

ARTICLE V

PLANNED UNIT DEVELOPMENTS

Section 50 DEFINITION

A planned unit development (PUD) is a predominately residential development allowing a much freer placement of structures than conventional lot-by-lot subdivisions. Clustering of buildings is encouraged to create usable open spaces and preserve natural features.

The purpose of PUD regulations is to allow flexibility in the siting of buildings and streets, mixtures of housing types, and site planning that preserves natural and scenic qualities of open areas. A PUD is a tract or tracts of land which includes two (2) or more principal uses that would require classification of the tract into two (2) or more standard zoning districts and which is developed as a unit. A planned unit development may also be a tract or tracts of land which include varying residential lot sizes as a result of providing adequate soil and other physical requirements for on-site waste water disposal systems ensuring adequate protection of environmental and natural amenities; and providing for the reservation of public or private open space areas. These “low-density” planned unit developments may include two (2) or more standard residential zoning district lot sizes as well as open space areas.

Section 51 INTENT AND COMPLIANCE

The planned unit development is a concept which encourages improved design in the development of land. The intent of this section is to provide flexibility to both the Village in considering an application and the applicant in designing the project. This includes having flexible land use and design regulations and performance criteria. This division specifically encourages innovations in residential development so that the growing demands for housing at economically reasonable prices can be met by greater variety in type, design, and siting of dwellings and by the conservation and more efficient use of land in such developments.

A planned unit development shall conform to the comprehensive plan, the zoning ordinance, the requirements as stated herein, all regulations

pertaining to the control of land development and to all other applicable rules, regulations specifications and standards.

Section 52 GENERAL PRINCIPLES

A planned unit development (PUD) shall consist of such combination and arrangement of elements as will:

52.01 Form a compatible and harmonious group or groups;

52.02 Be consistent with the goals and objectives of the comprehensive plan of the village;

52.03 Be suited to the capacity of existing and proposed community facilities;

52.04 Be capable of a unitary design consistent with the protection of public health, safety, and welfare in general, and

52.06 Not adversely affect the permissible uses of adjacent properties.

Section 53 DESIGN TALENTS

Professional talents of qualified land planners, registered landscape architects, Illinois registered professional engineers, Illinois professional land surveyors, and other specialists deemed necessary shall be utilized in different stages of the preparation necessary to effect a planned unit development to assure developments of the quality desired by the village.

Section 54 SITE

The site for a planned unit development shall consist of a single parcel of land or an integrated group of parcels. The site may include areas of land which are topographically unsuitable for the erection of structures but which may be incorporated into the development plan as an element of the open space system.

Section 55 PROCEDURES AND APPROVAL PROCESS

The detailed review procedures, submittal requirements and approval process for a planned unit development shall be the same as those required in Article II of this chapter of these regulations except where otherwise stated herein. The following items are for clarifying the process or providing more detailed requirements:

55.01 Subsequent to completion of the sketch plan discussion stage, the developer shall prepare a detailed development plan. The submittal requirements and review process for a development plan shall be the same as required for preliminary plans in Article II. In addition, the development plan shall convey by map, table or text the following:

- a. Land development pattern showing relationships among physical features, including:
 - i. Typical arrangements of buildings; community facilities, landscape features and topography;
 - ii. Density of land use to be allocated to parts of the development site;
 - iii. Circulation plan showing major, collector, and local roads;
 - iv. Location and function of all common open space.

Except in the case of very large sites, the above information may usually be included on one (1) or two (2) map sheets.

- b. Acreage allocated for open space, major types of housing and non-residential features. (May be conveyed in tabular form on the map sheet.)
- c. Relation between the development and adjacent land in terms of uses, physical features on the land, and area-wide system facilities. (A separate map at area scale is desirable for this information.)
- d. Written provisions for the permanent maintenance of common or privately owned community facilities shall be included in the development plan. The development plan shall be submitted for review by the plat officer and the planning commission. Action shall be contingent upon the following criteria:
 - i. Consistency with the general requirements for planned unit development;

- ii. Fulfillment of the specific quantitative and qualitative requirements for density, land use, and administrative features;
- iii. The satisfactory arrangement of features on the site as shown on the development plans in terms of:
 - (a) Free-flowing circulation pattern;
 - (b) Functional compatibility among land uses as arranged;
 - (c) Locational convenience of facilities and services for residents.

55.02 Planned unit development zoning shall be required and considered subsequent to the planning commission's action on the development plan. Consideration and action by the village board on the planned unit development zoning petition shall be necessary before the matter shall proceed further before the planning commission. Expiration of the development plan shall be warranted in the event of failure to commence construction as approved with an extension of time granted after the passing of one (1) year from the date of rezoning the site to planned unit development district. No authority for construction within the site shall be granted until the plan is reapproved.

55.03 Subsequent to the approval of the planned unit development zoning petition, the applicant shall file detailed plans for the construction of proposed site improvements and obtain necessary permits in accordance with the requirements for improvement plans in Article II; however, detailed improvement plans for entire large-scale projects need not be submitted at one time. The project may be divided into sections, with improvement plans and construction guarantee necessary only for each section prior to its construction. Where sectioning is desired, the applicant shall be required to identify sections for the entire site before any improvement plans may be approved. At no time shall the overall density of completed sections exceed the overall density limits for the entire project.

55.04 Final platting and recording of all lots shall be required prior to transfer of ownership of any parcel less than the entire site. The final plat shall be made in accordance with the requirements for final plats in Article II. Written guarantees for the maintenance of private roads or open space when permitted by the planning commission must be accepted by the plat officer prior to the approval of a final plat.

Section 56 VALIDITY AND ADJUSTMENTS

56.01 Approval of a planned unit development plan shall be valid for a period of not more than three (3) years, the plan shall be subject to review by the development committee for possible adjustments in light of current conditions, before granting extended approval. The planning commission may permit adjustments after review and recommendation by the plat officer, provided that if the development contains one hundred (100) or more residents, they shall be represented at any meeting wherein adjustments are to be acted upon.

56.02 At any time during the course of construction and operation of the development, adjustments regarding features indicated on the approved development plan may be permitted without a public hearing being required, if the developer can show good cause, and provided that:

- a. The affected property is in a section under single ownership and control;
- b. The adjusted plan is in substantial compliance with the approved development plan. The adjusted plan shall be considered in substantial compliance with the approved development plan, provided modifications do not:
 - i. Vary the proposed gross residential density or intensity of use by more than ten (10) percent;
 - ii. Involve a reduction of the area set aside for common open space nor the substantial relocation of such area;
 - iii. Increase by more than ten (10) percent the floor area proposed for non-residential use;
 - iv. Increase by more than ten (10) percent the total ground areas covered by buildings nor involve a substantial change in the height of buildings.

Section 57 DEVELOPMENT STANDARDS

The general design standards of Article IV of this chapter shall govern planned unit developments. Variation from the standards or criteria imposed by Article IV may be granted by the planning commission at the development plan stage if there is a finding that the needs of traffic, drainage, pedestrian circulation, lot layout and other usage are adequately accommodated by facilities or improvements of dimensions other than those required, but not necessarily under the minimum.

Section 58 CONVEYANCE AND MAINTENANCE OF COMMON OPEN SPACE

58.01 All land shown on the development plan as common open space must be conveyed under one of the following options:

- a. It may be conveyed to a public agency (pending acceptance) which will agree to maintain the common open space and any buildings, structures, or improvements which have been placed on it;
- b. It may be conveyed to trustees provided in an indenture establishing an association or similar organization for the maintenance of the planned unit development;
- c. It may be retained and maintained by the developer.

58.02 If the common open space is not conveyed to a public agency, conveyance or retention must be made subject to covenants being approved by the planning commission which restrict the common open space to the uses specified on the approved development plan, and which provide for the maintenance of the common open space in a manner which assures its continuing maintenance and use for its intended purposes.

58.03 No common open space may be put to any use not specified in the approved development plan submittals unless the approved development plan submittals have been amended to permit that use under Village of Hennepin Zoning Ordinance. However, no change of the use authorized under the zoning ordinance may be considered as a waiver of any of the covenants, limiting the use of common open space areas, and all rights to enforce these covenants against any use permitted under the zoning ordinance are expressly reserved.

58.04 If the common open space is not conveyed to a public agency, either one of the following methods of enforcement must be provided:

- a. The legal right to develop the common open space for the uses not specified in the approved development plan must be conveyed to a public agency;
- b. The restrictions governing the use, improvement, and maintenance of the common open space must be stated as conditions to the conveyance or retention of the common open space, the fee title to the common open space to vest in a public agency in the event of substantial default in the stated conditions.

58.05 If the common open space is not conveyed to a public agency, the covenants governing the use, improvements, and maintenance of the common open space may authorize a public agency to enforce their provisions.

58.06 Provisions shall be executed for conveyance and maintenance of open space designated for each section on the land plan at the time of construction within said section.

Section 59 NON-RESIDENTIAL LAND

Lots used for non-residential purposes shall be of sufficient area to hold structural and non-structural portions of each establishment and associated off-street parking area. Off-street parking shall be provided in accordance with the regulations of the Village of Hennepin or the Putnam County Zoning Ordinance. Land determined by the village and school authorities to be needed for public school purposes shall be reserved and set aside. School recreational areas shall be included within the site but shall be considered open space.