

AN ORDINANCE
REQUIRING THE APPROVAL OF THE CITY OF URBANA
AS TO CERTAIN ELEMENTS OF A PLANNED UNIT
DEVELOPMENT OUTSIDE OF THE CITY LIMITS

WHEREAS, the County of Champaign has heretofore adopted a certain ordinance, to-wit: "The Zoning Ordinance of the County of Champaign, Illinois, effective October 10, 1973"; and

WHEREAS, the above-said County Zoning Ordinance contains provisions for planned unit development; and

WHEREAS, Planned Unit Development concept is a combination of zoning and civil engineering (subdivision) standards review and approvals; and

WHEREAS, the Urbana Comprehensive Plan of 1968, as updated in November, 1973, has been duly adopted and recorded; and

WHEREAS, the City of Urbana has the power to establish reasonable requirements governing the location, width, course, construction and recording of streets used by the public and highways, alleys, easements for public service facilities, curbs, gutters, sidewalks, street lights, storm water drainage, water supply and distribution, sanitary sewers, and sewage connection and treatment within Urbana's 1 1/2 mile extraterritorial area; and

WHEREAS, it is in the best interest of the County of Champaign, the City of Urbana, and any developer of a planned unit development to coordinate the exercise of the powers contained in the ordinances of the respective jurisdictions.

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

1. The existing Section 30.1 of the Urbana City Code is hereby repealed upon the taking effect of this Ordinance and in its place the following is enacted:

Section 30.1 Purpose and scope of chapter.

For the purpose of controlling the future development of the City and for the promotion of the public health and safety, comfort, morals, and welfare of persons living within the territory

governed by the City, the provisions and regulations in this chapter shall govern the subdivision and platting of lands lying within the corporate limits of the City as now or hereafter existing and, to the extent that such provisions and regulations may be applicable, shall also govern the subdivision, platting of lands, and civil engineering improvements within planned unit developments lying within contiguous territory which is not more than one and one-half miles beyond the corporate limits of the City.²

2. The following Article II is hereby enacted as part of Chapter 30 of the Urbana City Code:

ARTICLE II

Section 30.21 Prior approval required.

Before any person may undertake any construction, alteration or erection of any civil engineering facilities or improvements as part of a P.U.D. within the City of Urbana's 1 1/2 mile extraterritorial area, for which the County of Champaign must give zoning approval, such person shall first obtain approval of the Urbana City Council as to the matter set forth in this Ordinance.

Section 30.22 Application requirements.

The Developer shall submit a true copy of the planned unit development plan that the applicant has filed with the County of Champaign accompanied by an application fee of \$ _____. The plans shall be submitted in five (5) copies. The development plan must include all of the following information:

- A. Name, location of address, owner and designer of the proposed development in the forms of drawings or written statements; and
- B. A legal description of the site proposed for development; and
- C. A general area plan drawing reflecting the intended land use, future public and private street locations, and adjacent areas when the proposed planned unit development is intended to represent a single phase of a longer-range development; and
- D. Location of all property lines, existing streets,

²For state law as to the power of city to regulate subdivision within one and one-half miles beyond its corporate limits, see Ill. Rev. Stat. 1969, ch. 24, s. 11-12-5.

easements, utilities, and any other significant physical feature;
and

E. Date, north arrow, and graphic scale (not less than 1 inch equals 100 feet) on all drawings submitted; and

F. Present and proposed zoning (if applicable); and

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; and

H. Indication of the area surrounding the tract with respect to land use, peculiar physical conditions, public facilities and existing zoning; and

I. A site plan indication, 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 spaces being provided,
- 7) Screening of 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; and

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) Such other calculations as the Plan Commission may require including, but not limited to, information relating to traffic generation impact and storm water run-off; and

K. A development schedule indicating the following:

- 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 dates 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; and

L. A statement as to the applicant's intention of selling or leasing all or a 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.

Section 30.23 Public Hearing.

Upon receipt of the Planned Unit Development Application, the Chairman of the Plan Commission shall set a public hearing date in accordance with the commission's usual procedures for considering a conditional use. Within thirty (30) days after the public hearing the Plan Commission shall recommend approval, or disapproval, or at the request of the developer, continued discussion pertinent to the development plan. The Plan Commission shall consider the proposed planned unit development in accordance with: (a) the definitions and goals as indicated above in Section 30.22.A-1; (b) the report and

recommendations of the planning staff; and (c) the minimum requirements as set forth in Section 30.24 below. The Plan Commission shall send its recommendation to the City Council. Approval of the planned unit development by the City Council shall constitute approval of matters governed by this Ordinance.

Section 30.24 Standards and requirements.

Unless the Plan Commission expressly recommends waivers thereof, the following shall be the standards for a planned unit development reviewed under this Ordinance:

A. Provisions for fire and emergency access shall be subject to applicable codes and be reviewed and commented on by the Fire Chief and Police Chief; and

B. Street construction, whether such be public or private streets, 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; and

C. Exterior lighting facilities within the planned unit development shall be of such quality to promote safety and convenience illumination, and shall conform to City National Electrical Code; and

D. Sewers shall conform to the standard specifications for water and sewer main construction in Illinois; and

E. Storm drainage shall be of urban design and conform to the standard specification for water and sewer main construction in Illinois; and

F. Construction Bond -- All publicly and privately owned public facilities and improvements which are part of the Planned Unit Development required by this Ordinance shall be guaranteed in a form approved by the City Attorney, and 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. Any bond or guarantee shall only be released by the City Council upon the certification by the City Engineer that the public type improvements have been constructed in compliance with

the plans and specifications for such public facilities and improvements;
and

G. Maintenance Bond -- After inspection and acceptance of the facilities and improvement, but before release of the Construction Bond for all of the facilities and improvements, a deposit shall be made to the City in cash or maintenance bond equal to 15% of the estimated cost of the public facilities and improvements. This deposit shall be a guarantee of satisfactory performance of the facilities constructed for and within the Planned Unit Development and satisfactory maintenance operation of such publicly and privately owned facilities necessary to the health, safety, and convenience of the tenants or successors to the applicant:

1) Such cash or bond for the publicly owned facilities shall be held by the City for a period of 18 months after acceptance by the City of such publicly owned facilities; and

2) The balance of the cash or bond is to remain in effect as long as the public facilities remain in private ownership. Nothing in the above maintenance guarantee clause should be construed to prevent the filing of two maintenance guarantees, one for publicly owned public facilities and one for privately owned public facilities. After such 18 months, the deposit covering the maintenance of publicly owned public facilities 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 guarantee maintenance deposit under this paragraph shall be made immediately upon inspection and approval of the City Engineer of the construction of all facilities, but prior to release of 120% construction guarantee.

Section 30.25 Penalty.

Any person, firm or corporation violating the provisions of this Article shall, upon conviction thereof, be fined not less than Two Hundred Dollars (\$200) nor more than One Thousand Dollars (\$1,000) for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

This Ordinance 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.

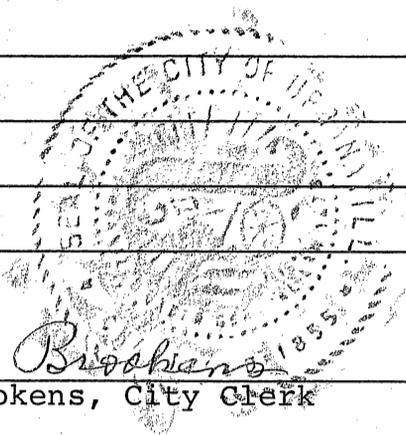
PASSED by the City Council this 2nd day of July, 1979.

AYES: Cheverud, Edstrom, Finch, Maloney, Stake, Teuscher, Wascher, Whelan, and Wort - 9

NAYS: Castle, Johnson, and Scott - 3

ABSENT: Peterson and Moore - 2

Ruth S. Brookens
Ruth S. Brookens, City Clerk



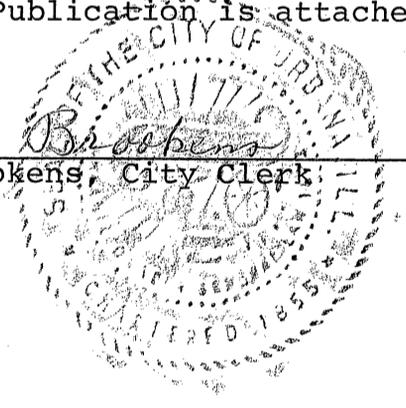
APPROVED by the Mayor this 9th day of July, 1979.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION

I, Ruth S. Brookens, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Champaign-Urbana News-Gazette on the 16th day of July, 1979, and a Certificate of Publication is attached hereto.

Ruth S. Brookens
Ruth S. Brookens, City Clerk



CERTIFICATE OF PUBLICATION IN The News-Gazette

The undersigned, **THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED**, by M. S. Ovce, its controller, does hereby certify that said Corporation is the publisher of The News-Gazette and that the same is a daily secular newspaper of general circulation published in Champaign, Champaign County, Illinois, and which said newspaper had been regularly published for more than six months prior to the first publication of the annexed notice; said publisher further certifies that the annexed notice was published once each week for consecutive weeks in said newspaper, namely on the following dates:

July 16, A. D. 19 79

, A. D. 19

, A. D. 19

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Said publisher further certifies that the date of the first paper containing the said notice was on the first date hereinabove set forth, and that the date of the last paper containing the said notice was on the last date hereinabove set forth.

The Champaign News-Gazette, Incorporated

By *M. S. Ovce* Controller

PUBLISHER OF THE NEWS-GAZETTE

Publisher's fee \$ 104.40

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7236-July 16, 1979

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