



United City of Yorkville

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AGENDA
**UNIFIED DEVELOPMENT ORDINANCE
ADVISORY COMMITTEE MEETING**

**Thursday, November 14, 2019
6:00 PM**

Yorkville City Hall Conference Room
800 Game Farm Road

1. Introductions
2. Review of Code Diagnostic Memorandum
3. Comments and Questions
4. Project Schedule and Next Steps



Date: October 9, 2019

SENT VIA EMAIL

To: Krysti Barksdale-Noble, Community Development Director
Jason Engberg, Senior Planner
United City of Yorkville, IL

From: John Houseal, FAICP
Nik Davis, AICP
Jackie Wells

Re: Code Diagnostic Memorandum for the Unified Development Ordinance

This memorandum is delivered in support of the **Unified Development Ordinance (UDO)** project for the United City of Yorkville. It presents the accumulated research of *Step 2: Technical Analysis and Best Practices*, as described in the project scope of work.

The memo contains Houseal Lavigne's initial assessment of Yorkville's existing land development ordinances, including zoning, subdivision, landscape, and appearance codes, and the Downtown Overlay District code (adoption pending). Best practices relating to development regulations are provided throughout the memorandum for potential application in the UDO document. Please note that the recommendations of this report are preliminary, based upon the information and community input available to date. Future engagement with City staff, the Advisory Committee, and the community, may result in revisions.

This memorandum includes:

- a plan for alignment with the Comprehensive Plan;
- a summary of issues identified during the public outreach process;
- a proposed UDO structure; and
- preliminary recommendations for the Unified Development Ordinance.

Comprehensive Plan Alignment

The United City of Yorkville Comprehensive Plan Update, adopted by the City in April 2016, presented zoning considerations and recommendations for code changes. However, it also specified that further study would be needed to determine the specific zoning changes required to carry out the Comprehensive Plan's land use goals and objectives. The Comprehensive Plan Alignment is the further analysis of the City's long-range plan needed to guide the development of the new UDO.

The following table identifies those important and relevant Comprehensive Plan sections, ordered by related topics, and a recommended approach to address and implement each item, with the intention of aligning development in Yorkville with the Plan's future vision. Note that some of the strategies outlined below, if implemented in the UDO, may result in changes to the zoning district map in some areas of the City.

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DRAFT VERSION
FOR STAFF REVIEW ONLY

| Comprehensive Plan Goals, Policies, or Principles | Page # | UDO Approach | |
|---------------------------------------------------------------------------------------------------------------------------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Zoning, Use Standards, and Use-Specific Requirements | | | |
| Ensure that proposed new residential, commercial and industrial developments are compatible in scale and design with their surrounding areas. | 78 | Review and "right-size" dimensional standards for each zoning district, apply use-specific requirements as needed, and ensure zoning district standards align with the goals of the Comprehensive Plan | |
| Support the maintenance and rehabilitation of Yorkville's traditional residential building stock. | 112 | Maintain existing zoning standards in established, stable neighborhoods, or approach adjustments to regulations in small steps to build stability and encourage investment | |
| Encourage sustainable residential growth patterns and different types of housing products that are affordable to a wide range of households. | 86 | Review and revise existing residential districts to ensure that a variety of housing types are permitted throughout the City | |
| Allowances for proper use mix and density in new land use classifications, such as the Mid-Density and the Estate/Conservation Residential zones. | 87 | | |
| Allowances for proper mix of housing types that support housing choice, accessibility and affordability. | 87 | | |
| Consider alternative uses to retail on sites that are unlikely to be fully built-out as commercial centers. | 90 | | |
| Promote and implement effective growth management practices. | 122 | Consider a flexible approach to development in commercial areas, with mixed-use development uses Work with Staff to evaluate and amend the zoning map, as needed, ensuring to reference the Future Land Use Map | |
| Encourage new residential development only in areas where adequate public facilities and infrastructure exist. | 78 | | |
| Work to achieve a proper balance of residential, commercial, industrial, open space and institutional uses. | 78 | | |
| Concentrate new development in existing residential areas, commercial zones and industrial parks. | 146 | | |
| Focus commercial and industrial development activity in existing commercial and industrial areas. | 78 | | |
| Encourage infill industrial development in existing industrial parks. | 90 | | |
| Encourage new commercial, institutional and mixed-use development on available opportunity sites. | 90 | | |
| Strengthen and promote Downtown Yorkville as the community's primary mixed-use center. | 90 | | |
| Conduct additional industrial areas along major transportation corridors. | 90 | | |
| Facilitate commercial development on available sites and out-parcels for both large format and neighborhood-scale commercial activity. | 90 | | |
| Re-zone for alternative land uses commercially zoned land not likely to be built out over the time horizon of this Comprehensive Plan. | 90 | | |
| Plan for a future Metra Station TOD neighborhood. | 90 | | |
| Facilitate the re-zoning of certain Tier 3 and 4 subdivisions to different land uses, including open space and agricultural. | 112 | | |
| Revitalize and redevelop Downtown Yorkville as a compact, mixed-use center of activity. | 78 | | Work with staff to identify areas suited for mixed-use development, and integrate mixed-use recommendations with the proposed Downtown Overlay District form-based code |

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| Comprehensive Plan Goals, Policies, or Principles | Page # | UDO Approach |
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| Development Standards | | |
| Enhance the visual appearance, pedestrian environment and functionality of Downtown Yorkville. | 90 | Evaluate the proposed Downtown Overlay District regulations to carry forward or extend form-based building design regulations, as appropriate |
| Encourage and facilitate high quality building design and placemaking improvements in Yorkville's destination commercial areas. | 90 | |
| A form-based code may be useful for Downtown Yorkville where redevelopment is proposed for areas both east and west of the Downtown core along Route 47. | 171 | |
| Maintain the physical scale, qualities and visual charm of the traditional residential neighborhoods surrounding the Downtown core district both north and south of the Fox River. | 86 | Evaluate the application of form-based design regulations for specific areas outside of the Downtown, such as along Illinois Route 47, as location-based development standards |
| A zoning overlay with specific standards that address particular development design issues could be considered for Yorkville's corridors in order to ensure new development is compatible in scale, massing and height and land use with adjacent land uses and buildings. | 120 | |
| Improve the overall land use and urban design environment of Yorkville's principal corridors and ensure compatibility between different land uses along such corridors. | 86 | |
| Enhance corridor design through urban design and landscape treatments and other placemaking initiatives. | 78 | |
| Maintain the unique visual, scenic and environmental qualities of Eldamain Road while encouraging compatible development in appropriate locations. | 146 | |
| Promote orderly growth along Illinois Route 47 and enhance and maintain the corridor's visual environment and land use pattern. | 146 | |
| Rehabilitate and reuse existing commercial buildings and encourage high quality new development design. | 78 | |
| Support the preservation, rehabilitation, and re-use of Downtown Yorkville's traditional commercial buildings. | 90 | Evaluate the application of adaptive reuse requirements for commercial buildings for neighborhood retail, services, or small-scale industry |
| Update or develop new design guidelines as needed and consider new zoning tools to promote high quality development design. | 78 | Review, revise, and update development standards, including parking and landscaping requirements, to ensure that any new development or major renovation be held to a higher standard of development |
| Implement a more pro-active approach to managing the Downtown parking supply. | 78 | Evaluate and revise parking-lot minimums and consider the use of parking maximums and any parking adjustments to calculations based on best practices for parking counts |
| Provisions that outline required plantings in areas adjacent to building foundations should be incorporated in the City's Ordinance. | 171 | Review and revise landscaping standards to require building foundation landscaping, when landscaping provisions are applicable |
| Minimize land use conflicts between commercial and industrial land uses and residential areas. | 78 | Review and revise landscaping standards to update transition yard landscaping and fence/screening requirements |
| Lighting standards should be reviewed to offer additional choices for luminaire and street pole design and materials that are more compatible to certain types of residential subdivisions. | 171 | Review and revise lighting design standards to establish modern standards with reference to LED lights and to minimize light pollution |
| Promote a safe and comfortable pedestrian network in residential and commercial areas, including the Downtown. | 78 | Establish new sidewalk standards, with participation of the Public Works department, and with reference to subdivision sidewalk connectivity requirements |

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| Comprehensive Plan Goals, Policies, or Principles | Page # | UDO Approach |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Promotion of sustainable design and development techniques. | 87 | Modernize Engineering Design Specifications with contemporary best management practices for development, under the guidance of the Public Works Department and City Engineer |
| New standards should allow the option of using pervious pavement surfaces and materials for driveways and alleys. | 171 | Update materials standards for driveway construction where appropriate, including in the Engineering Design Specifications |
| Support development options that enhance networks of open space, recreation, and environmentally sensitive land. | 146 | Review, revise, or develop new environmental standards or regulations related to development, and encourage open space preservation and recreation area requirements in the subdivision code update |
| Maintain and enhance parks and greenways and protect the watersheds of the Fox River, Blackberry Creek and other waterways from inappropriate encroachment and development. | 86 | Review, revise, or develop new environmental protections standards for riparian areas and wetlands |
| Address brownfield and environmental issues for targeted redevelopment sites. | 90 | Review, revise, or develop new environmental standards or regulations related to development |
| Administrative Standards | | |
| Consider Yorkville's open spaces, scenic views, historic and cultural resources, and other environmental features as Yorkville assets to be preserved and maintained in new residential, commercial and industrial development. | 86 | Review and revise the approval process for development plans to ensure that important scenic assets are retained, or require a public hearing if there is a question regarding a threat to a local asset |
| Procedural amendments that may streamline the development review and approval process and encourage development and investment. | 87 | Review, revise, and streamline administrative and procedural standards with potential administrative relief for infill or other desirable forms of development |
| Subdivision Standards | | |
| Adopt new subdivision design codes and design standards that encourage quality development and protect and preserve Yorkville's environment assets. | 112 | Review and revise subdivision design standards with modern requirements and consideration of development best practices |
| A conservation district could potentially be implemented in Yorkville's traditional neighborhoods adjacent to or near the Downtown district. (In conservation design, generally 40 to 60 percent of a development site is set aside in conservation areas; consequently, homes may be built on smaller lots than in a conventional estate-type subdivision.) | 170 | Evaluate the addition of a conservation design subdivision to subdivision regulations, with reference to the zoning districts where this subdivision type is best applied |
| Facilitate completion of Tier 1 and 2 subdivisions while considering alternative land uses and subdivision design in the Tier 3 and Tier 4 areas. | 78 | Evaluate the application of an administrative process for the "restart" of dormant subdivision developments and evaluate all dormant subdivisions in the zoning map update |
| Continue building the community roadway network through new development projects. | 122 | Apply subdivision road-connection requirements based on road-segment length and connectivity index standards |
| Improve cul-de-sac design, requiring landscaping and sustainable design features, or reducing the amount of paving area. | 171 | Evaluate possibly requiring special approval or subdivision waiver process for cul-de-sacs to disincentivize their construction and to require greater road network connectivity |
| Integrate new park and open space elements wherever feasible in subdivision development. | 122 | Include open space provision requirements as a design standard for all subdivision applications |
| Consider alternative design approaches that complete the trail and bicycle path network. | 78 | Include pedestrian and bicycle circulation as a standard of review for subdivision and Planned Unit Development (PUD) applications |
| Collaborate with the Yorkville-Bristol Sanitary District on infrastructure planning issues. | 78 | Align subdivision utility standards with the Yorkville-Bristol Sanitary District's standards, including referencing Engineering Design Specifications to the District's requirements, as needed |
| The subdivision ordinance could benefit from sketches and line drawings that illustrates specific subdivision design standards. | 171 | Include graphics and clear illustrations of subdivision requirements and other design requirements in the code |

Summary of Issues from Public Outreach Events

The United City of Yorkville hosted outreach events at City Hall on Thursday, June 13, 2019. Residents, business owners, developers, and other stakeholders were invited to provide their input on the issues and challenges with the existing land development ordinances. A summary of the feedback from the community is as follows:

- **Zoning and Use Standards**
 - The UDO should provide more flexibility for development in the City
 - Form-based codes could be applicable in some areas
 - Tattoo parlors and pawn shops should remain special use
 - Cannabis dispensaries could be zoned in the Business Districts
 - Recreational uses, such as gyms, trampoline, and indoor golf, could be permitted in Manufacturing districts, with the right development requirements

- **Development Standards**
 - The parking space calculation is not adequate to provide enough parking
 - Adjacent parking lots should be required to provide cross-access drives
 - Landscaping regulations should focus on quality of landscaping rather than quantity
 - Landscaping buffer-yard standards need clarification
 - Lighting regulations are contributing to over-lighting (light pollution) and do not address LED lighting (need modernizing)
 - Standards related to quality building materials (such as for masonry) should be retained
 - Sign regulations should be improved and include requirements for multi-tenanted buildings

- **Subdivision Standards**
 - Need to codify the design specifications for subdivision improvements
 - The right-of-way minimum should remain 60 feet
 - No cul-de-sacs or “eye-brow” street layouts
 - Sidewalks should be required on one side and an asphalt trail (eight-foot wide) on the other
 - More open space could be required
 - Street tree requirements should be for hardy tree species
 - There could be different styles of subdivisions, based on zoning district, or using conservation or cluster design principles
 - No triangular or “pie-shaped” lots should be created
 - Need smaller lot option for 10,000-square-foot lots (current minimum is 12,000) with more common area/open space provision
 - Smaller lots (as small as 5,500 square feet) should be considered for mixed housing type development (like 55+ communities)
 - Need to align with the Yorkville-Bristol Sanitary District’s standards

- **Administration and Enforcement**

- Engineering review requirements should be streamlined where possible, due to the high cost of engineering fees passed on to the builder/developer
- There should be some administrative relief mechanism that does not require a public hearing for minimal variations
- Bonding process and procedures need updating, and should only be allowed to cover public domain improvements
- “Restarts” of dormant subdivisions need to be addressed, including accounting for the cost of further administrative reviews and inspections
- New utility locations in subdivisions should have a geocoding submittal requirement
- Plan Unit Development (PUD) process is burdensome, and by-right development options could bypass this process

These public comments helped to inform the direction of preliminary recommendations and shall be reflected upon over the course of the code drafting project.

Proposed UDO Structure

From the beginning of the UDO project, the code document should be organized in a manner that makes it straightforward to use and administer. This type of user-friendly code utilizes tables and graphics when appropriate, and orders sections based on how frequently they are used and referenced.

Yorkville's land development ordinances are contained in the following sections of City Code:

- Title 10 (Zoning);
- Title 10, Chapter 21 (Downtown Overlay District) – *unadopted as of memo date*;
- Title 11 (Subdivision Control); and
- Part of Title 8 (Building Regulations), specifically:
 - Chapter 7 (Stormwater and Floodplain Regulations),
 - Ch. 12 (Landscape Ordinance), and
 - Ch. 15 (Appearance Code).

Note: There are select chapters in Title 8 (Building Regulations) that are also related to land development, including:

- Ch. 3 (House Numbering);
- Ch. 6 (Television Satellite Dishes);
- Ch. 9 (School Transition Fees);
- Ch. 13 (Soil Erosion and Sediment Control);
- Ch. 14 (Pollution Control Facility Siting);
- Ch. 16 (Wetland Protection and Water Quality and Stormwater Management Benefits); and
- Ch. 18 (Beekeeping).

These chapters were previously unidentified in the scope of work for the UDO project, however, if desired, each section can be relocated to appropriate parts of the code without revision, to unify all of the related sections of code into the UDO. Also, Title 9 (Comprehensive Plan) can be relocated without revision to the General Provisions Chapter, if desired.

It is recommended that the above-mentioned ordinances be combined and reorganized into the new Unified Development Ordinance in seven chapters, as listed below. As per discussion with City Staff and Public Works, content will be provided from the City for a separate Engineering Design Specifications manual (contained in proposed Appendix A). Further detail on the proposed structure with reference to the existing chapters of City Code is contained in the Appendix to this memorandum.

Proposed UDO Chapters

Chapter 1. General Provisions

Chapter 2. Definitions

Chapter 3. Zoning District Standards

Chapter 4. Use Standards

Chapter 5. Development Standards

Chapter 6. Subdivision Standards

Chapter 7. Administration and Enforcement

Appendix A. Engineering Design Specifications

Preliminary Recommendations for the Unified Development Ordinance

In addition to public outreach, the project team met with City staff to assist in the preparation of a more detailed and in-depth analysis of the present land development ordinances. The following assessment provides a summary of key issues or concerns and the preliminary recommendations to address these issues in the UDO project. Each set of recommendations is based on the proposed seven-chapter format. The recommendations provided for the UDO are not meant to be a conclusive list but provide direction for starting the UDO code drafting process.

There are also overarching themes that will continue throughout the course of work on the UDO project, which include:

- Reorganization of existing regulations;
- Use of plain English and less legalese;
- Addition of graphics and diagrams to better communicate regulations;
- Simplification of existing tables and graphics;
- Addition of cross-references to related sections of the code as needed;
- Modification to use and bulk standards to address nonconformities in zoning districts; and
- Modernization of standards related to land development, in general.

1 General Provisions

General Provisions are those standards that establish the code regulations, including their purpose, general applicability, interpretation, and relationships to other laws.

Presently, general provisions are set forth in City Code Chapter 10-1 Zoning Purpose and Interpretation and Chapter 11-1 General Subdivision Provisions. The one article included in Title 9 establishes the adoption of the Comprehensive Plan.

Preliminary recommendations for the General Provisions Chapter include:

- Codify the Title and Authority for the Unified Development Ordinance (UDO)
- Establish General Applicability, Interpretation, and Scope provisions that apply to all aspects of land development, including both zoning and subdivision control
- Retain present provisions related to Relationships with Other Laws, and Separability
- Establish and consolidate the Intent and Purpose for the UDO, with consideration of the Comprehensive Plan's goals and principles
- Relocate Title 9 Comprehensive Plan as an article in this chapter, if desired

2 Definitions

The Definitions Chapter establishes the words and phrases that are given a defined meaning when used in the ordinance.

Definitions in the current City Code are scattered throughout, including Chapter 10-2 Rules and Definitions, Ch. 11-1 General Subdivision Provisions, and Articles 10-8-3 (PUD), 10-14-1 (Adult Uses), 10-18-1 (Telecom. Towers), 10-19-3 (Alt. Energy Systems), 10-20-4 (Signs), 8-14-1 (Pollution Control Facilities), and 8-15-1 (Appearance Code).

Preliminary recommendations for the Definitions Chapter include:

- Consolidate all definitions into a single, alphabetical index of words and phrases
- Retain Rules for Interpretation
- Establish definitions for all uses in the Permitted and Special Uses Table
- Eliminate unused definitions and any conflicting or repetitive definitions
- Add new definitions for new words or phrases, added into the new UDO, including land use definitions for permitted, special, or prohibited uses, ensuring the defensibility of the code document

3 Zoning District Standards

Zoning District Standards are the regulations that apply to all land in Yorkville based on designated district areas with consideration of the functionality or character of each district and the Comprehensive Plan’s Future Land Use Map. The Chapter establishes the Zoning Districts, the official Zoning Map, how to interpret the Zoning Map, and the dimensional standards for both lots and structures in each district.

Zoning Districts are established in Chapter 10-5 Zoning Districts and Maps, however other district standards are currently distributed throughout the code, including in Ch. 10-3 General Zoning Provisions, and 10-7 Dimensional and Bulk Requirements. An individual chapter, with multiple articles, is also established for each category of district, Ch. 10-9 Agricultural, 10-10 Open Space, 10-11 Residential, 10-12 Business, and 10-13 Manufacturing. The Downtown Overlay District is a new overlay district proposed in the unadopted Ch. 10-21 form-based code.

Preliminary recommendations for the Zoning District Standards Chapter include:

- Consolidate Zoning District definitions (purpose and intent) into a single code article
- Revise Zoning District definitions based on the realignment of Zoning Districts to the City’s Future Land Use Map
- Consolidate dimensional standards for each Zoning District into an easy-to-read tabular format
- Provide new “right-sized” dimensional standards for each Zoning District where needed, based on analysis of existing nonconformities and the guidance from the goals in the Comprehensive Plan. Dimensional standards should be adjusted in reasoned increments in districts where both long-term stability and neighborhood investment are desired
- Clarify language (with plain English) for the interpretation of District Boundaries
- Develop new Zoning District boundaries, as needed, on a new Zoning Map based on revised Zoning District definitions and the City’s Future Land Use Map. Map changes suggested in the Comprehensive Plan include:
 - Realign residential district boundaries, or create a new zone, to permit more mid-density housing types and to diversify housing opportunities
 - Adjust the boundaries of estate/large lot residential zones where significant environmental and topographical features exist
 - Provide areas for new commercial development types, such as mixed-use development
 - Distinguish the Downtown and destination commercial areas from corridor commercial, and commercial/office or “flex” development areas
 - Expand the amount of industrial-zoned land, such as near Fox Industrial Park

4 Use Standards

Use Standards include all regulatory language for the determination of land uses, including a Use Table to specify in which Zoning Districts each use is allowed—either as a permitted or special use. Use Standards also include a limited number of use-specific regulations to extend the requirements for uses identified as having potential adverse impacts on surrounding areas (such as uses with outdoor operations) or other unique development requirements (such as mixed-use developments).

Use-based regulations are widely dispersed in the City Code, primarily due to the introduction of new uses over time and the adoption of piecemeal articles to accommodate those new uses. Use standards thus span both Title 10 Zoning and Title 8 Building Regulations. Chapter 10-6 Permitted and Special Uses contains a Use Table, however the listed uses are repeated in each Zoning District chapter (10-9 to 10-13). The unadopted Ch. 10-21 Downtown Overlay District also contains new use provisions.

Use-specific provisions are contained in Chapter 10-3 General Zoning Provisions, 10-13 Manufacturing Districts (Mineral Extraction), 10-14 Adult Uses, 10-18 Telecom Towers, 10-19 Alt. Energy Systems, 8-14 Pollution Control Facility Siting, and 8-18 Beekeeping.

Preliminary recommendations for the Use Standards Chapter include:

- Consolidate the list of uses into a single Use Table
- Review and revise use definitions and clarify use determination standards
- Cross-reference the Use Table to use-specific standards (such as those for adult uses)
- Review and revise existing use-specific standards to update these based on industry best practices
- Evaluate all uses to amend the list of permitted and special uses for each updated Zoning District, based on the intention of each Zoning District
- Add new uses to the list of uses regulated by the UDO (such as cannabis-related uses), and remove dated or redundant uses from the code, and include all recent use amendments to the code

5 Development Standards

Development Standards are the design regulations for specified elements of development, including any changes or improvements to land in Yorkville. Development Standards include clear “applicability” rules that indicate each scenario when compliance with the set standard is mandatory. Types of development standards include off-street parking design, landscaping regulations, lighting design, performance standards, or form-based design requirements (such as building façade or roof types).

The City Code for Yorkville presently contains development standards in Article 10-3-8 Performance Standards, Chapter 10-16 Off Street Parking and Loading, 10-17 Fencing and Screening, 10-20 Signs, 8-6 TV Satellite Dishes, 8-7 Stormwater and Floodplain Regulations, 8-12 Landscaping, 8-13 Soil Erosion Control, 8-15 Appearance, and 8-16 Wetland Protection. The unadopted Ch. 10-21 Downtown Overlay District contains both Building Type and Site Development standards.

Preliminary recommendations for the Development Standards Chapter include:

- Include elements of the proposed form-based code Downtown Overlay District, revised as needed, and apply additional form-based development standards for specific areas outside of the Downtown, such as along Illinois Route 47
- Replace the Appearance Code with building façade and roof type development standards, or other form-based standards, to encourage quality building development and to encourage a variety of building exteriors and architectural characters, with graphics for easy interpretation
- Build flexibility into development standards for small businesses, like artisans, home occupations, or agritourism
- Evaluate and revise the schedule of parking requirements with use categories consistent with those in the Use Table, eliminate employee- or seat-based requirements, bring requirements up to date with industry standards, and utilize parking minimums and maximums
- Adjust loading berth requirements to be left to the discretion of the developer, provided all development standards for loading areas are met
- Simplify landscaping standards for ease of interpretation and administration, and illustrate requirements with clear graphics
- Revise landscaping standards to require building foundation landscaping, and to update transition yard landscaping requirements between incongruent adjoining uses and zoning districts, and parking lot landscaping requirements
- Integrate elements of the Yorkville Neighborhood Design Manual (2019) for landscaping and green infrastructure requirements to enable use of innovative stormwater solutions
- Review, revise, or develop new environmental standards or regulations related to development, such as for riparian areas, and consolidate all environmental code requirements (such as Stormwater, Flood Hazard, Soil Erosion requirements)
- Revisit fence and screening requirements for quality control, such as prohibiting chain link
- Revise sign requirements to comply with the Supreme Court decision of *Reed v. The Town of Gilbert, Arizona* (2015) which determined that signs cannot be regulated differently based on the content of the sign's message
- Clearly indicate the permitted size, height, and location of signs by sign type, rather than by general provisions that apply to all sign types, and improve definitions of sign area and height
- Clarify sign type definitions, and exempt, temporary, and prohibited sign types, and in which zones certain sign types are permitted
- Allow various materials for signs
- Establish new sidewalk standards, with participation of the Public Works department and with reference to subdivision sidewalk connectivity requirements
- Retain and consolidate existing performance standards and noise standards and establish new lighting standards that minimize light pollution and retains the “dark sky” concept cited in the Parking code

6 Subdivision Standards

Subdivision standards set forth the requirements and design regulations for subdivision improvements, such as for lot and street layouts, open space requirements, and utility provision. A subdivision code can permit a variety of subdivision types, based on factors such as number of lots or zoning district, and can apply specific standards based on that subdivision type.

Subdivision code in Yorkville is contained in Title 11 Subdivision Control, however many of the provisions of Title 11 are administrative requirements. Subdivision standards for design are found in Chapter 11-4 Design Standards and 11-5 Required Improvements.

Preliminary recommendations for the Subdivision Standards Chapter include:

- Relocate administrative requirements, such as for plat submission, plan details, amendments, bonding, and permit and inspection processes, to the Administration and Enforcement Chapter
- Enhance and modernize subdivision design standards with consideration of best development practices, introducing new design standard requirements, such as for driveway materials and design
- Add a conservation design or cluster subdivision type with reference to the zoning districts where this subdivision type is best applied
- Add subdivision road connection requirements based on road segment length and connectivity index standards (a set ratio of intersections to road segment lengths)
- Add open space provision requirements as a design standard for all subdivision applications
- Ensure subdivision utility standards with the Yorkville-Bristol Sanitary District's standards
- Coordinate with the Public Works Department as they gather Engineering Design Specifications to include in the Appendix to the UDO

7 Administration and Enforcement

Administrative requirements are best organized into a reference chapter to be used closely by those administering the code, while also being easy to interpret by residents and businesses. This chapter typically includes the establishment of the UDO administration, the department structure, and its board and committees; the eligible processes or applications that may be made to said administration (such as for variations, subdivisions, or Planned Unit Developments); enforcement processes; and the penalties that may be imposed for UDO violations.

Currently the administrative provisions in the Yorkville City Zoning Code are established in Chapter 10-4 Zoning Administration and Enforcement, however administrative portions of code exist in many other chapters and articles, including Ch. 10-8 Planned Unit Development, 10-15 Nonconforming Buildings, Structures and Uses, 11-2 Procedure for Submission of Plat, 11-3 Requirements for Plans and Plats, 10-6 to 10-9 Subdivision Administration, Amendments, Fees, and Extensions, 8-3 House Numbering, 8-9 School Transition Fees, and in the unadopted Ch. 10-21-1 Downtown Overlay District Introduction.

Preliminary recommendations for the Administration and Enforcement Chapter include:

- Bring the Code into alignment with how staff and elected and appointed officials operate currently, for example, the Plan Commission and Zoning Board of Appeals are now combined
- Align all application processes and procedures and submittal requirements, such as for variations, appeals, special uses, planned unit developments, subdivisions, annexations, and permitting
- Revise the Planned Unit Development (PUD) regulations to tie the PUD process to the entitlements of by-right development in Zoning Districts, to obtain better outcomes for master planned developments, while adhering to the intention of the underlying district and the Comprehensive Plan
- Consider a new administrative process for the "restart" of dormant subdivision developments, to reflect the reopened review and inspection requirements that the restart creates

- Strengthen the process for securing subdivision improvements to ensure the completion of required improvements in a timely manner, based on what improvements are bonded, timing of completion, and limits to extensions
- Review and revise the approval process for development plans to ensure that important scenic assets are retained, or require a public hearing if there is a question regarding a threat to a local asset
- Review, revise, and streamline administrative and procedural standards, with potential administrative relief for infill or other desirable forms of development
- Insert administrative approvals in any instance where they can potentially improve the efficiency and function of administration without impacting the intent of the public process
- Build in administrative relief for development scenarios where minor deviations from the UDO requirements can be judged by the Community Development Director in order to limit unnecessary public hearings. Include specific limits to administrative approvals, and the ability for the Director to send such cases to a public hearing, if the outcomes of the deviation is deemed indeterminate. Include an appeal process for the petitioner if they are not satisfied with the director's decision
- Clarify and expand enforcement processes and penalties for various common violations (such as residential maintenance), and consolidate these from all current parts of the code

Form-based Code Applicability Analysis

Form-based codes are a development regulation that focuses primarily on the physical character of development (form) and deemphasizes use. The Comprehensive Plan included recommendations that encourage new development in Downtown Yorkville to have additional form regulations and proposes the extension of form-based provisions to other areas of the City, such as along major corridors (Illinois Routes) or industrial corridors (Eldamain Road).

Guided by the Comprehensive Plan recommendations, the Yorkville Community Development Department has invested in a draft form-based code for a proposed Downtown Overlay District. Though presently unadopted, the Downtown Overlay District presents the initial basis for the formation of higher standards and regulations for future development along five corridor districts in the Downtown.

As such, there is potential for the adoption of the Downtown Overlay District in Yorkville, and the integration of this document within the Zoning District Standards for a “hybrid” Unified Development Ordinance. Further, there is the potential that form-based development standards can be extended to other parts of the City, including to properties that front on high-traffic or high-visibility corridors. It is recommended that a measured approach is taken for the administration of form-based regulations, through incorporating additional dimensional standards and character corridor regulations for the City, based on the work-product in the Downtown Overlay District.

Appendix

Proposed UDO Chapter and Article Reorganization

The following table includes Yorkville City Code articles that contain land development ordinances and provides a general guide for code reorganization based on the following proposed UDO chapters:

Chapter 1. General Provisions
Chapter 2. Definitions
Chapter 3. Zoning District Standards
Chapter 4. Use Standards

Chapter 5. Development Standards
Chapter 6. Subdivision Standards
Chapter 7. Administration and Enforcement
Appendix A. Engineering Design Specifications

| Current Code Chapter | Proposed UDO Chapter |
|--------------------------------------------------------------------|----------------------------------|
| Title 10 - ZONING | |
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Note: Current Code Articles marked with ** may also relocate, in part, to General Provisions, Definitions, or Administrative and Enforcement chapters, as appropriate.