



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Planning Division*

**m e m o r a n d u m**

**TO:** Bruce K. Walden, Chief Administrative Officer

**FROM:** Elizabeth, H. Tyler, AICP, Director

**DATE:** October 31, 2002

**SUBJECT:** CCZBA-344-AT-02: Request by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance.

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**Introduction & Background**

The Champaign County Zoning Administrator is requesting a text amendment to the County Zoning Ordinance to reorganize and reformat the ordinance in order to make it easier to use and understand. The proposed text amendment would also introduce a new category of use type and refine existing use type categories for more specificity in categorizing and reviewing uses as required. The proposed text amendments do not affect any development rights or impose and new regulations.

On October 23, 2002 the Urbana Plan Commission considered the case and unanimously recommended that the Urbana City Council defeat a resolution of protest. There was no discussion. For additional information on the case, please refer to the staff memorandum dated October 18, 2002.

**Issues and Discussion**

The proposed text amendments include the following:

- A. Reorganize the provisions into 13 articles in lieu of the present 14 sections;
- B. Reserve sections for future new provisions;
- C. Institute a new article and section numbering system;
- D. Generally make grammatical and editorial changes as required by the new format and to provide greater clarity;
- E. Add language clarifying the scope and effect of the ordinance;

- F. Add language clarifying the definition and application of “use” as applied to lots;
- G. Clarify regulations applying to the process of creating lots; and
- H. Add new “Conditional Use” and “Legislative Special Use” categories of use authorization to the existing “By Right” and “Special Use” categories. No uses are assigned to the new categories by the amendment and it makes no substantive changes to the Table of Permitted Uses by District.

The text amendment is proposed as part of a Comprehensive Zoning Review (CZR) currently being conducted by the Champaign County Department of Planning and Zoning. The CZR will update the zoning ordinance to reflect changing conditions as well as new State and Federal laws. It is expected that substantial changes to the content of the Champaign County Zoning Ordinance will be presented in early 2003. The current text amendment does not propose any considerable contextual changes but rather changes to the format and organization. The attached Champaign County Supplementary Memorandum explain the proposed changes in greater detail.

This amendment allows for protection of the public interest and would not negatively affect the City of Urbana. At this time no changes are recommended for the Urbana Zoning Ordinance related to this proposal.

### **Summary of Staff Findings**

1. The proposed text amendments are generally consistent with the Urbana Zoning Regulations and Comprehensive Plan Goals and Objectives.
2. The proposed text amendments would allow for better clarity and understanding of the Champaign County Zoning Ordinance.
3. Comparable text amendments to the City of Urbana Zoning Ordinance are not necessary.
4. The proposed text amendments would not pose a significant detriment to the City of Urbana or to the extra-territorial jurisdiction of the City of Urbana.

### **Options**

In CCZBA Case #344-AT-02, the City Council has the following options:

- a. Defeat a resolution of protest for the proposed text amendment.
- b. Defeat a resolution of protest contingent upon some specific revision(s) to the proposed text amendment.

- c. Adopt a resolution of protest for the proposed text amendment.

### **Staff Recommendation**

At the October 24, 2002 Plan Commission meeting, the Commission unanimously (by a vote of 6-0) recommended the Urbana City Council **defeat a resolution of protest** for the proposed text amendment based upon the findings summarized above. Staff concurs with this recommendation.

Attachments:

- 1) Draft Ordinance for Resolution of Protest
- 2) Draft Plan Commission Minutes from October 24, 2002

- c: John Hall, Champaign County Planning and Zoning

RESOLUTION NO. 2002-11-029R

**A RESOLUTION OF PROTEST AGAINST A PROPOSED TEXT AMENDMENT TO  
THE CHAMPAIGN COUNTY ZONING ORDINANCE**

(Text amendment to amend various sections of the Champaign  
County Zoning Ordinance - Plan Case CCZBA 344-AT-02)

WHEREAS, Frank DiNovo, Champaign County Zoning Administrator,  
has petitioned the County of Champaign for an amendment to the  
text of the Champaign County Zoning Ordinance in Champaign  
County ZBA Case No. 344-AT-02 to amend various sections of the  
Champaign County Zoning Ordinance; and

WHEREAS, said amendment has been submitted to the City of  
Urbana for review and is being considered by the City of Urbana  
under the name of "CCZBA-344-AT-02; and

WHEREAS, the Urbana Plan Commission, after considering  
matters pertaining to said Petition at their meeting of  
October 24, 2002, has recommended by a vote of 6 to 0 that the  
Urbana City Council defeat a resolution of protest against the  
proposed omnibus text amendment to the Champaign County Zoning  
Ordinance; and

WHEREAS, the Urbana City Council, having duly considered

all matters pertaining thereto, finds and determines that the proposed text amendment is in the best interest of the City of Urbana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The City Council finds and determines that the facts contained in the above recitations are true.

Section 2. That the Urbana City Council hereby resolves that the City of Urbana, pursuant to the provisions of 55 ILCS 5/5-12014, does hereby defeat a Resolution of Protest against the proposed text amendment as presented in CCZBA-344-AT-02.

PASSED by the City Council this \_\_\_\_\_day of \_\_\_\_\_, 2002.

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Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_day of \_\_\_\_\_, 2002.

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Tod Satterthwaite, Mayor