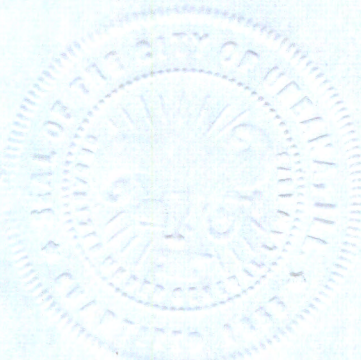
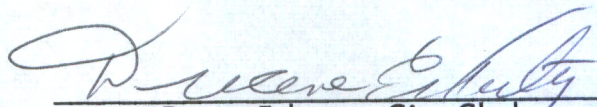


AN AMENDMENT TO THE  
ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS

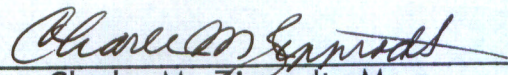
BE IT ORDAINED BY THE CITY COUNCIL OF URBANA, ILLINOIS,  
that the attached Article XXIV , Planned Unit Developments, be and is herewith adopted.

This Amendment shall be in full force and effect from and after its  
passage and publication in accordance with the terms of Section 1 - 2 - 4 of the Illinois  
Municipal Code.

PASSED by the City Council of Urbana, Illinois, this 17<sup>th</sup> day  
of May , 1971.

  
  
Duane Eckerty, City Clerk

APPROVED by the Mayor this 17<sup>th</sup> day of May , 1971.

  
Charles M. Zippodt, Mayor

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25% COTTON FIBRE

96/71  
5/12/71

## ARTICLE XXIV

### PLANNED UNIT DEVELOPMENTS

#### SECTION 34.97 DEFINITION AND GOALS:

A. DEFINITION: The term "Planned Unit Development" means an area for which a unitary site plan has been prepared establishing, among other things, land uses, open space allocations, onsite circulation for both pedestrians and automobiles, parking, setbacks, housing densities, building spacings, land coverage, landscaping relationships with adjoining areas and streets, building heights, accessory uses, and architectural treatment.

B. GOALS: The general goals of Planned Unit Developments are:

1. To promote flexibility in design and land development.
2. To promote an efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land uses and utilities.
3. To preserve to the greatest extent possible the existing landscape features and amenities and to utilize such features in a harmonious fashion.
4. To provide for more usable and suitably located recreation facilities and other public and common facilities that would otherwise be provided under conventional land development procedures.
5. To combine and co-ordinate architectural styles, building forms and building relationships within the planned unit development.

C. PLANNED UNIT-DEVELOPMENT procedures allow developers several specific advantages over zoning standards applied to conventional developments:

1. Land need not be subdivided into separate lots for the construction of multiple-building developments.
2. Individual lots need not be directly serviced by public streets.
3. More than one main building or structure may be placed on a single lot.
4. Many of the use restrictions relating to residential types and other uses are relaxed as provided for in this Article.
5. Yard, height and setback regulations with the planned unit development are relaxed as provided for in this Article.
6. Housing density "bonuses" are possible by permitting a variety of housing types and increased densities, in all residential districts.

5/12/91

7. Customary and related accessory uses are permitted on a conditional basis thus promoting the design of total self-contained residential neighborhoods.

SECTION 34.98 QUALIFICATION AND GENERAL REVIEW CRITERIA:

A. QUALIFICATION FOR RESIDENTIAL PLANNED UNIT DEVELOPMENTS:

To qualify as a Residential Planned Unit Development, the parcel of land to be developed must comprise a total area of 200,000 square feet of adjoining land under the same or joint ownership. However, on any lot or adjoining group of lots recorded prior to May 17, 1971, a Residential Planned Unit Development is permitted if:

1. The lot or lots are surrounded on all sides by public streets or other public land or
2. The lot or lots exceed 200 feet in depth measured from the public street right-of-way to the rear lot line.

Residential Planned Unit Developments may be permitted in one or more of the following zoning districts in accordance with the provision of this Article:

1. Ag, Agriculture
2. RS, Single Family Residence
3. R-1, Single and Two Family Residence
4. R-2, Multiple Family Residence
5. R-3, Multiple Family Residence Only
6. R-4, Multiple Family Residence - High Density

Nothing in this section shall be interpreted to prohibit the sale of all or portions of the developed project provided that the requirements of Section 34.99 are met. Existing buildings may be included within a Residential Planned Unit Development, but the floor area thereof shall not comprise more than 10 percent of the total floor area of all the buildings in the entire project.

B. GENERAL REVIEW CRITERIA: The review and recommendation of the City Plan Commission shall be guided by the following general criteria:

1. That the plan of the area proposed for the Residential Planned Unit Development be in general conformance with the adopted Comprehensive Plan for the City of Urbana;
2. That the use or uses within the Planned Unit Development be compatible with surrounding land uses;
3. That the intensity of development be such that there are no adverse effects on surrounding areas;
4. That ingress and egress to the Planned Unit Development be provided in such a manner to facilitate access by emergency vehicles, efficient and safe traffic circulation in the vicinity, and be consistent with the adopted Comprehensive Plan.

5. That all other Articles of the Zoning Ordinance, other than those exceptions made in this Article, be met.

SECTION 34.99 APPLICATION PROCEDURE: The designation and approval of an area as a "Planned Unit Development" may be accomplished in accordance with the procedures indicated herein and as a conditional use within the zones designated herein above.

A. PRELIMINARY CONFERENCE: Prior to the preparation of a formal application, the applicant shall meet with the planning staff to discuss the proposed development. Staff shall inform the applicant of the City's policies which may affect the development, the specific requirements and procedures involved in submitting a petition to establish a Planned Unit Development. The applicant shall then meet with the Plan Commission prior to submitting an application to discuss affected community policies.

B. PRELIMINARY DEVELOPMENT PLAN SUBMISSION:

1. The applicant shall submit a preliminary development plan with the Planned Unit Development Application accompanied by an application fee of the same amount required to petition for an amendment to this ordinance.

2. Five copies of a preliminary development plan with supporting data shall be submitted through the planning staff to the Plan Commission. Of these copies, two shall be retained by the planning staff, one given to the City Engineer, one to the city clerk and one returned to the petitioner after the Commission's review.

3. The preliminary development plan must include all of the following information:

a. Name, location or address, owner and designer of the proposed development in the form of drawings or written statements:

b. A legal description of the site proposed for development;

c. A general area plan drawing reflecting the intended use and future street locations for adjacent areas when the proposed planned unit development is intended to represent a single phase of a longer-range development.

d. Location of all property lines, existing streets, easements, utilities, and any other significant physical feature.

e. Date, north arrow and graphic scale (not less than 1" = 100') on all drawings submitted,

f. Present and proposed zoning (if applicable);

g. Indication and location of existing conditions on the tract including:

1. Contour lines at a minimum of five (5) foot intervals

2. Water courses and existing drainage facilities

3. Wooded areas and isolated trees of six (6) inches or more in diameter

4. Existing structures with an indication of those that will be removed and those that will be retained as a part of the development;
- h. Indication of the area surrounding the tract with respect to land use, peculiar physical conditions, public facilities and existing zoning;
- i. A site plan indicating, among other things, the general location of the following:
  1. All buildings, structures and other improvements
  2. Common open spaces
  3. Off-street parking facilities and number of spaces to be provided
  4. Sidewalk
  5. Illuminated areas
  6. Use of open space being provided
  7. Screening or buffering of the tract perimeters
  8. Indication as to which streets will be public and which streets will be private
  9. All utilities including storm drainage, sanitary sewers and water service
  10. Such other documents explaining unusual circumstances as the Plan Commission may require;
- j. Quantitative data indicating the following:
  1. Total number of dwelling units
  2. Proposed lot coverage of buildings and structures (percent of total)
  3. Approximate gross and net residential densities (excluding all streets and roadways)
  4. Total amount of open space area provided in the tract (percent of total)
  5. Such 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 plans or engineering plans;
- l. A development schedule indicating (1) the approximate date when construction of the project can be expected to begin; (2) the stages in which the project will be built and the approximate date when construction of each stage can be expected to begin; (3) the approximate dates when the development of each of the stages in the development will be completed; and (4) the area and location of common open space that will be provided at each stage;
- m. A statement as to the applicant's intention of selling or leasing all or portion of the Planned Unit Development after the project is developed. If applicable, the conditions of sale and maintenance of such developed properties shall be stipulated. Any covenants, deed restrictions or other similar agreements between the applicant and future owners shall be presented.

C. PRELIMINARY DEVELOPMENT PLAN REVIEW: Upon receipt of the Planned Unit Development Application, the

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required material to be presented and the payment of applicable fees, the Chairman of the Plan Commission shall set a public hearing date in accordance with the procedures for considering a conditional use. Within 30 days after 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 Planned Unit Development in accordance with: a) the definitions and goals of this Article, b) the report and recommendations of the planning staff, c) the minimum requirements as set forth in Section 34.100. The City Plan Commission shall forward the preliminary plan and its recommendation to the City Council.

D. PRELIMINARY PLAN APPROVAL: Approval of the preliminary plan by the City Council shall constitute approval of the basic provisions and outline of the plan and approval of the representations 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 (6) months.

E. FINAL DEVELOPMENT PLAN SUBMISSION:

1. Within six (6) months following the approval of the preliminary development plan by the City Council the applicant shall file the plan in accordance with the procedures for filing zoning amendments. Five (5) copies of the final development plan shall be filed containing all information, plans and data as required herein. Such submission shall be accompanied by a second fee equal to that required for petitioning for amendment to this ordinance.

2. The final Planned Unit Development plan shall include but not be limited to the following:

a. All of the material listed in Section 34.99 for Preliminary Plan Submission in addition to the following:

b. An accurate legal description and property survey of the entire area included within the planned development;

c. Designation of the location of all buildings to be constructed and the specific internal uses to which each building shall be put.

d. Architectural elevations, pavement types, culverts, common open space, recreation facilities, sidewalks, illumination, landscaping and any other pertinent features of the planned development;

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, total common open space, percent of building coverage of the total area, percent of landscaping provided and total number of parking spaces provided.

g. Any other plans or specifications may be necessary for final engineering evaluation of drainage, street design and other facilities by the city engineer or Plan Commission.

F. FINAL DEVELOPMENT PLAN REVIEW: Upon receipt of the final Planned Unit Development Plan, the Plan Commission shall review the submitted documents and ascertain whether or not the final plans substantially conform to the approved preliminary development plan. Upon review of the final development plan, the Plan Commission shall forward to the City Council along with the Plan Commission's recommendation, the final plan and any other necessary supporting information.

G. FINAL DEVELOPMENT PLAN APPROVAL: Upon approval by a majority vote of the City Council, the City Clerk, upon direction of the applicant, shall deliver for recording all dedications, covenants and such other documents as may be required by the City. The Enforcement Official shall then issue a conditional use permit for the approved plan. No construction shall begin upon such project until the provisions of this section are met along with other applicable City codes and ordinances.

H. CONFORMITY TO DEVELOPMENT SCHEDULE OF PLANNED UNIT DEVELOPMENT: The applicant must conform to the development schedule as required herein above. If no construction has begun or no approved use established in the Planned Unit Development within one (1) year from the approval of the final development plan by the City Council, the approval of the final development plan shall lapse and be voided and no longer in effect. In its discretion and for good cause, the City Council may extend for one (1) 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 enforcement official shall notify the applicant at the address given on the plan submittal of the revocation of approval of the Planned Unit Development.

#### SECTION 34.100 STANDARDS FOR RESIDENTIAL PLANNED UNIT DEVELOPMENTS:

A. HEIGHT, AREA, PLACEMENT AND DENSITY STANDARDS: Table I indicates the standards applicable to all Residential Planned Unit Developments.

B. MISCELLANEOUS STANDARDS: The following additional provisions are applicable to all Residential Planned Unit Developments:

1. Developments comprised of two or more multiple-family buildings on a single lot, the minimum space between buildings shall be calculated as follows:

a. Walls containing windows or doors: Twenty five (25) feet plus two (2) feet for each story over one (1) story of the maximum building height plus two (2) feet for each fifteen (15) feet of horizontal wall overlap.

b. Walls containing no windows or doors: Twelve (12) feet plus one (1) foot for each story over one (1) story of the maximum building height plus one (1) foot for each fifteen (15) feet of wall overlap.

TABLE 1  
RESIDENTIAL PLANNED UNIT DEVELOPMENT STANDARDS

Zoning District	Maximum Building Height	Minimum Lot Area (1)	Minimum Area in Landscaping (2)	Minimum Area in Common Space (3)	Maximum Lot Coverage (4)	Maximum Net Density in Dwelling Units per acre (5)	Minimum Yards (Exterior) (6)		
							Front	Side	Rear
AG	35 feet or 3 Stories	200,000 Sq. Ft.	50%	15%	20%	6	25	10	25
RS	" "	" "	50%	15%	20%	7	25	10	25
R-1	" "	" "	50%	15%	20%	13	25	10	25
R-2	" "	" "	45%	10%	25%	55	25	10	25
R-3	" "	" "	45%	10%	25%	55	25	10	25
R-4	None	" "	45%	10%	25%	90	25(7)	10(7)	25 (

1. 60,000 sq. ft. minimum permitted if lot is surrounded on all sides by public streets or public land.
2. Does not include paved areas, parking lots or buildings.
3. Such common open space may be dedicated to the public. Not less than ten (10) percent of such common open space shall be devoted to active recreational use in single and two family developments and not less than fifteen (15) percent of such common open space shall be devoted to active recreational use in multiple family developments.
4. Percent of total area of Residential Planned Unit Development.
5. Total site area exclusive of public and private streets and roadways divided by total number of dwelling units.
6. Around perimeter of entire Planned Unit Development.
7. Required yards in R-4 Districts must be increased by 3 feet for each story in height over 3 stories. For any side of a Residential Planned Unit Development that fronts on a street, a minimum setback of 25 feet shall be provided.

c. Adjacent buildings having walls which are not parallel or which are irregularly shaped shall maintain a minimum distance between buildings of twenty five (25) feet plus two (2) feet for each story over one (1) story of the maximum building height.

2. Two (2) off-street parking spaces shall be provided for each dwelling unit included in the development. Such spaces shall be located not further than 300 feet from a ground floor entrance of the building in which the dwelling unit is located, but within the planned unit development boundaries.

3. Provisions for fire protection and emergency access shall be subject to applicable codes and be reviewed by the Fire Chief and Police Chief. The Fire Chief and Police Chief may submit in writing, his recommendations, if any, to the Plan Commission.

4. Street construction, regardless of ownership, shall be made in conformance with Chapter 30 of the Urbana City Code. Minimum pavement widths for private streets shall be thirteen (13) feet for the first lane of traffic in each direction and eleven (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, in writing, his recommendations, if any, to the Plan Commission.

5. Exterior lighting facilities within the Planned Unit Development shall be of such quality to promote safety and convenience and shall conform to city ordinances.

6. The minimum proportion of the total site area of a Residential Planned Unit Development which is required as commonly owned and maintained open space is indicated in Table 1. The area of each contiguous parcel of open space shall be not less than 16,000 square feet in area nor less than thirty (30) feet in width.

7. Residential Planned Unit Developments, irrespective of zoning district, shall be provided with adequate public sanitary sewer service prior to occupancy. Refuse removal shall be provided to the entire Development.

8. All other codes, ordinances and rulings of the city, unless specifically modified by this Article, shall be fully complied with by the applicant.

SECTION 34.101 ISSUANCE OF PERMITS: Prior to final approval of the Planned Unit Development the applicant must comply with the following:

A. REQUIRED CERTIFICATES AND BONDS:

1. Common Open Space Documents: All common open space, upon mutual agreement of the City and the applicant, shall be:

a. 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 planned development or adjoining property owners or any one of more of them by providing perpetual maintenance of all lands in

common to the project. All lands so conveyed shall be subject to the right of the grantee or grantees to enforce maintenance and improvement of the common open space; or

b. 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 Planned Unit Development or adjoining property owners or both.

2. Public Facilities - All public facilities and improvements which are part of the Planned Unit Development shall be guaranteed in a form approved by the City Attorney or bonds shall be delivered to guarantee construction of the required improvements. Any such guarantee shall be at a rate of 120% of the estimated cost of construction as determined by the City Engineer.

3. Guarantee Deposit - In addition to the guarantee required, a deposit shall be made to the City in cash or maintenance bond equal to fifteen (15) percent of the estimated cost of public facility installations. This deposit shall be a guarantee of satisfactory performance of the facilities constructed within the Planned Unit Development and satisfactory maintenance operation of such facilities necessary to the health, safety and convenience of the tenants or successors to the applicant. Such cash or bonds shall be held by the City for a period of eighteen (18) months after final acceptance of such facilities by the City. After such eighteen (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. The deposit under this Paragraph shall be made immediately upon completion and approval of the construction of said public facilities, and the performance guarantee for the public facilities shall thereupon be released.

4. Delinquent Taxes - 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 Planned Unit Development are unpaid or exist. Such certificate shall be made a part of the Planned Unit Development documents prior to its submission to the City Council for final review.

5. Covenants - Final agreements, provisions, or covenants shall govern the use, maintenance and continued protection of the Planned Unit Development.

#### B. DEDICATION PROCEDURE:

1. Public street right-of-way dedications shall be made in conformance with Chapter 30 of the Urbana City Code, and the approved plan.

2. Common open space to be dedicated in accordance with this section shall be designated by the applicant with the required documents for such dedication.

C. PERMITS: The Enforcement Official shall issue a building permit for the buildings and structures in the area approved for a Planned Unit Development within the city and a use permit in its extraterritorial zoning area. He shall also

issue a certificate of occupancy for any completed building or structure located in the area covered by the approved Planned Unit Development 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 hazard to the occupants.

D. CHANGES IN FINAL DEVELOPMENT PLAN: No changes may be made in the final development plan during the construction of a Planned Unit Development except upon application to the appropriate agency under the procedures provided below:

1. Minor changes in the location, siting and height of buildings and structures may be authorized by the Plan Commission if required by engineering or other circumstances not foreseen at the time the final plan was approved. No change authorized by this Subsection may increase the volume of any building or structure, add any use or increase the density of the project, or be made without first being reviewed and reported by the planning staff.

2. All other changes in use, or re-arrangement of lots, blocks and buildings tracts, or any changes in the provision of common open spaces and changes other than listed above, must be made 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.