

**RECORDING
NOT REQUIRED**

RETURN TO:

**TROY CITY CLERK
116 E. MARKET STREET
TROY IL 62294**

**CITY OF TROY
ORDINANCE 2026-34**

**AN ORDINANCE AMENDING §154.064 PLANNED
DEVELOPMENT (PD) OVERLAY OF THE CITY CODE
REGARDING THE ALLOCATION OF IMPROVEMENT FEES**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY,
ILLINOIS, ON THIS 15th DAY OF JUNE 2026**

ORDINANCE NO. 2026-34

AN ORDINANCE AMENDING §154.064 PLANNED DEVELOPMENT (PD) OVERLAY OF THE CITY CODE REGARDING THE ALLOCATION OF IMPROVEMENT FEES

WHEREAS, the City of Troy, Illinois, previously adopted ordinances establishing criteria and procedures for Planned Development (PD) Overlays; and

WHEREAS, the Planning Commission reviewed the proposed amendment to §154.064 of the City Code regarding the allocation of improvement fees and determined that the amendment is necessary to provide flexibility in meeting Planned Development improvement requirements where site conditions or development constraints make certain improvements impractical, while ensuring that equivalent funds are available to support public improvements and amenities that further the intent and purpose of the Planned Development regulations; and

WHEREAS, the Planning Commission complied with the provisions of §154.143, Amendments, of the Zoning Ordinance by holding a public hearing on June 11, 2026, to consider amendments to §154.064, Planned Developments; and

WHEREAS, as a result of said hearing, the Planning Commission made a recommendation (Recommendation 2026-18) to the City Council that the proposed amendments to the Zoning Ordinance be approved and adopted; and

WHEREAS, the City Council has duly considered the matter and the recommendation of the Planning Commission and has determined that the amendments referenced herein are consistent with the goals, objectives, and policies of the Planned Development (PD) Overlay regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TROY, ILLINOIS, AS FOLLOWS:

1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if outlined in this Section of this Ordinance verbatim, as findings of the City Council of the City of Troy, Illinois.
2. § 154.064, Planned Development (PD) Overlay, of the Zoning Ordinance is hereby amended to add subsection (B)(2)(10), which shall read as follows:

§ 154.064 PLANNED DEVELOPMENT (PD) OVERLAY

(B) (2)(10) At the City's discretion, where the provision of required greenspace amenities is determined to be technically infeasible, the City may require the owner or developer to pay to the City a mutually agreed upon sum equivalent to the cost of such improvements. Said payment, if required, shall be allocated by the City Council to one or more of the following designated funds: (1) Street Improvement Account; (2) Sewer Plant Capital Improvement Account; or (3) City Enhancement ("Streetscaping") Account.

Such payment shall be due and payable at the time of approval of the final plat of the subdivision by the City Council. In the event that payment is not received at such time, the Mayor shall not execute the final plat for recording.

3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall not affect the validity of the remaining portions of this Ordinance.
4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict
5. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.
- 6.

PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 15th day of May, 2026.

Aldermen Vote:

Dan Dawson	<u>✓</u>	Sam Italiano	<u>✓</u>	Ayes:	<u>6</u>
Tim Flint	<u>✓</u>	Debbie Knoll	<u>✓</u>	Nays:	<u>0</u>
Elizabeth Hellrung	<u>ABSENT</u>	Heather Stirling	<u>✓</u>	Absent:	<u>2</u>
Nathan Henderson	<u>ABSENT</u>	Troy Turner	<u>✓</u>	Abstain:	<u>0</u>



APPROVED:

A handwritten signature in black ink, appearing to read "David Nonn", written over a horizontal line.

DAVID NONN, Mayor
City of Troy, Illinois

ATTEST:

A handwritten signature in blue ink, appearing to read "Kimberly Thomas", written over a horizontal line.

KIMBERLY THOMAS, Clerk
City of Troy, Illinois

RECOMMENDATION 2026-18**RECOMMENDATION TO THE CITY COUNCIL REGARDING AN AMENDMENT TO
§154.064 PLANNED DEVELOPMENT (PD) OVERLAY REGARDING THE
ALLOCATION OF IMPROVEMENT FEES**

WHEREAS, the Troy Planning Commission conducted a public hearing on June 11, 2026, regarding a proposed amendment to §154.064 Planned Development (PD) Overlay of the Troy City Code; and

WHEREAS, notice of said public hearing was properly published and provided in accordance with the requirements of the Troy City Code and Illinois law; and

WHEREAS, the proposed amendment would re-add and clarify the allocation of improvement fees for Planned Development greenspace amenities where such amenities are determined to be technically infeasible; and

WHEREAS, the proposed amendment would authorize the City Council to allocate such funds to designated public improvement accounts including Street Improvements, Sewer Plant Capital Improvements, and City Enhancement ("Streetscaping") improvements; and

WHEREAS, the Planning Commission finds that the proposed amendment is consistent with the intent and purpose of the Planned Development regulations and promotes the orderly development and public welfare of the City.

WHEREAS, the Planning Commission voted as recorded below:

Bogue	<u>Yes</u>	Lybarger	<u>Yes</u>	Patton	<u>Yes</u>	Yeas	<u>6</u>
Compton	<u>Yes</u>	McBride	<u>ABSENT</u>	Reiter	<u>ABSENT</u>	Nays	<u>0</u>
Curtis	<u>Yes</u>	Niermann	<u>Yes</u>	Stone	<u>ABSENT</u>	Abstains	<u>0</u>

☐ **Is Not Recommended**

☒ **Is Recommended -with the following stipulations:**

A copy of this recommendation shall be forwarded to the City Council, with the original maintained on file by the Code Administrator.

DATED this 11th day of June, 2026.

Attest: Rachel M. Lybarger
Secretary, Planning Commission

By: Wiz Gurf
Chairman, Planning Commission