

SECTION 17 PLANNED DEVELOPMENT

17.1 PURPOSE: The regulations contained in this section are established to encourage imaginative design of coordinated land uses and to provide relief from the subdivision and zoning requirements which are designed for conventional developments, but which may inhibit innovation and cause undue hardship with regard to the use of parcels which present technical development problems. These regulations are further established to provide a safe and desirable living environment for residential areas characterized by a unified building and site development program, to preserve natural features of the site, and to provide adequate open space for recreation and other community purposes.

17.2 WHERE PERMITTED: A planned development may be located in any zoning district, subject to the procedures and standards set forth below and subsequent to the issuing of a special use permit.

17.3 STANDARDS FOR PLANNED DEVELOPMENTS: For any planned development, the regulations and standards established in this subsection may be substituted by the Village for the general regulations set forth elsewhere in this ordinance or any other ordinance of the Village of Johnsburg.

17.4 REQUIRED SEWER AND WATER: A planned development shall be served by a public sanitary sewerage system and a public water supply system.

17.5 PERMITTED USES: The following uses are principal (but not exclusive) uses permitted in a planned development subject to the regulations of this section:

- A. Single family detached dwellings developed in densities of 3 units per net useable acre.
- B. Multi-family dwellings, provided, however, that the number of multi-family dwellings shall not exceed 2 buildings per net useable acre with no more than six units per building. All units shall include individual entrances per unit and attached two car garages. Garages shall not face the road.
- C. Convenience shopping center
- D. Any retail use as an integral part of a shopping center.
- E. Any office use
- F. Any public facility use.
- G. Church or other place of worship.

- H. Any manufacturing use subject to the performance standards in the I-1 or I-2 zoning district.
- I. Facilities for the maintenance of the planned development
- J. Recreational facilities related to the planned development

17.6 DENSITY STANDARDS:

- A. Overall Density : The overall density for each type of residential dwelling unit permitted in a planned development is one unit per acre.
- B. Total Number of Units: Single family developments shall not exceed one third per acre density. Multi-family developments shall not exceed two buildings per acre with no more than six units per building. At no time shall the maximum number of units exceed the overall gross density of one unit per acre for the entire site. For example, a 100 acre development site shall not include more than 100 units of either single family or multi-family units.

17.7 DESIGN STANDARDS: The development plan to which the planned development shall conform shall be submitted to the Village at the time of application for the planned development and shall be prepared by professional person architects, city planners, engineers, landscape architects and surveyors. The benefits of the planned development and the improved design of the development must justify the intended suspension or deviation from the otherwise applicable requirements of the underlying zoning district of the Johnsborg Zoning ordinance. In preparing the development plan, particular criteria must be met.

- A. Open Space - In permitting greater density allowances , a provision for additional open space for outdoor benefits must be provided for. Open space which qualifies for the additional density allowances shall be landscaped and improved appropriate to the proposed development and take into consideration the overall impact the development shall have on the Village. At a minimum, 20 percent of the gross site shall be set aside as open space.

In addition, park land dedication and capital improvement requirements shall be met as set forth in Article 1002 of the Johnsborg Subdivision Control Ordinance.

- B. The conservation of significant natural features of the site such as flood plains, wetlands, forests, scenic areas and vistas. Such areas may be considered open space by the Village whether or not they are developed for passive recreational use or left in a natural state.
- C. Maximum separation of vehicular traffic from pedestrian ways, and play areas shall be provided for as follows:

1. Sidewalks shall not be placed at the edge of curb. Required setbacks will be determined based on the adjacent roadway and speed limits. At a minimum, a four foot parkway shall be provided for.
 2. Play areas shall be setback a minimum of 50 feet from the edge of right of way.
- D. A unified design based upon significant architectural features which shall be part of the development plan, compatible building materials and a distinctive arrangement of structures and open spaces.
 - E. The provision of adequate sites for retail shopping and service areas, schools, places of worship and other community services where the development is large enough to support these services.
 - F. A compatible relationship of the development with surrounding uses and property.
 - G. Surface drainage and storm water detention facilities shall meet all of the requirements of Article 7 entitled Stormwater Control of the Johnsburg Subdivision Control Ordinance.
 - H. Required parking. The off-street parking regulations found in Section 8 of this ordinance shall apply to all planned developments.
 - I. Street improvements: All streets and street improvements shall be designed by a registered professional engineer. The width of streets and the design of the pavement and other structures shall be based upon their intended use and shall be related to the overall design of the planned development. All streets shall be dedicated to the Village and shall be designed and constructed to the standards of the Subdivision Control Ordinance of the Village of Johnsburg.
 - J. Required setbacks: All structures located on the perimeter of a planned development shall be set back from the property line or street right-of-way a distance equal to 50 feet. Multi-family complexes must provide for a minimum 40 foot front yard setback and a 50 foot rear yard setback. A setback of 50 feet from any point of all structures including accessory buildings shall be required. All other setbacks shall meet the requirements established in the governing zoning district.
 - K. Height restriction: Height of structures shall meet the requirements established in the governing zoning district. Height requirements for multi-family complexes shall not exceed two stories measured at grade level and must be designed with an architecturally designed, pitched roof.
 - L. Dwelling Standards: The dwelling standards set out in Section 10 of the Johnsburg Zoning Ordinance shall be met for each individual zoning district. Each dwelling units shall included separate entrances per unit and attached two car garages.

- M. Landscaping and Green space: Landscaping and Green space requirements shall meet those set forth in Article 6 of the Johnsburg Subdivision Control Ordinance. A minimum of 25 linear feet of green space shall be required between streets, buildings and parking accommodations in multifamily developments.
- N. Multifamily developments shall utilize courtyard design with garages facing inward. (See layout examples attached hereto and made a part hereof)

17.8 APPLICATION FOR PLANNED DEVELOPMENT: When pursuing a planned development, applicant must submit ten (10) copies of the following:

- Application for Planned Development/Special Use Permit
- Petition for Variance(s) if necessary
- General Development Plan

Petitioner shall meet with the Staff Review Committee consisting of the Assistant Administrator, the Chairman of the Zoning Board of Appeals, the Chairman of the Plan Commission, the Village Attorney, the Village Engineer, two members of the Village's Development and Governmental Affairs Committee, Village Building Inspector and Code Enforcement Officer, the Director of Public Works (if requested by the Village President) and the Police Chief (if requested by the Village President).

17.9 DEVELOPMENT PLAN: The general development plan shall include the following:

- A. A plat of the site prepared by a registered land surveyor.
- B. A topographic map of the site with a contour interval of not more than two feet.
- C. A map drawn to scale showing streets, lots, parcels and sites for all uses included in the planned development.
- D. Area to be conveyed, dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings and similar uses or for common areas for the use of the residents.
- E. A site plan drawn to scale showing the approximate location of all buildings, structures, and improvements and indicating the open spaces around buildings and structures.
- F. 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 anticipated rate of development;

4. The approximate date when the development of each of the stages will be completed;
5. The area and location of common open space that will be provided at each stage of development.
6. Landscape plan and architectural plan

17.10 SUPPORTING INFORMATION: The application and development plan shall be accompanied by the following supporting information:

- A. Elevation and perspective drawings in sketch form of all proposed structures and improvements except single family residences and their accessory buildings.
- B. An inventory and evaluation of all significant environmental features of the site, including, but not limited to, lakes, streams, ponds, marshes, soil conditions, mineral deposits, including sand and gravel, flood plains and wooded areas. The elevation shall indicate any limitation resulting from natural conditions on the site which would restrict the development of the site for urban purpose permitted under this Ordinance generally, or this section specifically.
- C. A written statement containing a detailed explanation of the size and character of the planned development and the manner in which it has been planned to:
 1. Take advantage of the provisions of this section;
 2. Conserve the significant natural features of the site;
 3. Avoid, or otherwise overcome, any natural limitations of the site.
- D. Agreements, by-laws, provisions or covenants which govern the use, maintenance and continued protection of the planned development and any of its common opens areas, streets, parking facilities or other facilities and improvements.

17.11 APPROVAL OF THE DEVELOPMENT PLAN: Upon approval of the Application and other necessary documents the following shall occur:

- ❖ Village Staff shall review the development plan and supporting information. The applicant shall make any revisions necessary and submit four (4) copies to the Village Clerk.
- ❖ The Village Engineer, Village Attorney and staff shall continue their review of the development plan with the applicant and provide written reports to both the applicant and Village Clerk.
- ❖ At such time as the development plan meets general engineering and legal requirements, the applicant shall submit twenty (20) copies of the development plan and supporting information to the Village Clerk for distribution to the Village Attorney, Village Engineer and Zoning Board of Appeals.

- ❖ The Village Clerk will calendar a meeting and notify applicant, ZBA and reviewers.
- ❖ The following public notification requirements must be met by the applicant at least 15 days, but no more than 30 days prior to the meeting. The applicant shall file the following documents with the Village Clerk at least 15 days prior to the meeting:
 - Publisher's Certificate of Publication for the public notice that was published in a newspaper of local circulation;
 - Affidavit of notice evidencing notice to property owners within 200 feet of subject property by certified mail; and
 - Sign notice on the subject property.
- ❖ The Village Clerk will distribute copies of the Application, Tentative Plat, application for deviations (if applicable), Landscape Plan and all other plans along with the Village Attorney's and Village Engineer's report as required 15 days prior to meeting.
- ❖ The Zoning Board shall then conduct a public hearing on the proposed planned development as provided by law. A copy of the development plan and required supporting information shall be available prior to the publication of the hearing notice and at the public hearing. The ZBA shall recommend to the President and Board of Trustees approval as presented or approval with conditions, or disapproval of the development plan.
- ❖ If modifications are made to the proposed development plan, the Village Attorney and Village Engineer shall review those changes and submit their written recommendation(s), if any to the Village Clerk
- ❖ The Village Clerk will then calendar the matter before the Board of Trustees. The applicant must submit 12 revised copies of the Development Plan, Petition for zoning variations (if applicable) and all other necessary documents at least 15 days prior to the scheduled meeting.
- ❖ The Village Clerk will distribute Plans, the Application for Conditional Use Permit, Petition for any zoning variations, Village Engineer's report, Village Attorney's report and all other necessary documents along with the minutes of the hearing before the ZBA to the Board of Trustees at least 5 days prior to its meeting.
- ❖ The President and Board of Trustees shall, by resolution, approve or disapprove the development plan, which may include modifications or additional specific standards. Upon approval of the development plan, the President and Board of Trustees shall cause to be issued a conditional use permit authorizing the planned development in conformance to the approved development plan. (*Amended by Ord 06-07-63*)

17.12 CONDITIONS FOR PLANNED DEVELOPMENT APPROVAL: The Zoning Board may recommend and the Village Board may impose such conditions and limitations concerning

use, time limitations, construction, character, location, landscaping, screening and other matters relating to the purposes and objectives of this Section. Said conditions may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject property or upon public facilities and services. Such conditions shall be expressly set forth on the ordinance granting the Conditional Use Permit for a planned development. Violations of any such condition or limitation shall be a violation of this Section and shall invalidate the Conditional Use Permit for planned development.

17.13 EFFECT OF ISSUANCE OF CONDITIONAL USE PERMIT: The granting of a Conditional Use Permit for planned development shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals that may be required by the codes and ordinance of the Village, including but not limited to plat approval, Building Permits, and Certificates of Occupancy.

17.14 LIMITATIONS ON CONDITIONAL USE PERMITS: Subject to an extension of time granted by the Village Board for a Planned Development, no Conditional Use Permit for planned development shall be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a Certificate of Occupancy is issued, and such permit shall automatically expire and cease to be of any force and effect if such use shall, for any reason, be discontinued for a period of one year or more.

17.15 MINOR MODIFICATION OF FINAL PLANS: Staff may from time to time, approve minor changes within the project, but such changes shall not be of a nature that would affect the character and standard of the planned development.

17.16 FAILURE TO BEGIN PLANNED DEVELOPMENT: If no substantial construction has begun or no use established within two years of the starting date established in the planned development schedule, the special use permit for the development plan shall lapse upon written notice to the applicant from the President and Board of Trustees and shall be of no further effect. At its discretion and for good cause, the President and Board of Trustees may extend, for one additional year, the period for the beginning of construction of the first principal building in the planned development. If the special use permit lapses under the provisions of this section, the President and Board of Trustees shall remove the planned development from the zoning map and the zoning regulations applicable prior to the issuance of the special use permit shall continue in effect.