

EXHIBIT A

A. PERFORMANCE STANDARDS.....	XVII-3
SECTION XVIII. M-3 LIMITED INDUSTRIAL DISTRICT.....	XVIII-1
A. GENERALLY.....	XVIII-1
B. PERMITTED USES.....	XVIII-1
C. HEIGHT AND AREA REGULATIONS.....	XVIII-2
D. PROCEDURE.....	XVIII-2
E. REVIEW AND APPROVAL.....	XVIII-2
F. CONSTRUCTION.....	XVIII-3
G. DELAY IN CONSTRUCTION.....	XVIII-4
H. AMENDMENTS TO COMPLETED PROJECTS.....	XVIII-4
SECTION XIX. PD PLANNED DEVELOPMENT DISTRICT <u>ZONING...</u>	XIX-1
<u>1. PD- PLANNED DEVELOPMENT DISTRICT</u>	
A. GENERALLY.....	XIX-1
B. PERMITTED AND CONDITIONAL USES.....	XIX-1
C. HEIGHT AND AREA REGULATIONS.....	XIX-1
D. PARKING AND LOADING REQUIREMENTS.....	XIX-2
E. SIGNAGE.....	XIX-2
F. PROCEDURE; CONTENTS OF APPLICATION.....	XIX-2
G. REVIEW AND APPROVAL.....	XIX-3
H. CONSTRUCTION.....	XIX-5
I. DELAY IN CONSTRUCTION.....	XIX-5
J. AMENDMENTS TO COMPLETED PROJECTS.....	XIX-5
<u>2. SPD- SPECIAL PLANNED DEVELOPMENT DISTRICT.....</u>	XIX-2
A. GENERALLY.....	XIX-6
B. DEVELOPMENT PARAMETERS.....	XIX-6
C. PROCEDURE: CONTENTS OF APPLICATION.....	XIX-8
D. REVIEW AND APROVAL.....	XIX-9
E. CONSTRUCTION.....	XIX-10
F. DELAY IN CONSTRUCTION.....	XIX-10
G. AMENDMENTS TO APPROVED SPDs.....	XIX-11
SECTION XX. SPECIAL DISTRICTS.....	XX-1
A. OVERLAY DISTRICTS.....	XX-1
B. PROCESS.....	XX-1
C. I-OL INSTITUTIONAL OVERLAY DISTRICT.....	XX-1
D. A-OL, AIRPORT OVERLAY DISTRICT.....	XX-5
E. WM-OL, WEST MAIN STREET OVERLAY DISTRICT.....	XX-9
F. LF-OL, LAKEFRONT OVERLAY DISTRICT.....	XX-16
SECTION XXI. EXCEPTIONS TO HEIGHT AND AREA REQUIREMENTS.....	XXI-1
A. TABLE OF HEIGHT AND AREA REQUIREMENTS.....	XXI-1
B. EXCEPTIONS TO MAXIMUM HEIGHT REQUIREMENTS.....	XXI-1

EXHIBIT A

SECTION III. DISTRICTS AND BOUNDARIES THEREOF

A. DISTRICTS; PURPOSE AND INTENT

For the purpose of this Ordinance, the City of Decatur is hereby divided into districts as follows, with the purpose and intent of each district listed herein:

- R-1 Single Family Residence District:** The purpose of this district, and of districts R-2 and R-3 is to encourage and protect single-family neighborhoods and the land uses which are compatible with them.
- R-2 Single Family Residence District**
- R-3 Single Family Residence District**
- R-5 Two-Family Residence District:** The purpose of this district is to permit duplex-style residential development in addition to single-family residential development.
- R-6 Multiple Dwelling District:** This district is designed to permit multi-family residential development.
- O-1 Office District:** This district is designed to permit and encourage the compatible development of professional, office, and institutional uses in areas which are suitable for such activities.
- B-1 Neighborhood Shopping District:** This district is designed to encourage and facilitate commercial activities generally serving the neighborhoods in which they are located.
- B-2 Commercial District:** This district is designed to serve the shopping needs of regional geographic areas larger than the B-1 district, and allowing a greater intensity of uses.
- B-3 Planned Shopping District:** The purpose of this district is to allow a greater flexibility of uses than is available in other commercial districts if the entire district is planned and developed as a unit.
- B-4 Central Business District:** The purpose of this district is to address the broad variety of land use needs that are unique to Downtown Decatur.
- PM Park Mobile Home Residence District:** The purpose of this district is to assure
- R-1** that mobile home development is a safe and affordable housing option for Decatur residents.
- M-1 Intensive Commercial Light Industrial District:** The purpose of this district is to allow the development of light industrial uses, along with commercial and service uses designed to serve the employees and clients of the light manufacturing facilities.
- M-2 Heavy Industrial District:** The purpose of this district is to assure that sufficient land is set aside, with sufficient infrastructure and access to transportation modes and corridors, for heavy and intensive manufacturing agricultural processing, and other uses that are vital to the community's economic development

EXHIBIT A

- M-3 Limited Industrial District:** The purpose of this district is to allow for limited industrial uses that are free from offense in a modern, planned and orderly environment, and to provide opportunities for work closer to residential areas in order to decrease commuting time.
- PD Planned Development District:** The purpose of this district is to permit multiple land uses on the same site, or to insure development that conforms to the Comprehensive Land Use Plan or meets other City goals, and which are designed and built to higher aesthetic standards. Development in the PD zone will be subject to intensive review and will be subject to the terms of a development order approved by City Council. Use of the PD District mainly for the purpose of avoiding the standards required by other zoning districts is prohibited.
- SPD Special Planned Development District:** The purpose of this district is to allow quality, large scale, multi-phased, integrated campus-like developments for single or mixed uses without compromising public welfare and safety by encouraging more efficient and coordinated use of land with flexible and innovative approaches to zoning regulations, site planning and design. Development in the SPD District will be subject to intensive review and will be subject to the terms of a development order approved by the City Council.

SECTION XIX. PLANNED DEVELOPMENT ZONING

1. PD- PLANNED DEVELOPMENT DISTRICT

A. GENERALLY

1. Intent
 - a. The intent of the Planned Development district is to encourage more efficient use of land and provision of greater amenities by allowing, under certain.....

2. SPD- SPECIAL PLANNED DEVELOPMENT DISTRICT

A. GENERALLY

1. Intent
 - a. The intent of the Special Planned Development (SPD) District is to provide for multi-phased development of land for multiple buildings and other improvements as an integral unit, including single and/or mixed uses, in a campus-like development, and in compliance with an approved development concept plan and site-specific SPD

EXHIBIT A

ordinance. A site-specific SPD ordinance may include compatible mixed uses, and other variations from the traditional zoning districts required under the Zoning Ordinance.

- b. The SPD is intended to complement the goals and objectives of the Comprehensive Plan.
- c. The SPD may make use of flexible and creative site planning and land development on larger and/or unique sites, to promote development of single or compatible mixed land uses, and allow development in phases to adjust to changing demands and needs of the community. The SPD shall meet one or more of the following purposes:
 - 1) Provide for increased recreation and/or open space opportunities for public and/or private use;
 - 2) Provide amenities or features that would be of special benefit to the community;
 - 3) Protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and view corridors;
 - 4) Protect or preserve existing historical buildings, structures, features or places.
 - 5) Protect and preserve unified planning for an ensemble or collection of similar or connected land uses developed in close proximity over a period of several years.
- d. The SPD shall balance the intensity of a single or mixed-use development with the surrounding uses.
- e. The SPD shall address and provide for adequate supporting public facilities and services.
- f. The SPD is particularly appropriate for land bearing unique or distinctive characteristics.
- g. The SPD may authorize a mix of land uses that are compatible internally and also with surrounding uses.
- h. The SPD shall not authorize use(s) of land, or a mix of land uses unless such use or mix of uses constitutes an integrated campus.

The City Council may approve the rezoning of a tract of land to SPD District if it determines that such rezoning is consistent with the requirements of this Section XIX.2, and that such rezoning would be in the best interest of the City and the surrounding neighborhood. Development within an SPD shall be permitted only in accordance with an overall development concept plan and a site-specific SPD ordinance meeting the requirements of this Section XIX.2.

B. DEVELOPMENT PARAMETERS

Within parameters established by each site-specific SPD ordinance, the developer of a SPD may alter building size, building placement, land use, building use, use intensity, placement of accessory structures and public and private infrastructure without obtaining approvals from the

EXHIBIT A

city so long as any such alteration complies with all provisions of the development concept plan and the SPD ordinance. Parameters for SPDs shall include, but not necessarily be limited to:

1. The SPD shall be developed on a compact, contiguous tract of land, containing a minimum of ten (10) acres, as a single-lot or multiple-lot development; owned by a single owner or cooperative of partner owners each owning separate tracts controlled and maintained under a common contract with shared responsibilities and payments for common areas that in the aggregate constitute a campus. If the campus is not owned by a single landowner, the developer shall submit a Common Area Maintenance (CAM) agreement and associated contract Land uses in the SPD shall be restricted to those included in the site-specific SPD ordinance. Placement, spacing, and alignment of permitted uses included in the SPD Ordinance may be subsequently revised and amended upon approval by the Director of Community Development (or his/her designee) provided such revisions or amendments are submitted in writing, are consistent with the development concept plan and the SPD Ordinance and further provided that every such revision or amendment shall comply with all building codes, parking, site lighting, storm water runoff/retention, internal road construction standards, and utility connection requirements as set forth in Decatur City Code.
2. The developer must comply with applicable building codes, parking, site lighting, storm water runoff/retention, internal and city road construction standards, and utility connection requirements as set forth in Decatur City Code. Revisions or amendments to the lay-out and configuration, parking, lighting, storm water runoff/retention, internal road construction and utility connections, placement, uses, intensity of uses, set-backs internal to the SPD site, and architectural features shall be submitted to the Director of Community Development, who may approve them if they conform to the concept development plan and the SPD Ordinance.
3. The SPD Ordinance shall specify parking/building setbacks, access, infrastructure, screening materials, and buffers between the SPD zoned area and surrounding uses, and shall specify the design of vehicular and pedestrian egress and ingress to the SPD site, as well as signage at the entries into the SPD zoned area from any public street or public roadway.
4. Except as otherwise noted above in this section, the following parameters shall also apply:
 - a. Permitted and Conditional Uses

Buildings or premises may be used for any of the uses listed as permitted uses or conditional uses in the R-1, R-2, R-3, R-5, R-6, O-1, B-1, B-2, B-4, M-1, M-2 and M-3 districts, subject to any limitations approved by the Council in the site-specific ordinance governing each SPD, and provided the design of the SPD adequately addresses compatibility of such uses with other uses in the SPD, and surrounding uses.

EXHIBIT A

b. Height and Area Regulations

Building height and area restrictions, including front, rear, and side yard setbacks, shall be as established in the SPD ordinance.

c. Parking and Loading Requirements

Generally, parking and loading requirements for each SPD shall be consistent with the requirements in Section XXIV; however, more or less restrictive parking and loading standards may be defined in the SPD ordinance if the SPD uses justify such a variance

d. Signage

Signage in each SPD shall be consistent with the terms of the SPD ordinance.

C. PROCEDURE; CONTENTS OF APPLICATION

1. The owner or owners of a tract of land or its owner(s) under purchase contract may submit to the City Council a petition for rezoning to SPD which shall be accompanied by a development concept plan for the proposed use(s) and development. Such petition and development concept plan shall meet the requirements set forth in this section.
2. The development concept plan shall be accompanied by evidence demonstrating the compatibility of the project with, and its effects on, surrounding property. The development concept plan shall include the following:
 - a) Existing and proposed contours at intervals of not more than ten (10) feet; and
 - b) General location and size of all buildings and structures; and
 - c) Location of all existing and proposed vehicular access points; and
 - d) Location of adjacent streets and alleys; and
 - e) Approximate alignments of internal roads and streets; and
 - f) Location and size of sidewalks and walkways, sanitary and storm sewers, water distribution infrastructure, and other utility placements; and
 - g) Designation of areas subject to flooding; and
 - h) Landscaping including landscaped traffic islands and screening materials including fences and walls; and
 - i) Lighting, including drawings indicating type of fixtures used and light output within and adjacent to the property, in accordance with Section XXVIII; and
 - j) Signage, including type, height, dimensions, and locations of all proposed signs; and
 - k) Location of dumpster(s) and compactors, if proposed; and
 - l) Proposed phasing of the development, if applicable; and
 - m) Such additional information as the Director of Community Development shall require, to meet the intent and requirements of this Section.
 - n) A traffic impact report by engineers with recognized expertise, showing the following:
 1. The effect of the proposed development on the nearby and adjacent street system

EXHIBIT A

2. Estimated traffic volume generated by the proposed development, during peak and off-peak hours
3. A traffic impact study projecting the impact of the proposed project on the City's transportation network
4. Recommended mitigating improvements, if any
5. That approval has been sought from the Illinois Department of Transportation for development affecting roadways which fall within the jurisdiction of that agency.

This requirement may be waived by the Public Works Director if the anticipated impact is minimal.

3. An SPD petitioner/owner shall be responsible for the payment of impact fees sufficient to cover the actual cost of public infrastructure improvements outside the SPD development that are created or caused directly by development projects and necessitated by development in the SPD, including but not limited to additional water/sewer capacity, public roadways, sidewalks, traffic control, storm drainage and detention facilities, and noise abatement if warranted, and shall require payment of reasonable impact fees prior to issuance of building permits. Alternatively, a bond guaranteeing payment of reasonably anticipated itemized impact fees may be provided. If changes in the SPD alter infrastructure requirements, the City may require additional pre-payment of impact fees or posting of additional bond. No impact fees will be required if it is found there is no impact and/or that impact has been managed within the SPD development site.

D. REVIEW AND APPROVAL

1. Technical Review Committee

- a. The Technical Review Committee (TRC) shall review the petition and proposed development concept plan and may recommend conditions for approval. The applicant and his/her design professionals may participate in this review. Based upon the information provided by the applicant, and other information which may come to their attention, the TRC may recommend approval, conditional approval, or denial of the proposed plan to the Director of Community Development or his/her designee. If the Director of Community Development (or his/her designee) determines that more information is needed, he/she shall so advise the applicant.
- b. Upon approval of the proposed development concept plan by the TRC, with or without conditions for approval, the Director of the Department of Community Development (or his/her designee) shall prepare a SPD Ordinance which may include conditions for approval, if warranted, and shall set forth the requirements and conditions of the SPD. The development concept plan, and proposed SPD Ordinance shall be reviewed by the Plan Commission, which shall make a recommendation to the City Council regarding the proposed SPD Ordinance. The applicant may review and suggest revisions to the conditions for approval and/or the proposed SPD Ordinance. If the proposed SPD Ordinance is acceptable to the applicant, it shall be submitted to the Plan Commission for review and recommendation. If the proposed SPD Ordinance is not acceptable to the applicant, the applicant may authorize submission of the proposed SPD Ordinance

EXHIBIT A

for review and consideration by the Plan Commission, with the applicant's proposed revisions.

2. Plan Commission Review

The petition, development concept plan, proposed SPD Ordinance, and the applicant's proposed revisions to the Ordinance, if any, shall be considered by the Plan Commission at a public hearing. The Plan Commission shall make findings concerning the consistency of the application with the Comprehensive Plan and this Section; and, based upon these findings, shall recommend to the City Council that the proposed SPD Ordinance be approved, approved with conditions, or disapproved.

3. The Plan Commission shall consider the following factors:

Compatibility of the development concept plan with the character of the surrounding neighborhood and general area; and

- a) Effect of the SPD on surrounding properties; and
- b) Integration: Whether the proposed development is in accordance with an integrated overall design plan, and can be developed within that plan; and
- c) Consistency with the current comprehensive plan; and
- d) Traffic capacity: That the existing and proposed streets are adequate to carry anticipated traffic within the proposed SPD and in the general vicinity thereof; and
- e) Adequacy of utilities: That existing and proposed utility services are adequate for the proposed development. All entrances and exits from/to the SPD must connect to dedicated public streets or public roadways already in existence or constructed by the SPD developer. Water, storm sewer, sanitary sewer, electric power and natural gas lines must fully supply anticipated needs; and
- f) Adequacy of roadways and parking facilities: Roads, driveways, parking and loading areas shall be constructed in accordance with plans and specifications approved by the City.

4. Council Action

The Decatur City Council shall review the recommendations of the Plan Commission, along with petition, the development concept plan, the proposed SPD Ordinance, and applicant's proposed revisions if any, and will approve or disapprove the rezoning and SPD District petition based on the foregoing factors.

E. CONSTRUCTION

All construction shall be in conformity with the SPD Ordinance approved by the City Council and shall comply with all applicable building codes, parking, site lighting, storm water runoff/retention, internal and city road construction standards, and utility connection requirements as set forth in Decatur City Code.

EXHIBIT A

F. DELAY IN CONSTRUCTION

1. If the first phase of an approved SPD project is not substantially started within three (3) years from the date of approval of the SPD Ordinance by the City Council, the SPD shall expire and no longer be in force or effect. "Substantially started" shall mean all access roads, utilities, footings, foundations and lowest floors constructed for projects identified as first phase.
2. For property zoned SPD upon petition initiated by the City, the SPD zoning classification shall remain unless and until a petition to rezone the property or a portion thereof is approved by the City Council.

G. AMENDMENTS TO APPROVED SPDs

Proposed changes to the SPD that do not conform to the development concept plan and SPD District ordinance may only be approved via amendment to the SPD District, subject to the same procedures as required for initial approval.

Amendments to the SPD Ordinance shall be authorized in the same manner as set forth in Sections C and D herein.