Urbana Capital Improvements Plan, and the Comprehensive Plan	All
Transit	Adequate space for well-lit transit shelters should be provided to clearly identify bus stops. Curb cuts, bump outs, and other infrastructure should be provided as necessary to facilitate transit provision	All
Internal Connectivity	A network of sidewalks and trails should be included in a development to link buildings within a site and to the surrounding neighborhood	All
Bicycle Parking	Bicycle racks should be placed convenient to building entrances, and under canopies whenever possible. The minimum amount of bicycle parking required is stipulated in Table VIII-1, and should be increased when necessary	All
Vehicular Connectivity		
Access	Roads and Access drives that connect to major roads should be spaced in accordance with the <i>Champaign County Access Management Guidelines</i> . The number of access points drives shall be minimized, and all access points are subject to approval by the City Engineer	All
Internal Connectivity	The internal street system of a development should promote efficient traffic movement and be generally consistent with the goals and objectives of the 2005 Urbana Comprehensive Plan	All

Vehicular Connectivity	Recommended Design Feature	Applicable PUD Type
External Connectivity	The internal street system of a development should connect to adjacent roadways to promote an efficient citywide transportation system consistent with the Mobility Map of the 2005 Urbana Comprehensive Plan	All
Parking Areas		
Permeable Parking	Where appropriate and feasible, parking areas should utilize permeable materials to minimize stormwater runoff. Any such material is subject to approval by the City Engineer	All
Maximum Parking	The amount of parking provided should be reduced to the minimum amount required by the use, as identified in Table VIII-3, or by additional data related to parking demand	All
Rear Parking	Parking areas should be located behind the principal structure whenever possible to encourage a more pedestrian-friendly environment.	Commercial Mixed Use Industrial
Parking Area Landscaping	The corners of parking lots, tree islands, and all other areas not used for parking or vehicular circulation should be landscaped. Vegetation can include turf grass, native grasses or other perennial flowering plants, vines, shrubs, or trees. Such spaces may include architectural features such as benches, kiosks or bicycle parking	Commercial Mixed Use Industrial
Landscaping and Screening		
Landscape Identity	Distinct landscaping, such as prairie plantings or large caliper trees, should be used to link signage, pedestrian facilities, parking areas, drainage areas, and buildings together in order to distinguish the site. A listing of approved materials is provided in Table VI-1 and Table VI-2. Additional materials may be approved by the City Arborist	All
Tree Preservation	Significant trees, as identified by the City Arborist, should be protected and incorporated into the development to the greatest extent possible	All
Street Trees	Deciduous canopy street trees shall be provided along all streets in a development. Trees need not be evenly spaced, and should be placed in the landscaped area of a boulevard, or in tree wells	All
Screening	Screening shall be required in accordance with Section VI-6 and Section VIII-3.F	All

Open Space	Recommended Design Feature	Applicable PUD Type
Open Space Provision	Open space uses, such as environmental corridors, protected natural areas, community parks, water bodies, and stormwater facilities, should be either retained or created and incorporated into the development plan as appropriate, and in accordance with the Comprehensive Plan	All
Open Space Purpose	Open space uses should protect significant natural, cultural, and historical resources such as wooded and other natural areas, natural detention areas, vistas, drainage ways, and historic structures or properties	All
Greenways and Trails	Provide connections to existing and planned bicycle, shared-use paths, and greenways identified in the <i>Champaign County Greenways and Trails Plan</i> , the Capital Improvements Plan, and the Comprehensive Plan	Residential Commercial Mixed Use
Drainage Areas	Drainage areas may count as open space, but should not constitute the majority of open space. Drainage areas should be permanently accessible to the public and link to other such areas within a development	All
Passive Recreation	Provide passive recreation areas that appeal to a wide demographic, such as off-street nature trails, sculpture gardens, community garden plots, and covered picnic areas, where appropriate in the development.	Residential Commercial Mixed Use
Active Recreation	Provide areas for active recreation that appeal to a wide demographic, such as playlots and sports fields, where appropriate in the development.	Residential Commercial Mixed Use
Connected Open Space	Open space throughout the development should be linked by sidewalks, trails, or across public right-of-way in order to avoid separate isolated open space areas	All
Architectural Design		
Architectural Consistency	Incorporate common patterns and architectural characteristics found throughout the development and the surrounding area, such as porches, roof types, and building massing	Residential Commercial Mixed Use
Architectural Identity	Utilize a number of architectural features, landscaping, public art, and other methods to ensure buildings create an identity for the development	Residential Commercial Mixed Use

Architectural Design	Recommended Design Feature	Applicable PUD Type
Articulated Design	Buildings should look "complex and engaging," including varying roof heights and pitches, forward and back progressions, exterior trim details, outdoor living space and other decorative details and exterior materials	Residential Commercial Mixed Use
Openings	Windows, doors and other openings should be in scale and proportionate with each other. Openings should display a consistent pattern and rhythm in order to "break up" large wall spaces	Residential Commercial Mixed Use
Exterior Surfaces	Exterior treatment or siding should protect the integrity of the structure and provide an enhanced visual aesthetic to the block	Residential Commercial Mixed Use
Fences	Walls and fences should be compatible with the architecture of the site and surrounding properties	All
Building-Street Relationship	The principal entrance of a building should be oriented towards the street. Porches, pent roofs, roof overhangs, hooded front doors or other similar architectural elements should be used to define the principal entrance of a building	Residential Commercial Mixed Use
Garages	Garages may be located within the principal building or as an accessory building provided that the accessory building conforms to Section V-2. When possible, garages should be accessed from behind the front façade of a building	Residential Mixed Use
Energy Efficient Construction	Whenever possible, a development should utilize building construction and site design that incorporate innovative and effective techniques in energy conservation.	All
Materials	Utilize exterior treatments or siding that protect the integrity of a structure and provide an enhanced visual aesthetic for the development consistent with other architectural features	Residential Commercial Mixed Use
Accessibility / Visitability	Individual buildings should incorporate design features that encourage accessibility and visitability, such as wide doorways, bathrooms on the main floor, and "zero step" entryways	All
Signage		
General Signage	The amount and type of signage in a development should be architecturally compatible with the building design and development in general, including materials, scale, colors, lighting and general character in order to promote better recognition of a specific business	Commercial Mixed Use Industrial
Freestanding Signs	Freestanding signs should incorporate design elements, such as landscaping, strategic placement, and compatible materials, to draw attention. Monument signage (as opposed to pylon signs) is encouraged when appropriate.	Commercial Mixed Use Industrial

Signage	Recommended Design Feature	Applicable PUD Type
Group Signage	Multiple businesses or shopping centers shall group signage near main access drives and utilize landscaping or other means to visually link signs to the site and building	Commercial Mixed Use Industrial

EXHIBIT A: PROPOSED REVISIONS (12/7/2006)

ARTICLE V. Use Regulations

Section V-3. Table of Permitted Uses, by District

- A. In Table V-1, the use listed in a horizontal row with the letter "P" is permitted by right as a principal use in the district listed at the head of the vertical column in which the letter "P" appears, except as provided in paragraph B. below; similarly, the letter "C" indicates that the use is permitted as a conditional use in that district, and the letter "S" indicates that the use is permitted as a special use in that district, subject to the regulations and procedures specified in Article VII of this Ordinance. The letter "D" indicates that the use is permitted as a planned unit development, subject to the regulations and procedures specified in Article XIII of this Ordinance.

TABLE V-1. TABLE OF USES

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	IN	MOR	OP
Agriculture																				
Agriculture, Cropping	P	P	P	P	P	P	P		P								P	P		
Agriculture, General									P								P			
Artificial Lake of one (1) or more acres	C	C	C	C	C	C			C								C	C		
Commercial Breeding Facility									P										C	
Farm Chemicals and Fertilizer Sales Including Incidental Storage and Mixing of Blending Fertilizer																			P	
Farm Equipment Sales and Service												P							C	
Feed and Grain (Sales only)									C			P	P	C	C					
Garden Shop									C	P	P	P	P	P	P				P	
Grain Storage Elevator and Bins									C										C	
Livestock Sales Facility and Stockyards									C										C	
Mineral Extraction, Quarrying, Topsoil Removal and Allied Activities									S									S	C	
Plant Nursery or Greenhouse									P	C	C	P	C	P	P			S		P
Roadside Produce Sales Stand									P			P	P							
Public and Quasi-Public																				
Church or Temple	S	S	S	P	P	P	P	S	S	P	P	S	P	P	P		S		P	S
Electrical Substation	S	S	S	C	C	C	C		S	C	C	P		P	P			P		
Hospital or Clinic					S	P			S			P	P	P	P					P
Institution of an Educational, Philanthropic, or Eleemosynary Nature	S	S	S	P	P	P	P		S	P	P	P	P	P	P		S		P	
Methadone Treatment Facility					S	P			S			P	P	P	P					P
Municipal or Government Building	C	C	C	P	P	P	P		C	P	P	P	P	P	P		P	P	P	P
Nonprofit or Governmental, Educational and Research Agencies												C	C	C	C	S	P	P		P
Penal or Correctional Institution												S		S	S				S	
Police Station or Fire Station			S	S	S	S	S		S	P	P	P	P	P	P	S		P		
Principal Use Parking Garage or Lot				S	S	S	S				P	P	P	P	P			P	S	
Public or Commercial Sanitary Landfill									S										C	
Public Elementary, Junior High School, or Senior High School	P	P	P	P	P	P			P								P			
Public Fairgrounds									S											
Public Library, Museum or Gallery	S	S	S	P	P	P	P			P	P	P	P	P	P		P		P	
Public Maintenance and Storage Garage												P							P	
Public Park	P	P	P	P	P	P	P		S	P	P	P	P	P	P		P	P	P	P
Radio or Television Tower and Station									S			C	C	S	S				C	
Sewage Treatment Plant or Lagoon									S									S	C	
University/College												P	P	P	P	P	P			P
Utility Provider											S	P	P	P	P				P	
Water Treatment Plant									S										C	
Business																				
Adult Entertainment																				
Adult Entertainment Uses												P		P						
Food Sales and Service																				
Bakery (Less than 2,500 square feet)							P			P	P	P	P	P	P	S			C	
Café or Deli							C			C	P	P	P	P	P	S			P	C
Confectionery Store							P			P	P	P	P	P	P	S			P	
Convenience Store							C			S	P	P	P	P	P	S			P	
Fast-food Restaurant										C	C	P	P	P	P					
Meat and Fish Market										P	P	P	P	P	P	S			S	
Restaurant										C	P	P	P	P	P	S			C	C
Liquor Store											C	P	P	P	P					

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	IN	MOR	OP
Food Sales and Service (continued)																				
Supermarket or Grocery Store							C			P/S**	P	P	P	P	P					
Tavern or Night Club												P	P	P	P					
Wholesale Produce Terminal																		P		
Personal Services																				
Ambulance Service												P	P	P	P			P		
Barber/Beauty Shop							P			P	P	P	P	P	P	S			P	P
Dry Cleaning or Laundry Establishment										S	P	P	P	P	P	S		C		C
Health Club/Fitness							C			P/C*	P	P	P	P	P	S			P	P
Laundry and/or Dry Cleaning Pickup							P			S	P	P	P	P	P	S				P
Massage Parlor												P	P	P	P				P	
Medical Carrier Service												P	P	P	P			P		
Mortuary					C	C	C			C	P	P	P	P	P				P	
Pet Care/Grooming							P			P	P	P	P	P	P				P	
Self-Service Laundry							C			P	P	P	P	P	P					
Shoe Repair Shop							P			P	P	P	P	P	P	S				P
Tailor and Pressing Shop							P			P	P	P	P	P	P	S				P
Professional and Financial Services																				
Bank/Savings and Loan Association							P			P	P	P	P	P	P	S		P	P	P
Check Cashing Service							P			C	P	P	P	P	P			P	P	P
Copy and Printing Service							P			P	P	P	P	P	P	S			P	P
Express Package Delivery Distribution Center																		P		P
Packaging/Mailing Service										C	P	P	P	P	P	S				P
Professional and Business Office				S	C	C	P			P	P	P	P	P	P	S		P	P	P
Vocational, Trade or Business School									C			P	P	P	P			C	P	P
Retail Trade																				
Antique or Used Furniture Sales and Service										P/C*		P	P	P	P	S			P	
Apparel Shop							P			P/C*	P	P	P	P	P	S			P	
Art and Craft Store and/or Studio							C-P			P/C*	P	P	P	P	P	S			P	
Bicycle Sales and Service							C			P/C*	P	P	P	P	P	S			P	
Bookstore							P			P	P	P	P	P	P	S			P	P
Building Material Sales (All Indoors Excluding Concrete or Asphalt Mixing)												P	P	P	P			P		
Department Store												P	P	P	P					
Drugstore							P			S	P	P	P	P	P	S			P	
Appliance Sales and Service										P	P	P	P	P	P					
Electronics Sales and Service							P			P	P	P	P	P	P	S			P	
Florist							P			P	P	P	P	P	P	S			P	P
Office Supplies/Equipment Sales and Service												P	P	P	P				P	P
Hardware Store										P	P	P	P	P	P				P	
Heating, Ventilating, Air Conditioning Sales and Service										C	P	P	P	P	P			P		
Jewelry Store							P			P	P	P	P	P	P	S			P	
Monument Sales (Excluding Stone Cutting)												P	P	P	P					
Music Store							P			P	P	P	P	P	P	S			P	
Pawn Shop													P	P	P					
Pet Store										P/C*	P	P	P	P	P				P	
Photographic Studio and Equipment Sales and Service							P			P/C*	P	P	P	P	P	S		P	P	
Shoe Store							P			P/C*	P	P	P	P	P	S			P	
Sporting Goods							C			P/C*	P	P	P	P	P	S			P	
Stationery, Gifts, or Art Supplies							P			P	P	P	P	P	P	S			P	P

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	IN	MOR	OP	
Retail Trade (continued)																					
Tobacconist							P			P	P	P	P	P	P					P	
Variety Store							P			P	P	P	P	P	P	S				P	
Video Store							P			P/S**	P	P	P	P	P	S				P	S
Recreation																					
Athletic Training Facility, Non-residential							C					P	P	P	P					P	
Athletic Training Facility, Residential				C	C	C	C			C	C	P	P	P	P		C			C	
Bait Sales									C			P		P	P		C				
Billiard Hall												P	P	P	P	S				P	
Bowling Alley												P	P	P	P						
Camp or Picnic Area									P								C				
Commercial Fishing Lake									C								C				
Country Club or Golf Course	P	P	P	P	P	P	P		P								C				
Dancing School										P/C*		P	P	P	P	S				P	
Driving Range									P			P					C				
Lodge or Private Club	C	C	C	C	P	P			C	C	C	P	P	P	P		C			C	
Miniature Golf Course									P			P					C				
Outdoor Commercial Recreation Enterprise (Except Amusement Park)									C			P	P	P	P		C				
Private Indoor Recreational Development									C			P	P	P	P	S	C			P	
Resort or Organized Camp									C								C				
Riding Stable									P								C				
Theater, Indoor										S		P	P	P	P					P	
Theater, Outdoor									C		C										
Transportation																					
Airport									C												
Air Freight Terminal									S										C		
Helipoint									C										S		
Motor Bus Station												P		P	P				P		
Railroad Yard and Freight Terminal																			P		
Truck Terminal/Truck Wash																			P		
Vehicular Sales and Service																					
Automobile Accessories (New)							C			C	C	P	P	P	P						
Automobile Salvage Yard (Junkyard)																			C		
Automobile, Truck, Trailer or Boat Sales												P							P		
Automobile/Truck Repair												P							P		
Automobile Washing Facility												P	P						C		
Gasoline Station										S	C	P	C	C	C				P		
Mobile Home Sales												P									
Towing Service												S							P		
Truck Stop												S							P		
Miscellaneous Business																					
Auction Sales (Non-Animal)												P	P	P	P						
Aviation Sales, Service or Storage									C										P		
Cemetery									C								C				
Shopping Center - Convenience							S			S	S	S	S	S	S			S		S	
Shopping Center - General												S	S	S	S			S			
<u>Commercial Planned Unit Development</u>											<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>		<u>D</u>		<u>D</u>	
Construction Yard									C										P		
Contractor Shop and Showroom (Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops)										C		P	P	P	P				P		
Crematory									C			C	C								
Day Care Facility (non-home based)	C	C	C	C	C	C	C			C	C	C	C	C	C			C	P	C	

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	IN	MOR	OP
Miscellaneous Business (continued)																				
Kennel									C										P	
Lawn Care and Landscaping Service										C		P	P	P	P				P	
Mail Order Business (less than 10,000 square feet of gross floor area)										C	P	P	P	P	P				P	P
Mail Order Business (greater than 10,000 square feet of gross floor area)												P	S						P	P
Mixed-Use Planned Unit Development				<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>		<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>			<u>D</u>	<u>D</u>
Radio or TV Studio									C	C	C	P	P	P	P				P	
Self-Storage Facility																			P	
Warehouse																			P	
Wholesale Business												P	P	C	C				P	
Veterinary Hospital - Large Animal									C										C	
Veterinary Hospital - Small Animal									C			C	C						C	
Residential																				
Bed and Breakfast Inn										P	P	P	P	P	P				P	
Bed and Breakfast, Owner Occupied	C	C	C	C	C	C	C	C		P	P	P	P	P	P				P	
Boarding or Rooming House				P	P	P	P	P			P		P	P	P				P	
Dormitory				P	P	P	P	P			P		P	C	C				P	
Dwelling, Community Living Facility, Category I	P	P	P	P	P	P	P	P	P	C	P		P						P	
Dwelling, Community Living Facility, Category II		C	P	P	P	P	P	P		C	P	P	P	P	P				P	
Dwelling, Community Living Facility, Category III				P	P	P	P	P		C	P	P	P	P	P				P	
Dwelling, Duplex***		C	P	P	P	P	P			C	P		P						P	
Dwelling, Duplex (Extended Occupancy)***		C	P	P	P	P	P			C	P		P						P	
Dwelling, Home for Adjustment				S	P	P	P	S			P	P	P	P	P				S	
Dwelling, Loft							P			P	P	P	P	P	P	S			P	
Dwelling, Multifamily				P	P	P	P			C	P	S	P	P	P	S			P	
Dwelling, Multiple-Unit Common-Lot-Line***				P	P	P	P	P		S	C		P	P	P				P	P
Dwelling, Single-Family	P	P	P	P	P	P	P	P	P	C	P		P						P	
Dwelling, Single-Family (Extended Occupancy)	P	P	P	P	P	P	P		P	C	P		P						P	
Dwelling, Two-Unit Common-Lot-Line***		C	P	P	P	P	P				P								P	
Home for the Aged				C	P	P	P				P	C	P	C	C				P	
Hotel or Motel									C			P	P	P	P					
Mobile Home Park (See Section VII-4)									S											
Mobile Home in Mobile Home Park									S											
Nursing Home				C	P	P	P				P	C	P	C	C					
Residential Planned Unit Development-(See Section XIII-6)	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>							<u>D</u>			<u>D</u>	
Industrial																				
Bookbinding											C	C	C	C	C				P	
Building Paper, Paper Containers and Similar Products Manufacturing																			P	
Confectionery Products Manufacturing and Packaging											C	C	C	C	C				P	
Electrical and Electronic Machinery, Equipment and Supplies Manufacturing																			P	
Electronics and Related Accessories - Applied Research and Limited Manufacturing												C	P	C	C				P	C
Engineering, Laboratory, Scientific, and Research Instruments Manufacturing												C	C	C	C				P	
Grain Mill Products Manufacturing and Packaging																			P	
Household and Office Furniture Manufacturing																			P	
Industrial PUD																			<u>D</u>	<u>D</u>

EXHIBIT B: EXISTING REGULATIONS

ARTICLE XIII. Special Development Provisions

Section XIII-1. Telecommunications Facilities, Towers and Antennas

Section XIII-2. Mobile Home Parks

Section XIII-3. Planned Unit Developments

Section XIII-4. Special Procedures in the Boneyard Creek District

Section XIII-3. Planned Unit Developments

A. *Planned Unit Development Definitions.*

1. *Shopping Center/Commercial Planned Unit Development.* A complex of three or more business and commercial establishments, the whole planned, developed, and managed as a unit, sharing common parking facilities.

Shopping centers are divided into the following classifications according to building and parcel size. In order to qualify for the larger classification, a development must meet both the minimum lot and building areas.

- a) *General Shopping Center.* A shopping center located on a minimum of four acres and having a combined building area of 50,000 square feet or more.
 - b) *Convenience Shopping Center.* A shopping center located on a site of more than one acre, but less than four acres, and having between 12,000 and 50,000 square feet of combined building area.
2. A General or Convenience Shopping Center/Commercial PUD must be designed and developed according to the procedures and standards specified in Section VII-5.
 3. *Planning.* Project conceived as a package, carrying out a specific theme and marketing strategy.
 4. *Development.* Project built as a unit with all parties bound together by a cross easement agreement. Project may be phased but all construction conforms to overall approved plan.
 5. *Management.* Project managed and maintained as a unit and presented to the public as such. (Ord. No. 8283-43, § 1, 1-17-83)

B. The general goals of a Planned Unit Development are:

1. To promote flexibility in design and permit planned diversification in the location of structures;
1. To promote an efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land uses and utilities, and the conservation of energy;

2. To preserve to the greatest extent possible the existing landscape features and amenities, and to utilize such features in a harmonious fashion;
3. To provide for more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided under conventional land development procedures;
4. To combine and coordinate architectural styles, building forms, and building relationships within the PUD.

C. The uses permitted in a PUD are as follows:

1. Residential PUDs, permitted under the provisions of this section in the AG and R Districts, may include any use permitted by right or as a conditional use as a principal or accessory use in the AG or any R District. A maximum of 10% of the gross site area of a residential PUD may be devoted to commercial uses permitted by right or as a conditional use in the B-1 Neighborhood Business District, including the required parking and any other accessory uses.
2. Commercial PUD/Shopping Centers, permitted under the provisions of this section in all the B and IN Districts, may include any use permitted by right or as a conditional use as a principal or accessory use in the B districts.
3. Industrial PUDs, permitted under the provisions of this section in the IN District, may include any use permitted by right or as a conditional use as a principal or accessory use in the IN District.
4. Any PUD may include portions of the CRE District, provided, however, that no structure shall be built, nor use established, in the CRE District which is not listed in Table V-1, as permitted either by right or as a conditional use in the CRE District.
5. Office Park PUDs, permitted in the Office Park Zoning District, may include any of the uses permitted by right, by conditional use or by special use in the Office Park Zoning District. (Ord. No. 9798-43, 11-17-97)
6. The particular uses included in a proposed PUD are subject to the review and approval procedures specified herein, and shall not be deemed to be permitted by right.

D. *Procedure for PUD Submission and Approval.* The designation and approval of an area as a PUD shall be accomplished in accordance with the procedures indicated herein, as a special use.

1. *Preliminary Conference.* Prior to the preparation of a formal application, the applicant should meet with the Secretary of the Urbana Plan Commission, or his/her designee, to discuss the proposed development. The purpose of this requirement is to afford the applicant the opportunity to be advised of the procedures and policies that may affect the application. Following such, the applicant shall meet with the Urbana Plan Commission, to afford the Commission the opportunity to obtain whatever information the Commission deems necessary concerning the application prior to the submission of the application.
2. *Preliminary Development Plan Submission.* The applicant shall submit a completed PUD application to the Secretary of the Urbana Plan Commission, together with 12 copies of the preliminary development plan, and an application fee as provided in Section XI-8 of this Ordinance. The preliminary development plan shall contain all of the following materials:

- a) The name and address of all owners of the site proposed for development, as well as the name and address of all professional site planners, architects, engineers, surveyors, or other consultants; the applicant shall promptly inform the Secretary of the Plan Commission of any change which may occur in this information prior to the approval of the final development plan by the Urbana City Council;
- b) A legal description of the site proposed for development;
- c) A general area plan showing the intended use and future street locations for adjacent areas, when the proposed PUD is intended to represent a single phase of longer-range development;
- d) The location of all property lines, existing streets, easements, utilities, and any other significant physical features;
- e) Date, north arrow, and graphic scale (not less than one inch equal to 100 feet) of all drawings submitted;
- f) Present and proposed zoning;
- g) An indication of the existing conditions on the tract, including contour lines at intervals of five feet or less, watercourses and existing drainage facilities, wooded areas and isolated trees of six inches or more in diameter, existing streets, sidewalks or other improvements, and existing buildings and structures, with an indication of those which will be removed and those which will be retained as part of the development;
- h) An indication of the area surrounding the site, showing land use, peculiar physical features, public facilities, and existing zoning;
- i) A site plan of the proposed development, indicating the general location of the following:
 - (1) All buildings, structures, and other improvements;
 - (2) Common open space;
 - (3) Off-street parking facilities and number of parking spaces to be provided;
 - (4) Sidewalks;
 - (5) Illuminated areas;
 - (6) Use of open space being provided;
 - (7) Screening or buffering of the development perimeters;
 - (8) Indication as to which areas and streets are intended to be public;
 - (9) All utilities, including storm drainage, sanitary sewer, and water service;

- (10) Other documents, explaining other circumstances, as the Plan Commission may require.
 - j) Quantitative data including the following:
 - (1) Total number of dwelling units (if applicable);
 - (2) Proposed lot coverage of buildings and structures, as a percentage of the total area;
 - (3) Approximate gross and net residential densities, excluding all streets and roadways (if applicable);
 - (4) The floor area ratio and open space ratio;
 - (5) Other calculations, as the Plan Commission may require.
 - k) Elevation or perspective drawings of all buildings and improvements. The drawings need not be final architectural or engineering plans, but should be sufficient to show the developer's intent.
 - l) A development schedule indicating:
 - (1) The approximate date when construction of the project will begin;
 - (2) The stages in which the project will be built, and the approximate date when construction of each stage will begin;
 - (3) The approximate dates when the development of each of the stages will be completed;
 - (4) The area and location of common open spaces that will be provided at each stage.
 - m) If the applicant intends to sell or lease all or a portion of the PUD after the project is approved, a statement shall be presented to the Commission, to stipulate the conditions of sale and maintenance of such developed properties, and to present any covenants, deed restrictions, or other similar agreements between the applicant and future owners.
3. *Preliminary Development Plan Review.* Upon receipt of the PUD application and the material required to be presented, and the payment of the applicable fees, the Chairman of the Plan Commission shall schedule, and the Plan Commission shall hold, a public hearing in accordance with the procedures for considering a special use. Within 30 days after completing the public hearing, the Plan Commission shall recommend approval or disapproval, or, at the request of the applicant, continue discussion pertaining to the preliminary development plan. The Plan Commission shall consider the proposed PUD in accordance with the definitions and goals of this section, the report and recommendations of the planning staff, and the minimum requirements set forth in this section. The Plan Commission shall forward to the City Council the preliminary development application and the preliminary development plan, together with its recommendation thereon. The recommendation may include revisions in, additions to, or deletions from the application and development plan submitted by the applicant. It shall be the responsibility of the applicant to submit a reproducible copy of the preliminary development plan as approved by the Plan Commission. Such a plan shall incorporate all revisions approved by the Plan Commission,

and shall be submitted to them for their final review and approval before being forwarded to the City Council. In the event that a PUD would require a change of zoning, then an application for such a change may be submitted in conjunction with the PUD application, to be considered simultaneously with the PUD proposal, in accordance with the procedures for amending this Ordinance; provided, however, that the requested change of zoning shall not be granted except in conjunction with approval by the City Council of the final development plan of the PUD. If no construction has begun or no approved use been established in the PUD within one year from the date of approval of the change of zoning and of the final development plan by the City Council, the change of zoning, as well as the approval of the final development plan, shall lapse and be void and no longer in effect.

4. *Preliminary Development Plan Approval.* Approval of the preliminary development plan by the City Council shall constitute approval of the basic provisions and outlines of the plan, and approval of the representation and provisions of the applicant regarding the plan. Approval shall not be construed as an implied waiver of any matter. A waiver of any requirement shall be express and in written form. Council approval shall be valid for six months from the date of passage of the ordinance; the City Council may at its discretion extend for an additional six months the validity of the preliminary approval.

In approving a preliminary development plan, the City Council may include revisions in, additions to, or deletions from the application and development plan submitted by the applicant, or from those recommended by the Plan Commission. It shall be the responsibility of the applicant to submit a reproducible copy of the preliminary development plan as approved by the City Council, if this plan differs in any respect from that recommended by the Plan Commission. A copy shall be submitted to the Mayor for his/her signature. Procedures for protest of any proposed PUD are specified in Section XI-11 of this Ordinance. (Ord. No. 8788-28, § 5, 10-5-87)

5. *Final Development Plan Submission.* While the preliminary approval is still valid, the applicant shall file the final development plan, together with 12 copies of the final development plan, containing all information, plans, and data required herein for the entire area of the PUD given preliminary approval. The final PUD plan shall include but not be limited to the following:
 - a) All material required for the preliminary plan submission;
 - b) An accurate legal description and property survey by a registered land surveyor of the entire area included within the PUD;
 - c) Designation of the location of all proposed structures, and the internal uses to which each building shall be put, in sufficient detail to determine off-street parking requirements;
 - d) Architectural elevations, pavement types, culverts, common open space, recreation facilities, sidewalks, illumination, landscaping, and any other pertinent features of the PUD;
 - e) Certificates, seals, and signatures required for the dedication of land, recording the documents, and such other legal documents as may be required;
 - f) Accurate tabulations on the use of the area, including land area, number of buildings, number of dwelling units per acre (if applicable), total common open space, percentage of building

- coverage of the total area, percentage of paved area, and total number of parking spaces provided;
- g) All curb cuts, driving lanes, parking and loading areas, public transportation points, street signs, and illuminated facilities for same;
 - h) Any other plans or specifications that may be necessary for final engineering approval of drainage, street design, and other facilities by the City Engineer or Plan Commission, as well as plans necessary for approval by the Zoning Administrator.
 - i) Location, height, and area of all proposed signs. Any proposed variation from location, height, and area standards permitted in Article IX, Comprehensive Sign Regulations, must be noted.
6. *Final Development Plan Review.* Upon receipt of the final PUD development plan, the Plan Commission shall review the submitted documents, and ascertain whether the final plans substantially conform to the approved preliminary development plan and the provisions of this section. Upon review of the final development plan, the Plan Commission shall forward to the City Council its recommendation, the final plan, and any necessary supporting information.
7. *Final Development Plan Approval.* The City Council shall consider the final development plan and the recommendation thereon of the Plan Commission, and shall vote whether or not to approve the plan. In case of a written protest against the proposed PUD at this stage, the provisions of Section VII-5.C.4, above, shall apply.

Upon approval by duly enacted ordinance of the final development plan by the City Council, the City Clerk, upon direction of the applicant and receipt of the recording fees from the applicant, shall record the final development plan and all dedications, covenants, and such other documents as may be required by the City. The final development plan, as approved by the City Council, shall be recorded within six months following passage of the ordinance approving said final development plan; if not so recorded, the approval thereof shall be automatically withdrawn and held for naught.

After the City Clerk has received official written notice of the recording of the necessary documents, he/she shall notify the Zoning Administrator so that a special use permit may be issued. The Zoning Administrator shall then issue a special use permit for the PUD according to the approved plan. No construction shall begin upon such project until the provisions of this section are met, along with all other applicable City codes and ordinances.

8. *PUD Phases.* The final development approval may be granted in phases as approved by the City Council. Each final development approval of a phase shall be recorded in the same manner as a final development approval of the entire PUD.
9. *Performance Schedule.* The applicant shall conform to the development schedule as required hereinabove. If no construction has begun or no approved use been established in the PUD within one year from the date of approval of the final development plan by the City Council, the approval of the final development plan shall lapse, and be void and no longer in effect. At its discretion and for good cause, the City Council may by ordinance extend for one additional year the period for the beginning of construction, the establishment of an approved use, or completion

of a phase of development as indicated in the development schedule. If a final development plan lapses under the provisions of this section, the Zoning Administrator shall so notify the applicants, at the address given on the plan submittal.

10. *Abandonment of PUD and Lapsing of PUD Approval.* Once the final development plan for a PUD is recorded, if the petitioner desires to abandon and vacate such final development plan, the petitioner shall petition the Urbana City Council for the passage of an ordinance vacating such final development plan. In considering such a request, the City Council may consult the Urbana Plan Commission. If such an ordinance is passed, the City Clerk shall record such vacation ordinance with the County Recorder, with the recording fee to be paid by the petitioner. Unless such vacation is approved by the City Council and duly recorded, no construction shall be undertaken or use established on the property included in the PUD, except in accordance with the approved PUD plan.

If the final approval of a PUD lapses under the provisions of this section, the City Council shall pass an ordinance declaring such PUD final development plan null and void under the terms of this section, and shall direct the City Clerk to record said vacation ordinance. (Ord. No. 8283-43, § 4, 1-17-83)

E. *PUD Standards*

1. *Minimum Size*

- a) *Industrial/Residential.* In order to qualify as an industrial or residential PUD, the parcel of land to be developed must comprise a total area of two hundred thousand (200,000) square feet of contiguous land under single ownership, or with the consent of the owners of all land to be included. However, on any lot or group of adjoining lots recorded prior to May 17, 1971, a PUD is permitted if:

- (1) The lot or lots are surrounded on all sides by public streets, alleys, or other public land; or

- (2) The lot or lots comprise one acre or more in area with a minimum dimension of 200 feet .

- b) *Commercial.* A Commercial PUD/Shopping Center may be classified as a “General” or “Convenience” Shopping Center. In order to qualify for the larger classification, a development must meet both the minimum lot and building areas.

- (1) General: Minimum of four acres and a combined building area of 50,000 square feet.

- (2) Convenience: Minimum of one acre and having between 12,000 and 50,000 square feet of combined building area.

- c) In order to qualify as an Office Park PUD, the parcel of land to be developed must comprise a total area of 100,000 square feet of contiguous area under single ownership, or with the consent of the owners of all land to be included. (Ord. No. 9798-43, 11-17-97)

2. *General Review Criteria.* The Plan Commission’s review of the PUD preliminary and final applications and development plans, and the Commission’s recommendations to the City Council, shall be based on the following general criteria:

- a) The plan of the area proposed for the PUD shall be in general conformance with the adopted Comprehensive Plan of the City of Urbana;
- b) The use or uses within the PUD shall be compatible with surrounding land uses;
- c) The intensity of development shall impose no unreasonably adverse effects on surrounding property;
- d) Ingress and egress to the PUD shall be provided in a manner to facilitate access by emergency vehicles and efficient and safe traffic circulation in the vicinity, and be consistent with the adopted Comprehensive Plan;
- e) Street construction, regardless of ownership, shall be made in conformance with the Subdivision Ordinance of the Urbana City Code, except that the minimum pavement widths for a private street shall be 13 feet for the first lane of traffic in each direction, and 11 feet for each additional lane. Street construction plans and details shall be submitted to the City Engineer for his review. The City Engineer may submit his/her comments and recommendations, in writing, to the Plan Commission.
- f) Adequate and safe location of play areas for children as well as other recreational areas shall be provided in residential PUDs.
- g) Open spaces at external boundaries of the site shall be adequately landscaped and maintained.
- h) Buildings shall be oriented to insure adequate light and air.
- i) The provisions of all other sections of this Ordinance shall be met, unless specifically excluded by this section, or waived by the City Council.
- j) All construction shall conform to the requirements of all ordinances of the City of Urbana.

3. *Development Standards*

- a) All PUDs shall be subject to the standards contained in Table XIII-2. Commercial uses in residential PUDs shall also be subject to the development standards of the residential district in which the PUD is located, to the parking requirements for the uses involved, and to the sign regulations for the B-1 Neighborhood Business District.
- b) Two off-street parking spaces shall be provided for each dwelling unit in the development. Each space must be located within the PUD, not farther than 300 feet from a ground floor entrance to the dwelling or to the building in which the dwelling unit is located.
- c) Provisions for fire protection and emergency access shall be subject to applicable codes, and shall be reviewed by the Urbana Fire Chief and Police Chief. The Fire Chief and Police Chief may submit in writing their recommendations, if any, to the Plan Commission.
- d) Exterior lighting within the PUD shall be of such quality as to promote safety and convenience, and shall conform to City ordinances.

- e) The minimum proportion of the gross site area in open space which is required to be commonly owned and maintained in residential PUDs is indicated in Table XIII-2. Such common open space may be dedicated to the public. At least 10% of the minimum required common open space in residential PUDs containing single-family and duplex houses, or 15% of residential PUDs including multiple-family dwellings, shall be devoted to active recreational use. The area of each parcel of open space to be used for active recreation shall not be less than 6,000 square feet, with a minimum dimension of 30 feet.
- f) All PUDs, regardless of zoning district, shall be provided with adequate public sanitary sewer service prior to occupancy. Refuse removal shall be provided to the entire development.
- g) If a PUD includes two or more zoning districts which have different development standards in Table VI-1, the standards for the entire PUD shall be the weighted average of the standards for each district, calculated in the proportion which the area of each district is to the entire PUD; except that the standards for maximum height, and setbacks related to height, shall be applied directly to each building, according to the standard for the district in which it is located.
- h) The electrical distribution system and all telephone service in all PUD developments shall be underground.
- i) In a new Commercial PUD/General Shopping Center, the developer may request and the Zoning Administrator consider and grant a reduction in required parking where the Zoning Administrator determines it is feasible given anticipated daily demand patterns of the proposed use. The Zoning Administrator may approve up to a 30% reduction in the total number of parking spaces constructed, provided the developer specifically identify the designated parking area left undeveloped and maintain it as open green space. To qualify for this deduction, the following conditions shall apply:
 - (1) The developer shall produce a site plan identifying the designated parking area to be left undeveloped and shall construct all site grading, storm-sewer, stormwater runoff, and detention facilities to the standards required for the full sized parking lot regardless of the reduced size initially built.
 - (2) The green space must be seeded or sodded prior to the issuance of a Certificate of Occupancy.
 - (3) If at a later date the Zoning Administrator determines that the PUD has sufficient parking demand, the petitioner may be required to expand the parking lot to the number of parking spaces initially required.
 - (4) If at a later date the petitioner determines that the PUD has sufficient parking demand, the petitioner may then apply for a building permit to expand the parking lot to the number of parking spaces initially required.
 - (5) No amendment to a PUD special use permit is required for approval of the parking lot expansion to fill the green space.

- (6) In no way is this provision to be construed as a variance of any other zoning or development regulation.

A letter of agreement between the developer and City shall be prepared to allow execution of the above provisions within a reasonable timeframe, to identify the specific criterion under which the Zoning Administrator may require expansion of the parking lot, and to allow for an appeals procedure. (Ord. No. 200-11-135, 12-4-00)

- j) All other codes, ordinances, and rulings of the City, unless specifically modified by this section or by the City Council, shall be fully complied with. (Ord. No. 8283-43, § 5, 1-17-83; Ord. No. 8586-87, § 1, 5-19-86)

F. *Issuance of Permits*

1. *Required Certificates and Bonds.* Prior to final approval of the PUD, the applicant must comply with the following:
 - a) All common open space, upon mutual agreement of the City and the applicant, shall be:
 - (1) Conveyed to a municipal or public corporation, or conveyed to a not-for-profit corporation or entity established for the purpose of benefiting the owners and residents of the PUD or adjoining property owners or any one or more of them, by providing perpetual maintenance of all lands in common in the PUD. All lands so conveyed shall be subject to the right of the grantee to enforce maintenance and improvement of the common open space; or
 - (2) Guaranteed by a restrictive covenant describing the open space and its maintenance and improvement, running with the land for the benefit of residents of the PUD or adjoining property owners or both.
 - (3) Common open space to be dedicated in accordance with this section shall be designated by the applicant with the required documents for such dedication.
 - b) The construction and maintenance of all public facilities and improvements which are a part of the PUD shall be guaranteed to the City in cash or corporate surety bonds as approved by the City Attorney. The guarantee for construction shall be a sum equal to 120% of the estimated costs, as determined by the City Engineer. Maintenance shall be guaranteed to the City and extended for a period of 18 months after final acceptance of facilities by the City. The maintenance guarantee shall be made in a sum equal to 15% of the estimated cost of construction, and shall be made effective immediately upon acceptance of the public facility improvements. After such 18 months, the deposit shall be refunded if no defects have developed, or if any defects have developed, then the balance of such deposit shall be refunded after reimbursement for amounts expended in correcting defective facilities.
 - c) The applicant shall submit a certificate from the County Clerk, stating that no delinquent taxes or unpaid special assessments constituting a lien on the whole or any part of the property of the PUD are unpaid or exist. Such certificate shall be made a part of the PUD documents prior to its submission to the Plan Commission for final recommendation.

- d) Final agreements, provisions, or covenants shall govern the use, maintenance, and continued protection of the PUD.
 - e) Public street right-of-way dedications shall be made in conformance with the Subdivision Ordinance of the Urbana City Code, and the approved PUD plan. However, the requirement that sidewalks be constructed on both sides of every street may be waived if pedestrian circulation is provided for in a manner acceptable to the Plan Commission and City Council. Common open space to be dedicated in accordance with this section shall be designated by the applicant with the required documents for such dedication.
2. *Permits.* The Zoning Administrator shall issue a building permit for the buildings in the area approved for the PUD. He/she shall also issue a Certificate of Occupancy for any completed building or structure located in the area covered by the approved PUD, only if the completed building or structure conforms to the approved final development plan and to all other applicable ordinances and regulations, and provided further that sufficient site development is completed to present no health or safety hazards to the occupants. No Certificate of Occupancy for a commercial use in a residential PUD shall be issued until at least 25% of the total residential floor space is built and Certificates of Occupancy therefore have been issued.
3. *Changes in the Approved Final Development Plan.* No changes may be made in the final development plan during the construction of a PUD, except upon application to the appropriate agency under the procedures provided below:
- a) Minor changes in the location, sitting, and height of buildings and structures may be authorized, in writing, by the Zoning Administrator, if required by engineering or other circumstances not foreseen at the time the final plan was approved. No amendment to the approving ordinance shall be needed in such cases. No changes authorized by this subsection may cause any of the following:
 - (1) A change in the use or character of the development;
 - (2) An increase in the overall coverage of structures;
 - (3) An increase in the intensity of use;
 - (4) An increase in the problems of traffic circulation and public utilities;
 - (5) A reduction in approved open space;
 - (6) A reduction of off-street parking and loading space;
 - (7) A reduction in required pavement widths.
 - b) All other changes in use, or rearrangement of lots, blocks, and building tracts, or any changes in the provision of common open spaces and changes other than listed above, must be made by duly enacted ordinance by the City Council, after report of the planning staff and recommendation by the Plan Commission. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the final plan was approved, or by changes in community policy. Any changes which are approved in the final

plan must be recorded as amendments in accordance with the procedure established for the recording of the initial final plan documents.

G. *Changes in Ownership in PUD.*

1. If the ownership of any parcel of land included within the PUD application changes after the application has been submitted, but prior to approval of the preliminary plan of the PUD by the City Council, the new owner and his/her property shall be regarded as excluded from the application unless the new owner affirmatively joins in the application for the PUD.
 2. If the ownership of any parcel of land included within a PUD application changes after approval of the preliminary plan but prior to the approval of the final development plan by the City Council, then the new owner shall be regarded as subject to and joining in the preliminary plan, unless said new owner notifies the Secretary of the Plan Commission in writing of such owner's desire to be excluded from the preliminary plan.
 3. If any parcel of land included within the PUD has a change of ownership after final approval of the PUD by the City Council, then such owners shall take said land subject to all of the conditions and requirements as set forth in the final development plan as approved, and the applicable portions of this Ordinance.
 4. Nothing in this section shall be construed as exempting any transaction from compliance with all applicable State law and Urbana City Ordinances.
- H. Violation of the terms and conditions of the special use permit for a PUD shall be deemed a violation of this Ordinance, subject to the provisions of Section XI-1. Extensions of any time period, or changes in the development schedule or other time sequence which was approved as part of the special use permit may be approved only by the City Council; any such extension or change which is not so authorized shall be deemed a violation of this Ordinance, as provided above.

TABLE XIII-2. Planned Unit Development Standards

District	Minimum Lot Size ¹ (in sq. ft.)	Maximum Building Height	Maximum Floor Area Ratio (FAR)	Minimum Open Space Ratio (OSR)	Minimum Area ² in Common Open Space	Required Yards (in feet) ³		
						Front	Side	Rear
AG	200,000	35 ft./3 stories	0.30	0.60	15%	25	15	25
R-1	200,000	35 ft./3 stories	0.35	0.55	15%	25	15	25
R-2	200,000	35 ft./3 stories	0.40	0.50	15%	25	15	25
R-3	200,000	35 ft./3 stories	0.50	0.45	15%	25	15	25
R-4	200,000	35 ft./3 stories	0.60	0.40	10%	25	15	25
R-5	200,000	35 ft./3 stories	1.0	0.35	10%	25	15	25
R-6	200,000	Twice the distance from street centerline to face of building	1.5	0.30	10%	25	15	25
R-6B	200,000		1.6	0.25	10%	20	10	15
B-1	200,000	35 ft./3 stories	0.40	None	None	15	10	10
B-2	200,000	35 ft./3 stories	1.6	0.15	None	15	10	15
B-3	200,000	None	5.0	None	None	15	10	10
B-3U	200,000	None	5.0	0.10	None	15	10	10
B-4	200,000	None	10.0	None	None	None	None	None
B-4E	200,000	None	6.0	None	None	6	5	5
IN	200,000	None	1.25	None	None	25	25	25
OP	100,000	50 feet	0.5	0.55	None	25	15	25

¹ Except as provided in Section VII-5.D.1.

² This may be dedicated to the public. The figure listed is a percentage of the total PUD area. At least ten percent (10%) of this area in the AG, R-1, R-2, and R-3 Districts, and at least fifteen percent (15%) of this area in the R-4, R-5, R-6, and R-6B Districts shall be devoted to active use.

³ Around the perimeter of the entire PUD.

Exhibit C: General Difficulties with the Current PUD Ordinance

Types of PUDs

- *Shopping Center PUD:* A shopping center is defined as “three or more business or commercial establishments...managed as a unit, sharing common parking facilities.” This approach is a disincentive, as the individual uses would be permitted by right if developed as single buildings. (Section XIII-3.A.1)
- *No Mixed-Use:* The four types of PUDs (residential, commercial/shopping center, industrial and office park) largely do not allow for a mix of uses. Residential PUDs do allow up to 10% of the gross site area to be devoted to commercial uses. This prescriptive measure has been unsuccessful, as developers have found the allowance not feasible or that it did not provide enough land for commercial uses. (Section XIII-3.C)

Review and Approval Process

- *Excessive Preliminary Development Plan Requirements:* The preliminary development plan (PDP) was intended to serve as a general site plan, with the final development plan (FDP) addressing specific site details. However, the PDP submission requirements require an excessive amount of information, and can serve as a disincentive for developers. Select submission requirements are detailed below. (Section XIII-3.D.3)
 - Elevations for all buildings and improvements
 - Location of all utilities
 - Location of illuminated areas
 - Covenants, deed restrictions, or other agreements between the applicant and any future owners if any portion of the PUD will be sold or leased
- *Duplicative Approval Process:* In recent years, the preliminary and final development plan approvals have been combined into a single approval. There is very little difference between the PDP and the FDP in terms of submission requirements. This approach has somewhat streamlined the PUD process. No other zoning permit approval requires a preliminary and final approval process. (Section XIII-3.D)

Development Standards

- *Minimum PUD Size:* The minimum size standards are artificially high, and may discourage smaller lot development (i.e. infill). (Section XIII-3.E.1)
- *Prescriptive Guidelines:* In general, the PUD guidelines are very specific on how an outcome should be achieved. The result of such an approach is that creative site design is discouraged. Select guidelines are discussed below. (Section XIII-3.E.3)
 - *Residential Parking:* Regardless of the type of residential use, two parking spaces must be provided for each dwelling unit and be located within 300 feet of the ground floor entrance. (Section XIII-3.E.3.b)

- *Open Space Provision:* The open space ratio for PUDs is higher than normally required, and a certain amount must be either public or private common open space. At least 10-15% of all common open space must be dedicated to active recreation uses (i.e. playgrounds, sports fields). (Section XIII-3.E.3.e)
 - *Sanitary Sewer Service:* All PUDs are required to provide public sanitary sewer service, precluding innovative sustainable design techniques. (Section XIII-3.E.3.f)
 - *Underground Utilities:* Electrical distribution and telephone systems must be underground. This is a major disincentive for infill development that often must accommodate existing infrastructure. Relocating and/or burying utility lines can be expensive, and is often viewed as a last recourse. (Section XIII-3.E.3.h)
 - *Shared Parking:* While the current PUD ordinance allows a greater degree of shared parking, it requires that additional land is set aside in the event the Zoning Administrator later determines that there is excess parking demand. All storm sewer and detention facilities must be designed to accommodate the additional land. (Section XIII-3.E.3.i)
- *Table XIII-2. Planned Unit Development Standards:* The standards in this table vary from the normal development regulations, but in some cases may be a disincentive. For example, in the R-4 Zoning District, the normal FAR and OSR are .50 and .35, respectively. In a PUD, the FAR and OSR would be .60 and .40, respectively. This may require higher density development, but the maximum height is still 35 feet. Additionally, the required setbacks along the perimeter of a PUD are greater, and the normal setbacks apply within a PUD unless varied by the City Council.

Administrative Site Plan Changes

- *Strict Guidelines:* The Zoning Administrator has the ability to approve minor changes to an approved PUD, although the criteria for doing so are restrictive. For example, no changes may be authorized which cause an increase in the overall coverage of structures, a reduction in approved open space, or a reduction of off-street parking. These three criteria would exempt any approval that would increase the a building area by one square foot, reduce park space by one square foot, or convert two parking spaces into a handicapped-accessible space. (Section XIII-3.F.3.a)

Required Certificates and Bonds

- *Unique Requirements:* No other zoning approvals require a petitioner to submit certificates and bonds as part of the approval process. While such instruments may be required, it is unreasonable to require them in all instances.

Exhibit D: Desired PUD Development Review

Conservation Subdivision / Rural Residential



General Characteristics:

- Focus on preserving the natural features of a site
 - Waterways
 - Forested areas
 - Topography, vistas
- Housing is clustered and compact to protect natural features and farmland
 - Zero-lot line development
 - Lesser setbacks
 - Smaller lot sizes
- Not a grid system, but road connectivity emphasized
- May include a mixture of uses
 - Residential
 - Parks
 - Agriculture
- Integrated active and passive open spaces
- Trail system throughout development
- May use sustainable methods to deal with environmental, stormwater, sanitary sewer issues

Current Zoning Approach

- There is no specific mention of conservation as a goal of PUDs (Section XIII-3.B)
 - PUD review criteria partially based on goals (Section XIII-3.D.3)
- Any PUD may include uses permitted by right or as a conditional use in the CRE, Conservation-Recreation-Education District (Section XIII-3.C.4)
- The preliminary development plan must include an existing conditions report, which includes watercourses and drainage facilities, wooded areas and larger trees, and contour lines (Section XIII-3.D.2)
- The general review criteria partially address conservation subdivisions (Section XIII-3.E.2)
 - Conformance with the adopted Comprehensive Plan (Rural Residential)
 - Uses within a PUD must be compatible with surrounding land uses
 - Adequate play areas for children must be included in residential PUDs
- The development standards do not address conservation subdivisions in a comprehensive manner. The standard related to open space is very prescriptive (Section XIII-3.E.3.e)
 - A certain percentage of open space must be dedicated to active uses (i.e. playgrounds, sports fields, etc.)
- A PUD must comply with all City codes and ordinances, unless specifically modified by the regulations or by the City Council. However, there are no criteria for reviewing modifications in the existing regulations. This requirement would essentially prohibit any clustering since there is no flexibility or incentive given. (Section XIII-3.E.3.j)

Proposed Zoning Approach

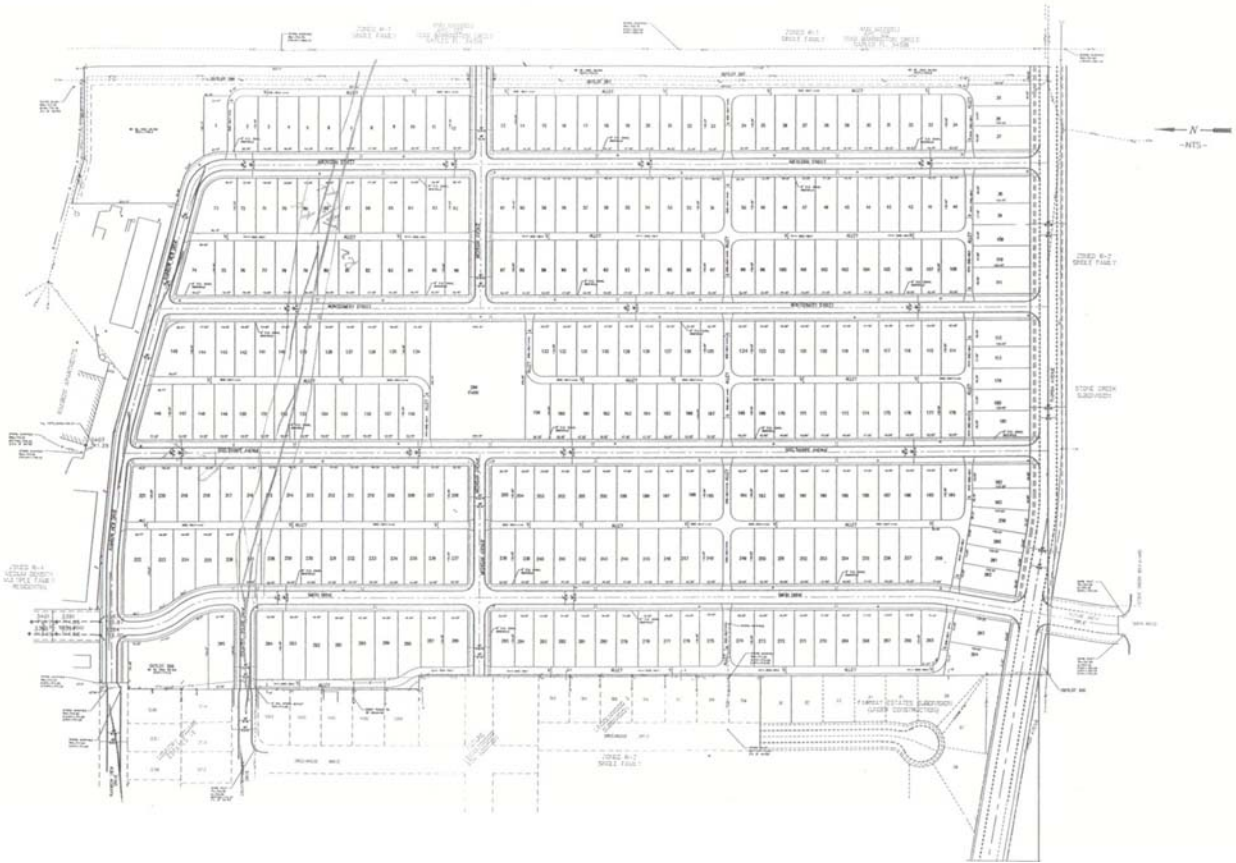
- The goals encourage a variety of land uses, including conservation developments, in areas identified in the Comprehensive Plan. Furthermore, the goals call for all PUDs to conserve unique site features and incorporate them into the site plan (Proposed Section XIII-3.C.2)
 - Conservation development is defined in proposed Section XIII-3.A.2)
- “Conservation” is listed as one of the four applicability criteria the Zoning Administrator uses to review if a development may be a PUD (Proposed Section XIII-3.D.1.b)
- The proposed ordinance details what zoning and subdivision standards may vary, and provides approval criteria (Proposed Section XIII-3.E)
- The preliminary development plan must include an existing conditions report, which includes floodplains, wetlands, soils, wooded areas, and public lands (Proposed Section XIII-3.F.2.b)

- The proposed review criteria more fully address conservation subdivisions (Section XIII-3.G.2)
 - Development should not be detrimental to the surrounding area or the public welfare
 - Conformance with the adopted Comprehensive Plan (Rural Residential), and the proposed PUD purpose and goals
 - Responsive to the relevant recommended design features (Table XIII-2)

- A wider variety of uses are permitted in residential PUDs (Section XIII-3.I.1)
 - Agriculture (with exceptions)
 - Public and Quasi-Public (with exceptions)
 - Business (with exceptions)
 - No industrial

- The recommended design features address many of the design techniques used in conservation subdivisions (Table XIII-2)
 - Pedestrian connectivity (i.e. bicycle paths and trails, internal site connectivity)
 - Vehicular connectivity (i.e. efficient internal street system, connectivity with adjacent roadways)
 - Landscaping and screening (i.e. tree preservation, street trees)
 - Open space (i.e. provision, greenways and trails, accessible drainage areas, open space connectivity)

Traditional Neighborhood Development



General Characteristics:

- Focus on creating and sustaining walkable neighborhoods
 - Narrower streets
 - Smaller lot sizes
 - Higher density
 - Lesser setbacks
 - Alleys
- Provisions for transit service and pedestrian access to nearby commercial areas
- Road connectivity strongly emphasized; minimize “dead end” streets
- May include a mixture of uses
 - Residential
 - Business
 - Light Industrial/Office
 - Park
- May include neighborhood-level open space

Current Zoning Approach

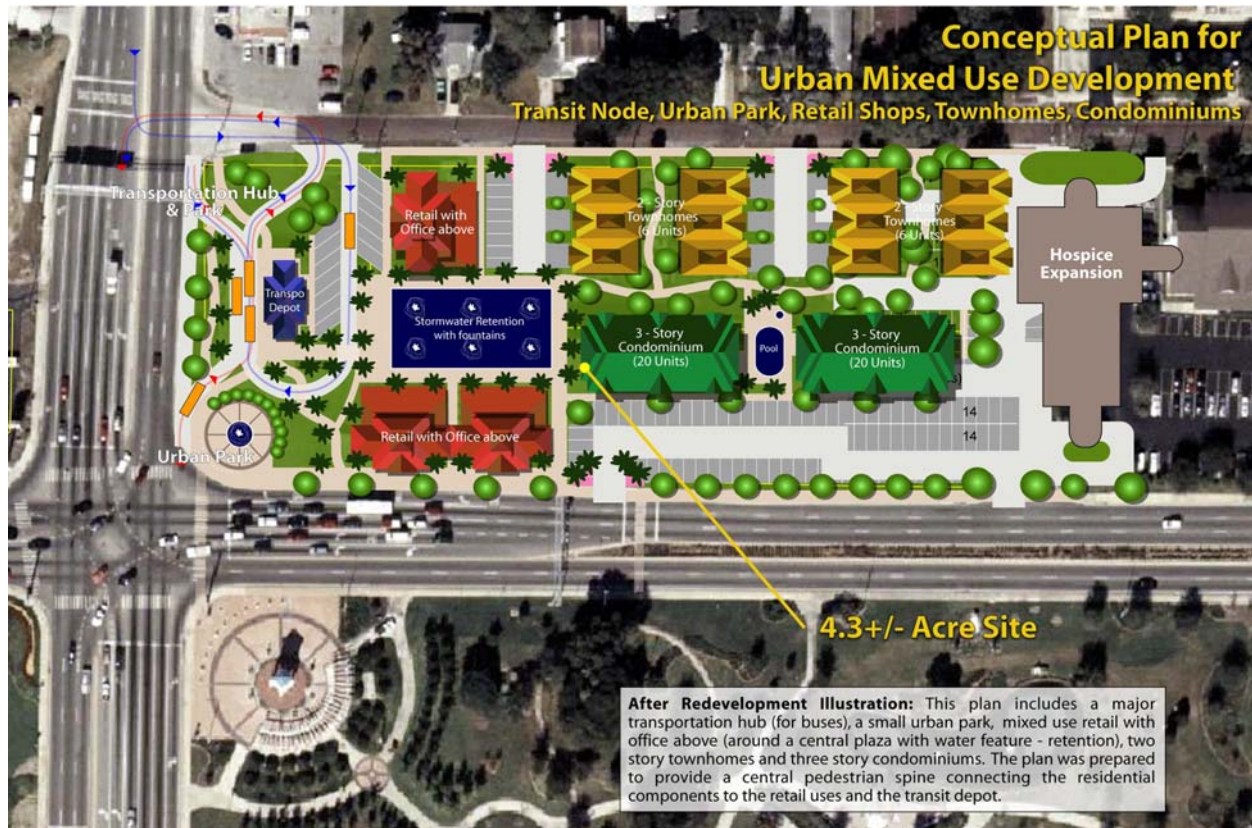
- The PUD goals indirectly refer to traditional neighborhood development (Section XIII-3.B)
 - “Promote an efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land uses and utilities, and the conservation of energy”
 - “To combine and coordinate...building relationships within the PUD”
- Residential PUDs only allow for a limited mixture of uses. A maximum of 10% of the gross site area may be devoted to B-1 uses permitted by right or as a conditional use. (Section XIII-3.C.1)
- The general review criteria partially address traditional neighborhood development (Section XIII-3.E.2)
 - Conformance with the adopted Comprehensive Plan
 - Uses within a PUD must be compatible with surrounding land uses
 - Adequate play areas for children must be included in residential PUDs
- The development standards do not address traditional neighborhood development in a comprehensive manner. The standard related to open space is very prescriptive (Section XIII-3.E.3.e)
 - A certain percentage of open space must be dedicated to active uses (i.e. playgrounds, sports fields, etc.)
- A PUD must comply with all City codes and ordinances, unless specifically modified by the regulations or by the City Council. However, there are no criteria for reviewing modifications in the existing regulations. (Section XIII-3.E.3.j)

Proposed Zoning Approach

- The goals encourage a variety of land uses, including mixed use and non-traditional developments, in areas identified in the Comprehensive Plan. Furthermore, the goals call for all PUDs to provide a higher level of street and pedestrian connectivity within a development and surrounding neighborhood. (Proposed Section XIII-3.C.6)
- “Mixed Use” and “Unique Development” are listed as two of the four applicability criteria the Zoning Administrator uses to review if a development may be a PUD (Proposed Section XIII-3.D.1.a/d)
- The proposed ordinance details what zoning and subdivision standards may vary, and provides approval criteria (Proposed Section XIII-3.E)

- The minimum development standards allow for more than one principal and/or accessory structure per lot, which would permit freestanding garages along an alley. (Proposed Section XIII-3.F.2.b)
- The proposed review criteria more fully address traditional neighborhood development (Section XIII-3.G.2)
 - Development should not be detrimental to the surrounding area or the public welfare
 - Conformance with the adopted Comprehensive Plan, and the proposed PUD purpose and goals
 - Responsive to the relevant recommended design features (Table XIII-2)
- A wider variety of uses are permitted in residential and mixed-use PUDs (Section XIII-3.I.1)
 - Agriculture (with exceptions)
 - Public and Quasi-Public (with exceptions)
 - Business (with exceptions)
 - No industrial
- The recommended design features address many of the design techniques used in traditional neighborhood development (Table XIII-2)
 - Transition areas between differing land use intensities (i.e. street design, building configuration, landscaping and setbacks)
 - Transit provision (i.e. adequate space for shelters, infrastructure improvements)
 - Pedestrian connectivity (i.e. bicycle paths and trails, internal site connectivity)
 - Vehicular connectivity (i.e. efficient internal street system, connectivity with adjacent roadways)
 - Street trees
 - Active and passive recreation uses; connected open spaces
 - Architectural design criteria (i.e. articulated design, building-street relationship)

Mixed-Use Development



General Characteristics:

- Includes a mixture of uses
 - Residential
 - Business
 - Light Industrial
 - Park
- Design techniques used to mitigate potential land use conflicts
- Focus on pedestrian connectivity within the development
 - Buildings surrounded by parking is not the ideal
- Provisions for transit service and pedestrian access
- Similar architecture used to link site together
 - Building design
 - Shared parking
 - Public spaces

Current Zoning Approach

- There is no specific mention of mixed-use as a goal of PUDs (Section XIII-3.B)
- Commercial PUDs do not allow for a mixture of uses (Section XIII-3.C.1)
- The general review criteria partially address mixed-use development (Section XIII-3.E.2)
 - Conformance with the adopted Comprehensive Plan
 - Uses within a PUD must be compatible with surrounding land uses
- The development standards do not address mixed-use development in a comprehensive manner (Section XIII-3.E.3)
- A PUD must comply with all City codes and ordinances, unless specifically modified by the regulations or by the City Council. However, there are no criteria for reviewing modifications in the existing regulations. (Section XIII-3.E.3.j)

Proposed Zoning Approach

- The goals encourage a variety of land uses, including mixed-use developments, in areas identified in the Comprehensive Plan. Furthermore, the goals call for all PUDs to promote infill development in a manner consistent with the surrounding areas, and for greater pedestrian connectivity within a development (Proposed Section XIII-3.C)
 - Conservation development is defined in proposed Section XIII-3.A.2)
- “Mixed-Use” is listed as one of the four applicability criteria the Zoning Administrator uses to review if a development may be a PUD (Proposed Section XIII-3.D.1.a)
- The proposed ordinance details what zoning and subdivision standards may vary, and provides approval criteria (Proposed Section XIII-3.E)
- The proposed review criteria more fully address mixed use development (Section XIII-3.G.2)
 - Conformance with the adopted Comprehensive Plan, and the proposed PUD purpose and goals
 - Responsive to the relevant recommended design features (Table XIII-2)
- A wider variety of uses are permitted in mixed-use PUDs (Section XIII-3.I.1)
 - Agriculture (with exceptions)
 - Public and Quasi-Public (with exceptions)
 - Business (with exceptions)
 - No industrial
- The recommended design features address many of the design techniques used in mixed-use development (Table XIII-2)

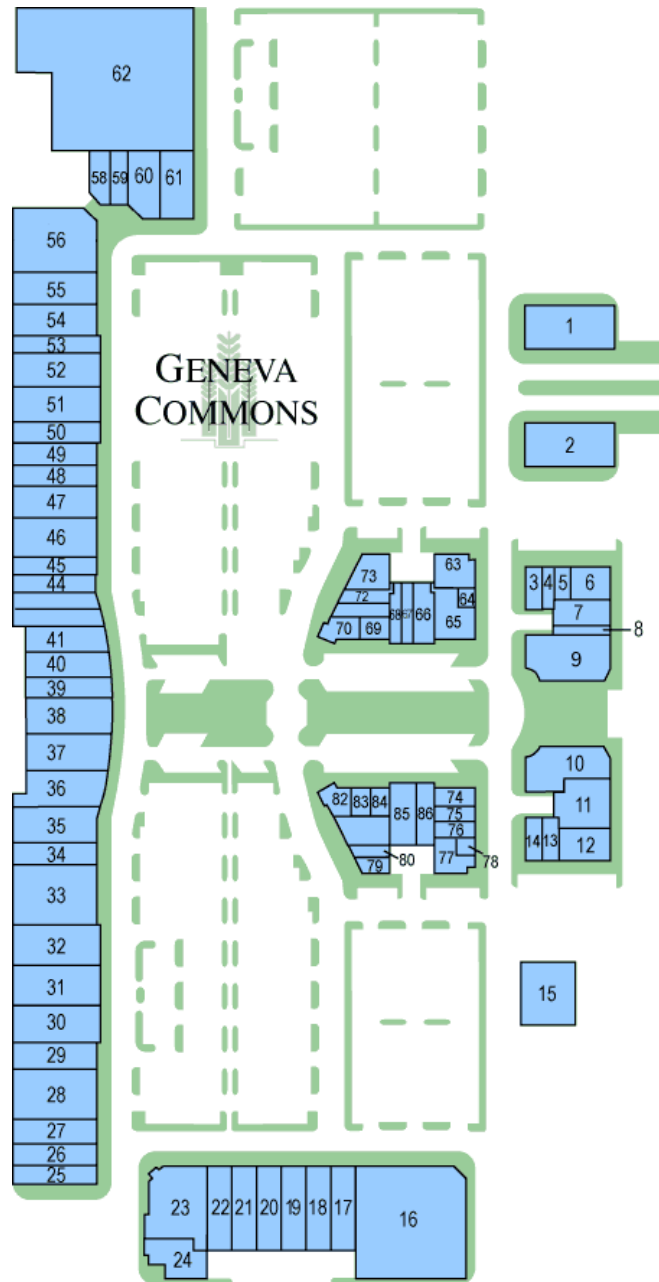
- Transition areas between differing land use intensities (i.e. street design, building configuration, landscaping and setbacks)
- Transit provision (i.e. adequate space for shelters, infrastructure improvements)
- Pedestrian connectivity (i.e. bicycle paths and trails, internal site connectivity)
- Parking areas (i.e. rear parking, permeable parking, maximum parking)
- Landscaping and screening (i.e. street trees)
- Architectural design criteria (i.e. articulated design, building-street relationship)

Unique Development

As an example of this development type, a “lifestyle” commercial center combines elements of conventional strip centers and “urban” style buildings. Such a development is desirable, but may not be specifically addressed by the PUD applicability criteria.

General “Lifestyle” Center Characteristics:

- Focus on more attractive, semi-walkable commercial center
 - Combines strip center and clustered buildings
 - Common identity for the entire development
- Some buildings clustered around public open space / squares
- May include a mixture of uses, but primarily a commercial area
 - Business
 - Office
- Extensive shared parking facilities, with connecting pedestrian facilities



Current Zoning Approach

- There is no specific mention of unique development types as a goal of PUDs (Section XIII-3.B)
- Commercial PUDs do not allow for a mixture of uses (Section XIII-3.C.1)
- The general review criteria partially address unique development types (Section XIII-3.E.2)
 - Conformance with the adopted Comprehensive Plan
 - Uses within a PUD must be compatible with surrounding land uses
- The development standards do not address unique development types in a comprehensive manner (Section XIII-3.E.3)
 - Shared parking is allowed at a higher rate than normal. However, additional land must be set aside for future parking areas if the Zoning Administrator determines there is sufficient parking demand. All stormwater facilities must also be designed to accommodate the future parking areas. (Section XIII-3.E.3.i)
- A PUD must comply with all City codes and ordinances, unless specifically modified by the regulations or by the City Council. However, there are no criteria for reviewing modifications in the existing regulations. (Section XIII-3.E.3.j)

Proposed Zoning Approach

- The goals encourage a variety of land uses, including non-traditional developments, in areas identified in the Comprehensive Plan. Furthermore, the goals call for all PUDs to provide public amenities not typically promoted by the Zoning Ordinance, and to promote development that is significantly responsive to the adopted Comprehensive Plan (Proposed Section XIII-3.C)
- “Unique Development” is listed as one of the four applicability criteria the Zoning Administrator uses to review if a development may be a PUD (Proposed Section XIII-3.D.1.d)
- The proposed ordinance details what zoning and subdivision standards may vary, and provides approval criteria (Proposed Section XIII-3.E)
- The proposed review criteria more fully address unique development types (Section XIII-3.G.2)
 - Conformance with the adopted Comprehensive Plan, and the proposed PUD purpose and goals
 - Consistent with the proposed PUD purpose and goals
 - Responsive to the relevant recommended design features (Table XIII-2)

- A wider variety of uses are permitted, depending on the type of PUD (Section XIII-3.I)
- The recommended design features encourage creative approaches to development.
(Table XIII-2)
 - Transition areas between differing land use intensities (i.e. street design, building configuration, landscaping and setbacks)
 - Transit provision (i.e. adequate space for shelters, infrastructure improvements)
 - Pedestrian connectivity (i.e. bicycle paths and trails, internal site connectivity)
 - Parking areas (i.e. rear parking, permeable parking, maximum parking)
 - Landscaping and screening (i.e. street trees)
 - Architectural design criteria (i.e. articulated design, building-street relationship)

ORDINANCE NO. 2007-01-003

An Ordinance to Repeal Section XIII-3. Planned Unit Developments of the Zoning Ordinance of the City of Urbana, Illinois and to Adopt a Restatement of Section XIII-3. Planned Unit Developments of the Zoning Ordinance of the City of Urbana, Illinois

(Planned Unit Development Text Amendment - Plan Case 2020-T-06)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #7172-9 on May 17, 1971 which adopted standards for Residential Planned Unit Developments as part of the Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and,

WHEREAS, Section XIII-3. Planned Unit Developments of the Urbana Zoning Ordinance has periodically been recodified by the City of Urbana to incorporate the numerous amendments that have been made since Ordinance #7172-9 was first adopted on May 17, 1971; and,

WHEREAS, the Urbana Zoning Administrator proposed to enact a restated Section XIII-3. Planned Unit Developments of the Urbana Zoning Ordinance by incorporating a text amendment as part of the process of editing the Ordinance in preparation for recodifying and republishing it; and,

WHEREAS, the Urbana Zoning Administrator has submitted a petition to repeal Section XIII-3. Planned Unit Developments of the Urbana Zoning Ordinance and enact a new Section XIII-3. Planned Unit Developments of the Urbana Zoning Ordinance which includes new definitions, applicability criteria, purpose statement and goals, recommended design features and a streamlined review process; and,

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #2020-T-06; and,

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing on the petition on November 30, 2006 which was continued to the December 7, 2006 and December 21, 2006 meetings; and,

WHEREAS, the Urbana Plan Commission voted 6 ayes to 1 nay on December 21, 2006 to forward Plan Case #2020-T-06 to the Urbana City Council with a recommendation for approval of the proposed amendment; and,

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the amendments described herein conform to the goals, objectives and policies of the 2005 Urbana Comprehensive Plan as amended from time to time; and,

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interest of the City of Urbana to repeal the existing Urbana Zoning Ordinance and enact the text of the Urbana Zoning Ordinance as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. Section XIII-3. Planned Unit Developments of the Zoning Ordinance of the City of Urbana, Illinois is hereby repealed upon the effective date of this Ordinance. The repeal of such Ordinance shall not abrogate or affect any act committed or done or any penalty or forfeiture

incurred or any pending litigation or prosecution under such repealed Ordinance.

Section 2. In place of Section XIII-3. Planned Unit Developments of the Zoning Ordinance herein repealed, a new Section XIII-3. Planned Unit Developments of the Zoning Ordinance is hereby enacted to read as follows in the document attached hereto as Exhibit A.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 17th day of April, 2006.

PASSED by the City Council this ___th day of _____, 2007.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2007.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the ___th day of _____, 2007, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "An Ordinance to Repeal Section XIII-3. Planned Unit Developments of the Zoning Ordinance of the City of Urbana, Illinois and to Adopt a Restatement of Section XIII-3. Planned Unit Developments of the Zoning Ordinance of the City of Urbana, Illinois (Planned Unit Development Text Amendment - Plan Case 2020-T-06)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2007, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 2007.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: December 21, 2006

TIME: 7:30 P.M.

PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Jane Burris, Ben Grosser, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, James Ward

MEMBERS EXCUSED: Don White

STAFF PRESENT: Robert Myers, Planning Manager; Matt Wempe, Planner II; Jeff Engstrom, Planner I

OTHERS PRESENT: Greg Abbott, Sandy Bales, George Carlisle, Marianne Downings, Scott Dossett, Alice Englebretsen, Tyler Fitch, Rick Kallmayer, Dennis Roberts, Christopher Stohr, Susan Taylor

CONTINUED PUBLIC HEARINGS

Plan Case No. 2020-T-06: Request by the Zoning Administrator to amend the Urbana Zoning Ordinance by revising Section XIII-3. Planned Unit Developments (PUDs).

Chair Pollock reopened this case. Mr. Wempe stated that he did not want to review what has already been presented. He emphasized what Mr. Ward had stated at the previous meeting about the existing Planned Unit Development (PUD) regulations. They have not been used, because they are very onerous in their requirements. In effect, we really do not have a PUD that can achieve the goals of what the City would like to encourage. City staff feels that what is being proposed can achieve those goals.

He mentioned that there were two minor changes to the proposed revisions issued on December 7, 2006. Those changes are as follows:

- 1) On page 200, under D. Applicability 1.a, City staff would like to change the wording to read as such, "Mixed-Use. Either in the same building or with a "campus" approach, provide for a mixture of single, two-family, multi-family, commercial, office, industrial, and/or recreational uses".

- 2) On page 203, under I. Permitted Uses, Items 2 and 3, City staff would like to change the wording to be consistent as in Item 1 and read as such, "... identified in Table V-1 may be permitted except the following uses and use categories:"

Chair Pollock opened the hearing up for input from the members of the audience. With none, he closed the public hearing portion of the case and opened it up for Plan Commission discussion.

Ms. Stake suggested that a preliminary plan be required separate from the final plan. She believes that there needs to be a preliminary process, especially with a Planned Unit Development. With a preliminary plan, the Plan Commission would have some input into what is happening, and it would allow more input from the public. Mr. Wempe stated that we currently have a preliminary and a final process. It is basically doubling the process for the same outcome. City staff feels that by holding public hearings for final plans, there is notification to neighbors, which allows an opportunity for the public to speak. It also allows the Plan Commission and the City Council to review what is being proposed.

Ms. Stake commented that with a preliminary plan it is not so difficult to change a developer's mind. However, if a developer has a final plan, they are less anxious to change their minds because so much work has gone into the final plan. She believes that there should be two hearings. Mr. Wempe replied that if there is a change that the Plan Commission or City Council feels should be done, then it would be required to be done or else the permit would not be approved.

Mr. Grosser wondered if it would be possible for the Plan Commission to request a change and ask for a plan to come back before them prior to going on to the City Council. Chair Pollock interjected by saying that the Plan Commission does not get to require anything. The Plan Commission can make recommendations to the City Council. The City Council does have the ability to design in or out any features they think is in the public interest. The point City staff is making is that we want to encourage developers to use PUDs, because the existing PUD ordinance is not used. If we narrow down the requirements of having to come back with two complete plans, it makes it more likely for developers to take advantage of PUDs. The City will not lose any ability to make changes either at the Plan Commission in terms of recommendations or at the City Council in terms of passage.

Ms. Stake hoped that there were other changes that would encourage developers to develop PUDs. It is easier when you have preliminary ideas to give input and provides a little more chance to come to some agreements. There should be a process that is much more amenable to some cooperation.

Mr. Ward moved that the Plan Commission forward the proposed PUD text amendment to the City Council with a recommendation for approval. Mr. Grosser seconded the motion.

Mr. Ward reiterated that the City does not have PUD regulation at this time that is workable. City staff has presented the proposed text amendment, which is a very workable recommendation, which he is prepared to support. The justification that City staff provided for how the text amendment is currently written and constituted makes a great deal of sense.

Ms. Burris believes that to require a preliminary review of a plan is cumbersome. It requires too much work. Development ideas can change and quite often due between a preliminary review and final plan. A final plan shows what a developer really wants to do. Why review something that is likely to be altered before receiving final approval? The existing PUD regulations require a preliminary plan and a final plan, yet the City staff waives the preliminary portion of the process. If we leave the process as it currently exists, staff will keep waiving the preliminary portion. Why should the Plan Commission tell City staff what they decided works best for them is not working best for the Plan Commission when it is staff's job to do the work? Therefore, she supports the motion to recommend approval as presented.

Ms. Stake moved to make an amendment to the motion to require a preliminary plan to come before the Plan Commission prior to the final plan. With no second, the motion fails.

Chair Pollock mentioned that he really likes that the proposed text amendment lists what a developer cannot do in a PUD. The fact is that the developers, who read these regulations, understand them and work with City staff, will submit plans that meet the requirements. If they do not, then the Plan Commission can make a recommendation, and the City Council can change or ask for the plans to be altered. He supports the proposed text amendment as well.

Mr. Ward stated that one thing he really likes about the proposed text amendment is that far too often the City of Urbana gets the reputation and is charged with being anti-development. He does not believe this to be true. The City of Urbana is in favor of good development. It seems to him that the proposed text amendment has a nice balance between being open to innovation, creativity, and new ideas on the part of developers who want to develop in our community, and it still protects the public's interests as represented by the City's review of those plans in such a way that allows developers to go ahead and foster good economic development and growth in this community. He commended staff for putting together an outstanding text amendment. In given the experience we have had with the current PUD ordinance, the proposed text amendment is a major step forward for this community, and he is very proud to recommend it to the City Council.

Mr. Grosser really likes the text amendment as being presented. He feels that the City is giving the developers an opportunity to be creative. What the City gets back for this is the opportunity to see every detail and reject things that are not appropriate and approve things that are appropriate.

Ms. Stake wanted to say that the Plan Commission should not be thinking about the people who say that the City of Urbana is against development, because it is absolutely not true. She is not talking about not having some innovation or some creativity. She only wants to have a process that makes it a little easier for the City to change a proposed development that might not look quite right in the beginning. At this point, City staff has that opportunity, but the Plan Commission does not. The Plan Commission gets a proposed development when plans are already decided.

Roll call on the motion was as follows:

Ms. Burris - Yes Mr. Grosser - Yes

December 21, 2006

Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	No	Ms. Upah-Bant	-	Yes
Mr. Ward	-	Yes			

The motion was passed by a vote of 6-1. Mr. Myers mentioned that the proposed PUD text amendment would go before the City Council on January 8, 2007.

Chair Pollock commented that the PUD text amendment is a very well conceived amendment, and it shows a lot of work.