



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Laurel Lunt Prussing

FROM: Elizabeth H. Tyler, FAICP, Community Development Director

DATE: July 31, 2015

SUBJECT: Plan Case 2254-T-15: An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with minor changes to Article II (Definitions), Article V (Use Regulations), Article VI (Development Regulations), Article VII (Conditional and Special Uses), Article VIII (Parking and Access), Article IX (Comprehensive Sign Regulations), Article XI (Administration), Article XII (Historic Preservation), and Article XIII (Special Development Provisions).

Introduction

The Zoning Administrator requests a multipart amendment to the Zoning Ordinance, to include changes such as updating definitions, reorganizing sections, revising allowed uses and parking requirements, and a variety of other minor changes. The changes are requested to assist the daily administration of the Zoning Ordinance by reducing inconsistencies and updating regulations to meet current professional practices. This set of changes is also proposed to correct typographical errors and inconsistencies that have been identified since the ordinance was last updated. On their own, many of these changes would not warrant a separate text amendment, and are therefore combined into one “omnibus” amendment. In addition to text changes, staff proposes minor changes to make illustrations in Articles II, VI, and VIII more clear.

Background

The latest series of omnibus Zoning Ordinance amendments were approved in 2013. Since then there have been three text amendments to the ordinance, which require incorporation into a republished document. Republishing the Zoning Ordinance creates an opportunity for staff to make any necessary minor updates in the form of an omnibus text amendment. In addition, some minor typographical errors can be corrected through this process.

Future and pending amendments to the Zoning Ordinance in addition to those proposed as part of this case include the development of downtown design guidelines pursuant to the Downtown Plan, new digital billboard regulations, updates to Home Occupation regulations, the zoning enforcement section, and bicycle parking regulations, and the creation of a University District distinct from the existing CRE – Conservation-Recreation-Education District.

Discussion

This memorandum explains the more significant Zoning Ordinance changes and summarizes the minor changes. The attached Zoning Ordinance Changes (see Exhibit A) outlines all of the proposed changes using a strikethrough and underline notation system. A strikethrough is used to indicate ~~deleted~~ language, while an underline is used to indicate added language. Staff suggests a number of grammatical corrections and organizational changes as well. The Urbana Plan Commission held a public hearing to discuss the proposed changes on July 23, 2015. At that meeting, the Plan Commission made two minor changes, which have been incorporated into the proposed amendment.¹ They then voted eight ayes to zero nays to forward the case to City Council with a recommendation to approve the proposed text amendment with the suggested changes.

Upon adoption of this multipart amendment, staff will republish the Zoning Ordinance, including the three text amendments that were adopted over the past two years. These adopted amendments will be summarized in the table which precedes the text of the Zoning Ordinance upon republication. The following is a list of text amendments that have been adopted since the last Zoning Ordinance was published in 2013, followed by plan case number and adopting ordinance number:

- Medical Cannabis Use Regulations (2234-T-14, 2014-08-076);
- Electronic Message Boards in the CRE Zoning District (2244-T-14, 2014-11-106);
- Gaming Hall Use Regulations (2250-T-15, 2015-03-029);

The following summarizes the miscellaneous proposed changes organized by Zoning Ordinance article. Changes are listed in bullet points, followed by a brief explanation in italics.

Text Changes

Article II. Definitions

- Add definitions for “Awning”, “Banquet Facility”, “Catering Service”, “Deli”, “Microbrewery”, “Principal Use”, “Principal Structure”, and “Self-Storage Facility”.

¹ Staff proposed to allow Catering Services and Banquet Facilities by right in the MOR district. The Plan Commission modified this to allow them with a Conditional Use Permit.

“Awning”, “Catering Service”, “Deli”, “Principal Use”, and “Principal Structure” are terms that are used in the ordinance but are never defined. “Microbrewery” is a new principal use proposed for Table V-1. Microbreweries are small-scale brewing facilities that often include tasting rooms and small retail operations. “Banquet Facility” is a use that has been allowed in Urbana but has not yet been defined. A “Deli” is very similar to a “Café”, so a reference has been added to guide readers to the definition of “Café”. “Self-Storage Facility” is defined under “Warehouse, Self-Storage”; a reference has been added to guide readers to the existing definition.

- Move part of the definition for “Floor Area Ratio” to Section VI-4.

The definition for Floor Area Ratio is being amended to remove regulatory language from the definitions section. Those regulations are being moved to Article VI.

- Revise Figure 1. Floor Area Ratio.

This graphic is being revised to illustrate FAR more clearly and accurately.

Article V. Use Regulations

- Update Section V-12 to clean up references, to change the phrase “immediate family” to “household” in the Home Occupation section.

References in this section incorrectly said “Section V-13” instead of “Section V-12”. The section currently limits persons engaged in a home-based business to “members of the immediate family”. The Zoning Administrator proposes changing this to “members of the household”.

Table V-1. Table of Uses

- Add “Banquet Facility” as a use to be permitted by right in the B-3, B-3U, B-4, B-4E, CCD, and IN-1 districts, and with a Conditional Use Permit in the B-1, B-2, and MOR districts.

This proposed change would recognize Banquet Facilities as a use to be allowed by right in higher business zoning districts, in the IN-1 districts, and as a Conditional Use in lower business districts and the MOR district.

- Add “Catering Service” as a use to be permitted by right in the B-2, B-3, B-3U, B-4, B-4E, CCD, and IN-1 districts, and with a Conditional Use Permit in the B-1 and MOR districts.

This proposed change would recognize Catering Services as a use to be allowed by right in the B-2 and higher business zoning districts, in the IN-1 districts, and as a Conditional Use in the B-1 and MOR districts.

- Amend the table to allow “Contractor Shop and Showroom” and “Lawn Care and Landscaping Service” as uses to be permitted via Conditional Use in the B-2 district.

Currently, these uses are allowed in the B-1 district with a Conditional Use Permit. The proposed changes would allow these uses in the higher-intensity B-2 district as well with a Conditional Use Permit.

- Amend the table to allow “Dwelling, Duplex” as a permitted use and “Dwelling, Duplex (Extended Occupancy)” as a use to be permitted via Conditional Use in the R-7 district.

Currently, these uses are allowed in the R-2 district with a Conditional Use Permit, and in all higher residential districts, except R-7, by right. In addition, the R-7 district allows more intense uses such as Dormitories and Rooming Houses by right. The proposed changes would allow Duplex uses by right in the R-7 district, and Duplex (Extended Occupancy) uses with a Conditional Use Permit in the R-7 District. Duplex (Extended Occupancy) is a duplex where each unit is occupied by a household plus additional household members such as foster children.

- Add “Microbrewery” as a use to be permitted by right in the B-3, B-4, B-4E, IN-1, and IN-2 districts, and with a Special Use Permit in the B-2 district.

This proposed change would recognize the growing popularity of microbreweries and would allow them by right in higher business zoning districts and in industrial zoning districts.

- Amend the table to allow “Vocational, Trade, or Business School” as a use to be permitted by right in CRE district.

This proposed change would allow this use – an education-related use – to be permitted by right in the CRE, Conservation-Recreation-Education district.

- Amend references in Table V-1.

This would clean up missing and incorrect references in Table V-1.

Article VI. Development Regulations

- Add Floor Area Ratio regulations to Section VI-4.A.

Floor Area Ratio regulations which are now in the Definitions Section will be moved to Article VI.

- Edit illustrations in Section VI-5.B.
- Add “planting beds” to Section VI-5.B(10).

Currently the Zoning Ordinance is silent on whether planting beds are allowed in required yards. This proposed change would make it clear that planting beds are allowed in required yards.

Table VI-3. Development Regulations by District

- Reduce yard requirements in the B-2 zoning district from 10 to 7 feet in side yards and from 15 to 10 feet in rear yards.

Currently, the yard requirements in the B-2 district are more restrictive than in the less intense B-1 district. The Zoning Administrator proposes this change to bring the B-2 district yard requirements into parity with the B-1 district.

- Add footnote to rear yard requirements in the B-4, B-4E, and IN-2 districts to address the requirement for a buffer yard if adjacent to residential uses.

In the B-4, B-4E, and IN-2 districts, a 10 foot rear yard buffer is required if a property is adjacent to a residential property. Currently, Table VI-3 does not reference this requirement, which could lead to confusion. The proposed change would add a footnote as a reference.

Article VII. Conditional and Special Uses

- Replace “Home for the Aged” with “Assisted Living Facility”.

Reference is made to the outdated term “Home for the Aged”, which was replaced in a previous omnibus amendment with “Assisted Living Facility” in other sections of the Zoning Ordinance. This would correct an oversight and update the term in Article VII.

Table VIII-7. Parking Requirements by Use

- Remove duplicate entries.

Some uses were listed twice. Duplicate entries will be removed from the table.

- Add “Gaming Hall” parking requirements.

This would add an off-street parking requirement of 1 space per 250 square feet of floor area for Gaming Halls, a parking requirement that is equal to the parking requirements for similar uses, such as general food sales and service, and general retail trade uses.

- Amend Figure VIII-2.

This would remove an unnecessary dimension from the figure.

Article IX. Signs and OASS Regulations

- Amend electronic sign illumination table to reflect current and pending regulations for digital signs.

Staff, at the direction of City Council, has been working to amend regulations for digital signs and billboards. City Council asked staff to address the way brightness levels are measured for electronic message boards smaller than 100 square feet in area. The proposed changes would update Article IX to reflect the regulations for measuring the brightness of electronic message boards based on the attached guidelines from a study by Lewin.

Article XI. Notification Requirements

- Add procedures for Continued Hearings or Meetings.

Currently, there are no formal procedures for administering continued or canceled public hearings or meetings. This proposed change would add such procedures.

Article XII. Historic Preservation Ordinance

- Amend Paragraph XII-5.C(1)(d) to indicate that notable work of a master builder, designer, architect or artist can be a collaborative effort.

Currently, the criteria for designating a local historic landmark is unclear as to whether the work of a master builder, designer, architect, or artist must be an individual work or the work of a firm or group of people. Since architecture is a collaborative profession, and a building is often the product of a team of designers, this proposed change would clarify that work done by firms or groups can qualify under the “notable work” criterion.

Article XIII. Special Development Provisions

- Add references to Urbana Bicycle Master Plan, Urbana Comprehensive Plan to Table XIII-2.

References to these documents are currently missing from Table XIII-2. This change will add them in the appropriate place.

- Make minor editorial changes.

This section has several minor editorial changes to be made. (See Exhibit A).

Summary of Findings

1. The proposed amendment will assist the daily administration and enforcement of the Zoning Ordinance by reducing inconsistencies and updating regulations to meet current professional practices.
2. The proposed amendment is consistent with the goals and objectives of the 2005 Urbana Comprehensive Plan regarding updating various sections of the Zoning Ordinance.
3. The proposed amendment will update the Zoning Ordinance to ensure that the regulatory environment more closely matches the goals and policies of the City, including recent text amendments to the Zoning Ordinance.
4. The proposed amendment conforms to notification and other requirements for the Zoning Ordinances as required by the State Zoning Act (65 ILCS 5/11-13-14).

Options

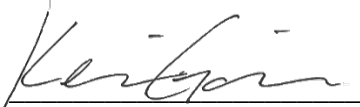
The Urbana City Council has the following options in this case:

- a. Approve the proposed text amendment as presented herein;
- b. Approve the proposed text amendment as modified by specific suggested changes; or
- c. Deny the proposed amendment.

Recommendation

At their July 23, 2015 meeting, the Urbana Plan Commission voted eight ayes to zero nays to forward the proposed text amendment to City Council with a recommendation for **APPROVAL**, including changes that have been incorporated into this memo. Staff likewise recommends approval.

Prepared by:



Kevin Garcia, AICP
Planner II

Attachments: Strikethrough Copy of Proposed Zoning Ordinance Changes
Draft Ordinance

KEY:

~~Strikethrough~~ = Proposed Removal

Underline = Proposed Addition

Section II-3. Definitions

...
Awning: See "Canopy or Entrance Structure".

...
Banquet Facility: A facility or hall available for lease by private parties for events such as dinners and banquets.

...
Catering Service: An establishment that prepares and supplies food to be served and consumed off premises.

...
Deli: See "Food Service Establishments, Café".

...
Floor Area Ratio: The quotient of gross floor area of all buildings on the lot divided by the lot area (See Figure 1). ~~When an encroachment over a right-of-way has been approved by the City for a habitable structure, the gross floor area of the structure shall be increased by the gross floor area of the encroachment. (Ord. No. 8485-51, § 4(c), 1-21-85)~~

...
Hotel or Motel: ~~Hotel or Motel~~: A building providing transient lodging accommodations to the general public for compensation and which may include ancillary facilities and services such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities. See Section V-11 for occupancy limits for hotel or motel units. (Ord. No. 2012-02-019, 1-16-2012; Ord. No. 1999-06-045, 06-11-99)

...
Landfill: See "Sanitary Landfill".

...
Microbrewery: A facility for brewing beer that produces less than 15,000 barrels per year. A microbrewery may include a tasting room and retail space to sell beer and related products to patrons on site.

...
Principal Structure: A structure housing the principal use of a lot.

Principal Use: The primary use on a lot.

...
Self-Storage Facility: See "Warehouse, Self-Storage".

...
[Ed. Note: The following shows the reordering of "Structural Alteration" and "Structure" to put them in alphabetical order. No changes to the definitions of either are being proposed.]

Structural Alteration: See "Alteration, Structural".

Structure: Any building, or anything constructed, which requires attachment to the ground, including but without limiting the generality of the foregoing, advertising signs, billboards, poster panels, and supports and frames thereof.

~~Structural Alteration~~: See "Alteration, Structural".

...
Townhouse: See "Rowhouse or Townhouse".

Figure 1. Floor Area Ratio

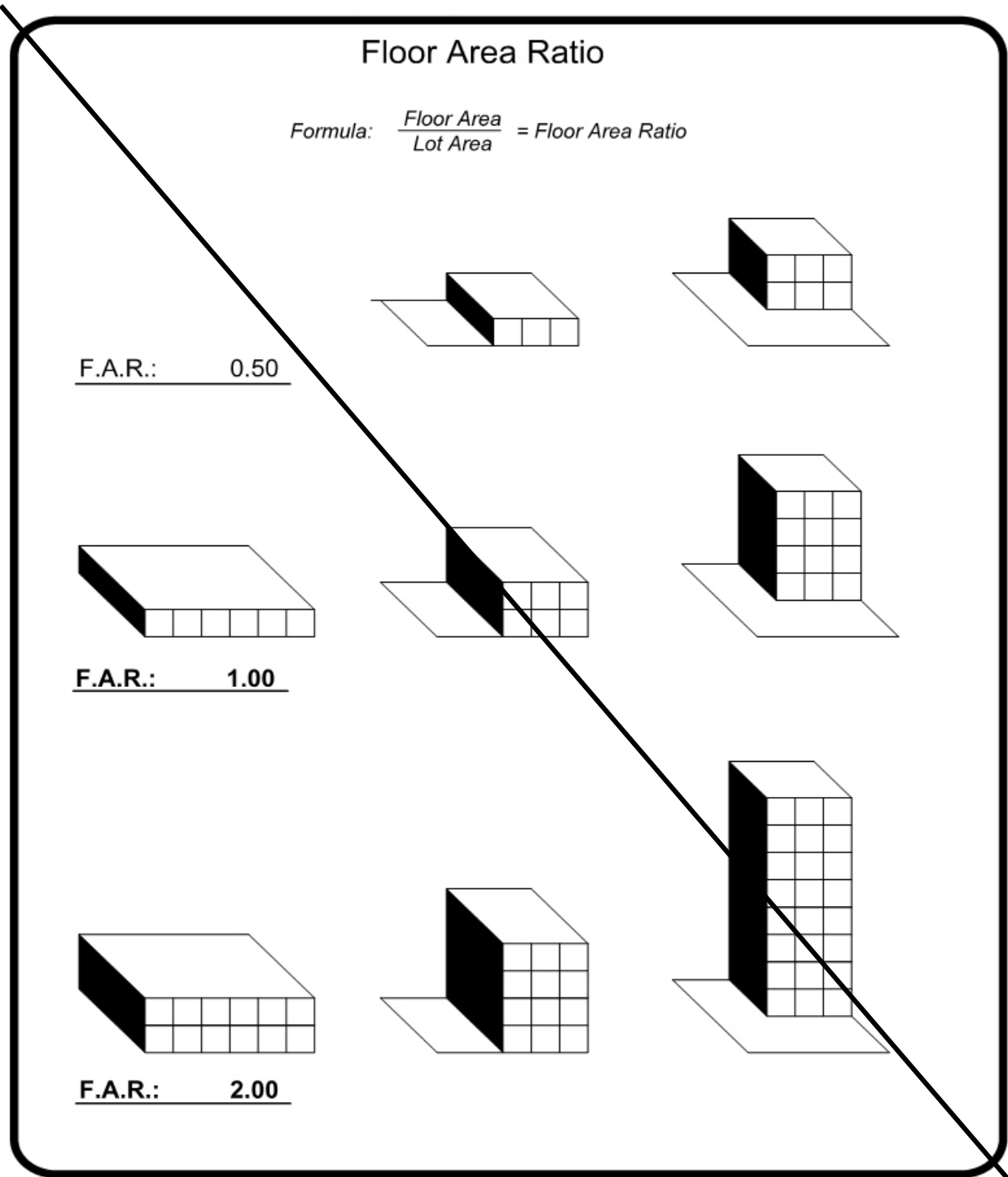
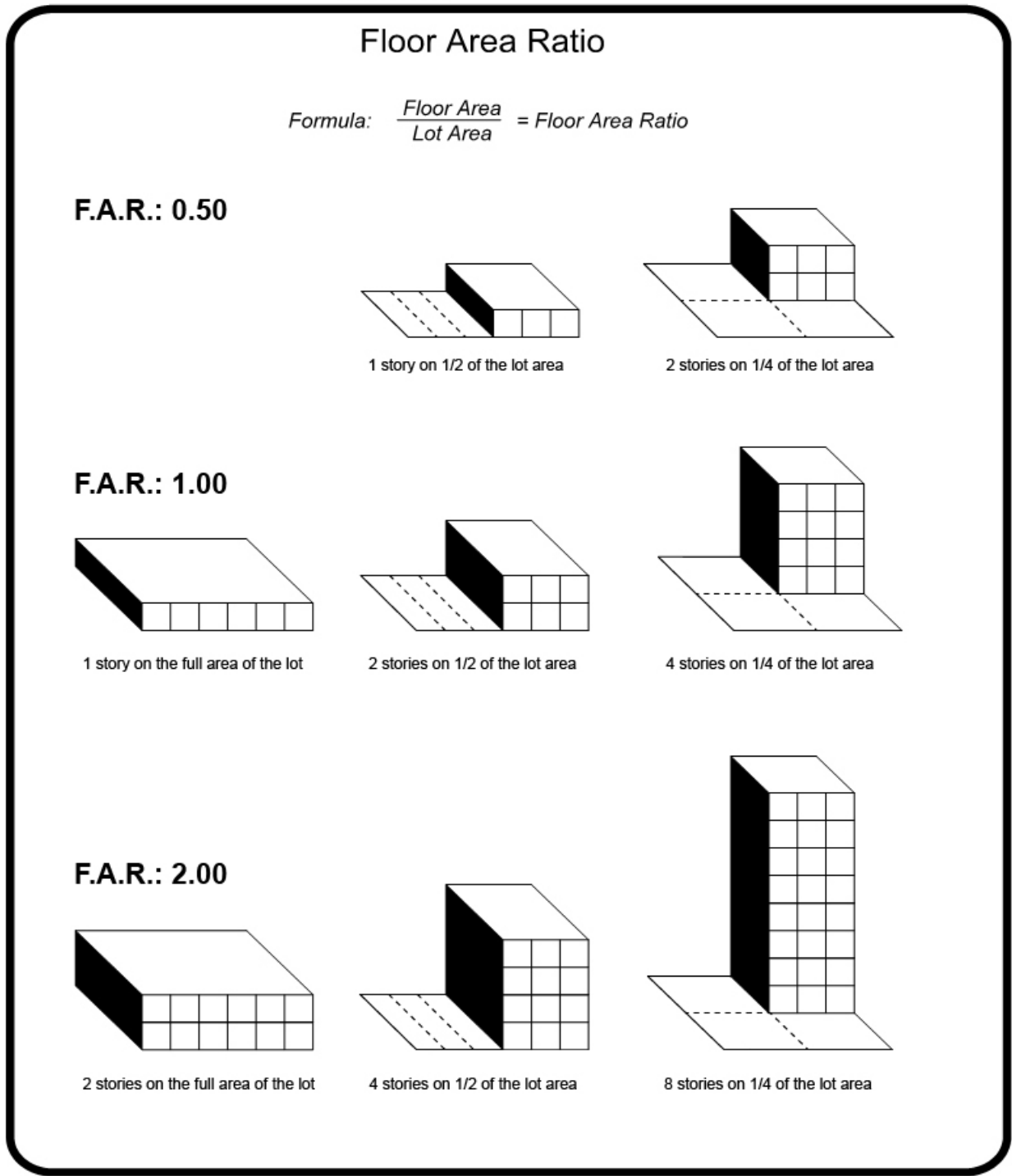


Figure 1. Floor Area Ratio



Section V-12. Regulation of Home Occupation.

...

A. Without a Certificate of Occupancy, any activity that meets (but does not exceed) the following criteria:

1. There are no persons, other than members of the ~~immediate family~~ household residing in the dwelling unit, engaged in the home occupation; and

...

B. Any activity which exceeds any of the criteria set forth under Section V-~~4312~~.A, above, shall require approval by the Zoning Administrator and require the issuance of a Certificate of Occupancy, and furthermore shall be limited to the following restrictions and conditions:

1. No more than one person, other than members of the ~~immediate family~~ household residing in the dwelling unit, is engaged in the home occupation; and

...

4. There is no activity, construction, or display which would indicate from the exterior of the building or dwelling unit that the building or dwelling unit is being used for any purpose other than residential, except as provided in Section V-~~4312~~.A.5; and

C. Any activity which exceeds the criteria under Section V-~~4312~~.B shall be prohibited as a home occupation as herein defined. Furthermore, since it is the intent of this subsection to prohibit any activity as a home occupation which may use hazardous materials, any activity which the Zoning Administrator classifies as exterminator, lawn care (except lawn manicuring), dry cleaning, or medical diagnostic laboratory shall be prohibited as a home occupation as herein defined.

...

G. Certificates of Occupancy for home occupations issued prior to the effective date of this amendment not meeting the conditions of Section V-~~4312~~.B shall be considered legally nonconforming. (Ord. No. 1999-06-045, 06-11-99)

TABLE V-1. TABLE OF USES

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	MOR	IN-1	IN-2
Business																				
<i>Food Sales and Service</i>																				
Banquet Facility										C	C	P	P	P	P	P		C	P	
Catering Service										C	P	P	P	P	P	P		C	P	
<i>Professional and Financial Services</i>																				
Vocational, Trade or Business School									C			P	P	P	P		P	P	P	C
<i>Miscellaneous Business</i>																				
Contractor Shop and Showroom (Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops)										C	C	P	P	P	P				P	P
Lawn Care and Landscaping Service										C	C	P	P	P	P				P	P
Residential																				
Dwelling, Duplex***		C	P	P	P	P	P	P		C	P		P					P		
Dwelling, Duplex (Extended Occupancy)***		C	P	P	P	P	P	C		C	P		P					P		
Mobile Home Park (See Section XIII-2 VII-4)									S											
Residential Planned Unit Development (See Section XIII-3)		D	D	D	D	D	D	D								D		D		
<i>Industrial (continued)</i>																				
Microbrewery											S	P		P	P				P	P

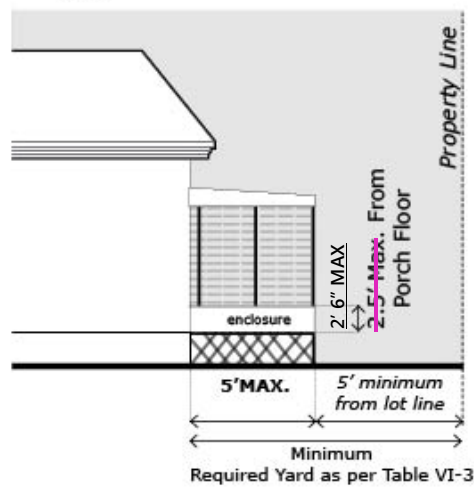
Section VI-4. Floor Area and Open Space

A. Floor Area shall be regulated as follows:

Gross floor area will be measured to the outer face of the exterior wall, or in the absence of an exterior wall, to the furthest extension of the edge of the floor surface. When an encroachment over a right-of-way has been approved by the City for a habitable structure, the gross floor area of the structure shall be increased by the gross floor area of the encroachment. (Ord. No. 8485-51, § 4(c), 1-21-85)

Section VI-5. Yards

Section VI-5 Yards B. 5



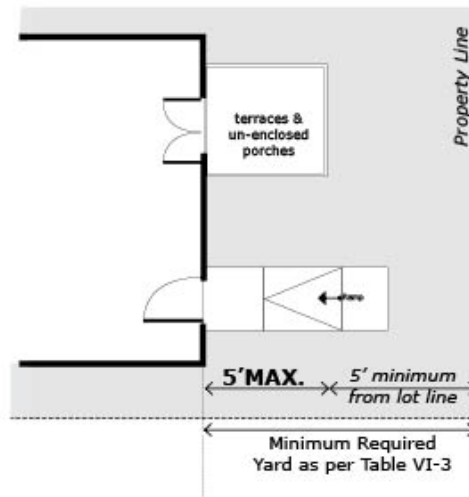
Maximum Projection Allowed into a Required Yard by:

Terraces & Open Un-enclosed Porches

which may have roofs and mesh screening but which are not glassed in or enclosed above 2.5 feet 2 feet, 6 inches from porch floor

5 FEET

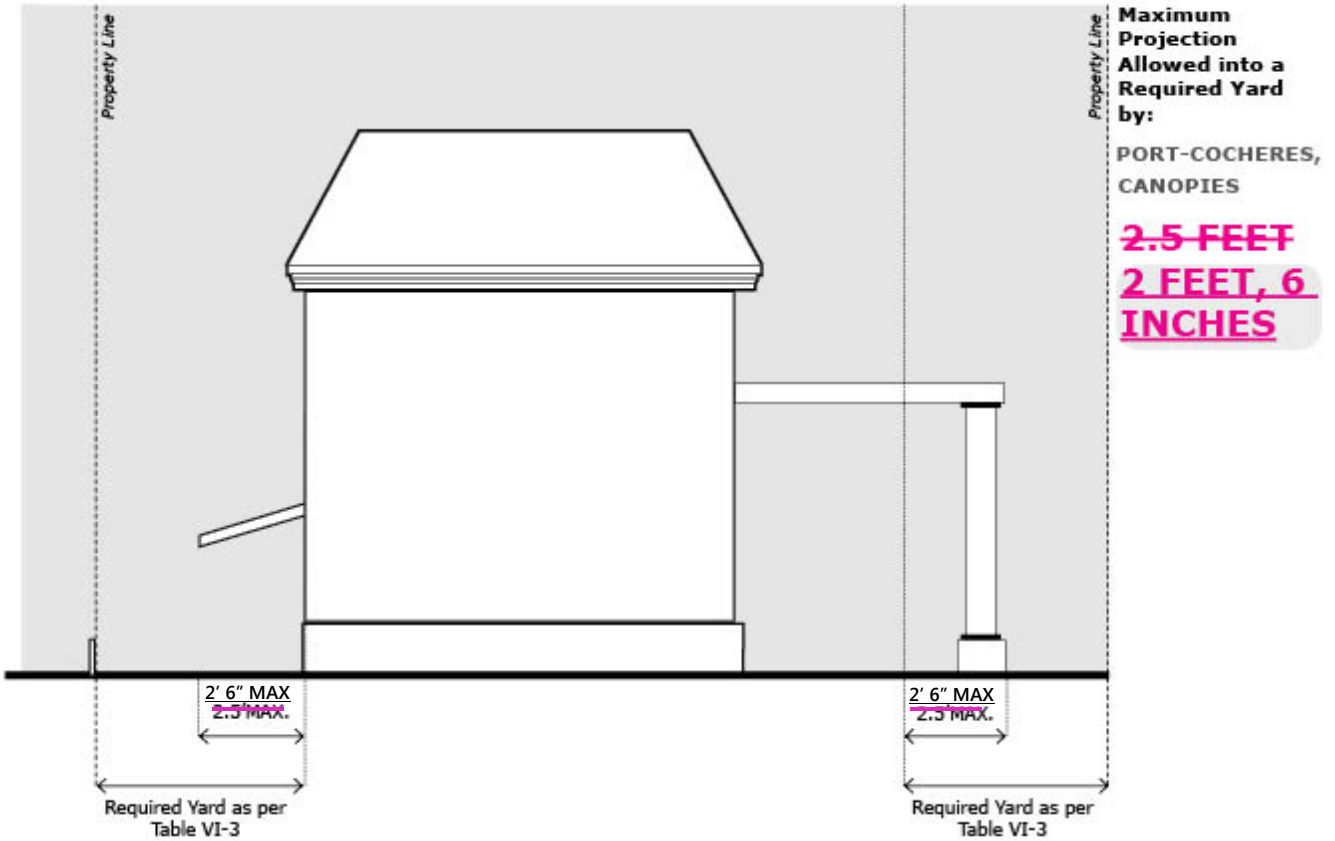
Regardless of average setback, but not within 5 feet of lot line



Exception:

Ramps & Structures for Handicapped Accessibility may encroach into a required side yard

Section VI-5 Yards
B. 6



B. Except as otherwise provided, required yards shall be kept unobstructed and open to the sky for their entire depth and area. No building, structure, or portion thereof, mechanical equipment, or swimming pool shall be erected in, occupy, or obstruct a required yard, except as follows (see Section VIII-4 for regulations regarding parking in required yards):

...

10. Flagpoles, decorative lights, lattices, bird baths, bird houses, planting beds, and other landscape features.

...

E. Outdoor Storage Screening

1. The requirements of this section apply to outdoor storage areas (as defined in Article II) existing on any parcel in use as a construction yard, warehouse, automobile salvage yard, automobile-truck repair, towing service, electrical substation, or any other industrial use as listed in Table V-31. Outdoor storage in these areas shall be screened from view of all public rights-of-way and adjacent properties that are in residential use or are zoned R-1, R-2, R-3, R-4, R-5, R-6, R-7, or MOR.

TABLE VI-3. DEVELOPMENT REGULATIONS BY DISTRICT

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum or Average Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (In Feet) ¹		
						Front	Side	Rear
B-1	6,000	60	35 ³	0.30	none	15	7	10
B-2	6,000	60	35 ³	1.50 ⁴	0.15	15	40	15 ¹⁰
B-4	2,000	20	none ³	9.00	none	none	none	None ¹⁸
B-4E	4,000	40	none	6.00	none	6	5	5 ¹⁸
IN-2	10,000	90	none	1.00	none	25	none	none ¹⁸

Footnotes

...

18. In the B-4, B-4E, and IN-2 Districts, if the property is adjacent to a residential district, a ten foot rear buffer yard is required, in accordance with Table VI-3.

Section VII-7. Special Use Procedures for Utility or Public Buildings and Adaptive Re-use of School Buildings and Church Buildings

...

3. *Special Uses that May be Authorized.* The City Council may authorize by ordinance in accordance with the provisions of this Article any or all of the following special uses:

...

- h) *Residential:*
 - Assisted Living Facility
 - Bed and Breakfast Inn
 - Bed and Breakfast, Owner Occupied
 - Boarding or Rooming House
 - Dwelling, Duplex
 - Dwelling, Duplex (Extended Occupancy)
 - Dwelling, Multiple-Family
 - Dwelling, Community Living Facility, Category I
 - Dwelling, Community Living Facility, Category II
 - Dwelling, Community Living Facility, Category III
 - Dwelling, Home for Adjustment
 - Dormitory
 - ~~Home for the Aged~~
 - Nursing Home

Section VIII-5. Amount of Parking Required

...

- G. Drive-through facilities shall provide a lane(s) for the stacking of motor vehicles waiting to use the drive-through thru facility. The minimum length of each stacking lane for drive-in-through facilities other than fast-food restaurants (such as automobile washes, banks) shall be 60 feet per drive-up facility or window. The minimum total capacity of ~~each~~ all stacking lanes for fast-food restaurants shall be 90 feet ~~per drive-up facility or window, measured from the front of the space(s) where orders are given.~~ Each stacking lane shall have a minimum width of seven and one-half feet. Such stacking lane(s) shall not include any portion of any access aisles for off-street parking lots. This subsection shall not apply to gas stations.

...

Section VIII-7. Bicycle Parking

...

- A. Provisions for the convenient and accessible parking of bicycles shall be made in accordance with Table VIII-6. In addition the following provisions shall also apply:

...

2. *Type and Location of Bicycle Parking Racks*

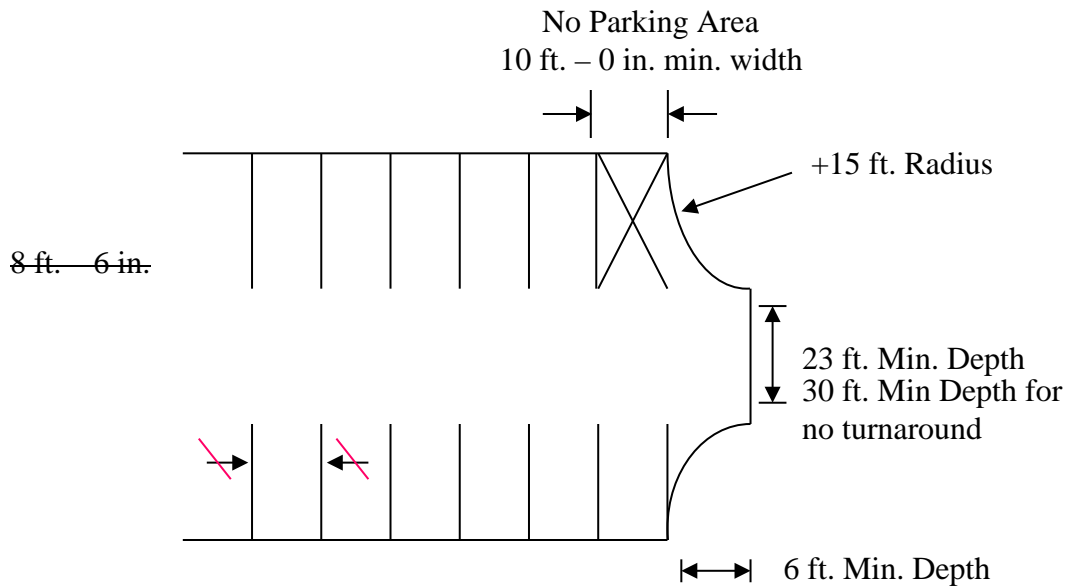
...

- b) Bicycle parking rack types and placement shall be designed so as to accommodate standard bicycle models and lock types and shall be subject to the approval of the Zoning Administrator as part of the building permit review process. Examples of acceptable and unacceptable bicycle rack types are provided in Figure VIII-7.

Table VIII-7. Parking Requirements by Use

Use	Number of Spaces Required
Retail Trade	
Furniture or Appliance Sales and Service (Home or Office)	1 for every 400 sq. ft. of floor area
Art and Craft Store and/or Studio	1 for every 500 sq. ft. of floor area
Bicycle Sales and Service	1 for every 300 sq. ft. of floor area
Building Material, Hardware and Garden Sales or Similar Uses	1 for every 300 sq. ft. of floor area
Shopping Center (excluding Restaurants)	1 for every 250 sq. ft. of floor area
All Other Retail Trade Uses	1 for every 250 sq. ft. of floor area
Furniture or Appliance Sales and Service (Home or Office)	1 for every 400 sq. ft. of floor area
Art and Craft Store and/or Studio	1 for every 500 sq. ft. of floor area
Recreation	
Gaming Hall	1 for every 250 sq. ft. of floor area

FIGURE VIII-2. Typical Turnaround Design for 90° Parking Access Drive



(Not Drawn to Scale)

Section IX-4. General Sign Allowances

...

- C. *Electronic Display.* Freestanding signs and wall signs authorized by this Article in the B-3, General Business, and CRE, Conservation-Recreation-Education Zoning Districts, may include an element of electronic display when designed and operated to meet the following requirements:

...

4. *Illumination.*

- a) Electronic display signs shall be equipped with automatic dimming technology which adjusts the sign's illumination level based on ambient light conditions.
- b) The maximum illumination level of an electronic display shall be 0.3 foot candles above ambient light levels, to be measured as follows. First, at least 30 minutes past sunset, and with the electronic display turned on, a light level reading in footcandles will be taken with a light meter aimed directly at the electronic display and at the following distance:

<i>Electronic sign size</i>	<i>Measurement distance</i>
0 - 25 square feet	50 feet
26 - 50 square feet	71 feet
51 - 100 square feet	100 feet
101-175 350 square feet	122 450 feet
351-650 square feet	200 feet

Second, with the electronic display either turned off, showing all black copy, or blocked, the light meter will be used to measure the area ambient light level in footcandles. The difference between the two readings shall be the electronic signs illumination level above the ambient light level.

Section XI-10. Notification Requirements

...

D. Continued Hearings or Meetings

In the instance a hearing or meeting is continued to a date certain, the date and time of the continued hearing or meeting shall be announced at the time and place of the hearing being continued, and the continued hearing's notice requirements shall be deemed satisfied. If for any reason the continued hearing or meeting date or time needs to be changed, the Zoning Administrator shall, in his or her best effort, provide the public with the new date and time of the continued hearing by:

1. Posting the continued meeting or hearing notice at the City Building; and
2. Posting the continued meeting or hearing notice on the City's website.

E. In the event a quorum is not present for the initial meeting or a continued meeting, a majority of the board or commission members present may reschedule the meeting to a new date and time. In the event a meeting is canceled prior to the scheduled meeting, any agenda items will be continued to the next regular meeting or to a posted special meeting. No additional mailed or published notices shall be required for continued or canceled meetings.

Section XII-5. Historic Landmarks

C. Criteria for Designation of a Landmark.

1. Landmark Criteria. A proposed landmark must meet one or more of the following criteria for designation:
 - ...
 - d) Notable work of a master builder, designer, architect or artist whose individual genius has influenced an area, or notable work of a firm or group whose collective genius has influenced an area.

Section XIII-1. Telecommunications Facilities, Towers and Antennas

...

5. Setbacks...

- ...
- b) Towers in residential districts must be set back a distance equal to at least 200% of the height of the tower from any residential lot front, side and rear yard setback line unless there here are unusual geographic or public health, safety, and welfare or other public policy considerations.

TABLE XIII-2. PLANNED UNIT DEVELOPMENT RECOMMENDED DESIGN FEATURES

Pedestrian Connectivity		
Connectivity	All pedestrian facilities should connect to on-street and off-street bicycle facilities, existing and planned bicycle and shared-use paths identified in the <i>Urbana Bicycle Master Plan</i> , <i>Champaign County Greenways and Trails Plan</i> , the Urbana Capital Improvements Plan, and the <i>Urbana Comprehensive Plan</i> .	All
Parking Areas		
Maximum Parking	The amount of parking provided should be reduced to the minimum amount required by the use, as identified in Table VIII-37, or by additional data related to parking demand.	All

Section XIII-4. Special Procedures in the Boneyard Creek District

...
E. *Standards of Construction...*

- ...
1. **Access.** In addition to frontage on a public street, additional requirements may include easements for the construction of public sidewalks, bike paths, and drainage facilities consistent with the Boneyard Creek Master Plan ~~and any amendments thereto or subsequent plans that specifically define such elements, and any amendments thereto or subsequent plans that specifically define such elements,~~ and, when necessary, shall include easements for construction, maintenance, and police and fire access to the riparian properties of the Boneyard Creek.

[Ed. Note: No change is being proposed to the text above. The text currently is underlined; this change would remove the underline.]

ORDINANCE NO. 2015-07-084

An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois
(Omnibus Text Amendment - Plan Case No. 2254-T-15)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #9293-124 on June 21, 1993 which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and,

WHEREAS, the Urbana Zoning Ordinance has periodically been recodified and republished by the City of Urbana to incorporate the numerous amendments that have been made since Ordinance #9293-124 was adopted on June 21, 1993; and,

WHEREAS, the Urbana Zoning Administrator proposes to enact an omnibus Zoning Ordinance amendment as part of the process of editing the Ordinance to recodify and republish it; and,

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend the Urbana Zoning Ordinance, which includes numerous miscellaneous editorial changes as part of the recodification and republishing of the Zoning Ordinance; and,

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #2254-T-15; and,

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing on the petition on July 23, 2015; and,

WHEREAS, the Urbana Plan Commission voted eight ayes to zero nays on July 23, 2015 to forward Plan Case #2254-T-15 to the Urbana City Council with a recommendation for approval of the proposed amendment; and,

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the amendments described herein conform to the goals, objectives and policies of the 2005 Urbana Comprehensive Plan as amended from time to time; and,

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interest of the City of Urbana to amend the text of the Urbana Zoning Ordinance as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that the Urbana Zoning Ordinance shall be amended as follows:

Section 1. Section II-3, Definitions, is hereby amended to include the following terms and their definitions:

Awning: See "Canopy or Entrance Structure".

Banquet Facility: A facility or hall available for lease by private parties for events such as dinners and banquets.

Catering Service: An establishment that prepares and supplies food to be served and consumed off premises.

Deli: See "Food Service Establishments, Café".

Microbrewery: A facility for brewing beer that produces less than 15,000 barrels per year. A microbrewery may include a tasting room and retail space to sell beer and related products to patrons on site.

Principal Structure: A structure housing the principal use of a lot.

Principal Use: The primary use on a lot.

Self-Storage Facility: See “Warehouse, Self-Storage”.

Section 2. Section II-3, Definitions, is hereby amended as follows:

Floor Area Ratio: The quotient of gross floor area of all buildings on the lot divided by the lot area (See Figure 1).

Hotel or Motel: A building providing transient lodging accommodations to the general public for compensation and which may include ancillary facilities and services such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities. See Section V-11 for occupancy limits for hotel or motel units. (Ord. No. 2012-02-019, 1-16-2012; Ord. No. 1999-06-045, 06-11-99)

Landfill: See “Sanitary Landfill”.

Structural Alteration: See “Alteration, Structural”.

Structure: Any building, or anything constructed, which requires attachment to the ground, including but without limiting the generality of the foregoing, advertising signs, billboards, poster panels, and supports and frames thereof.

Townhouse: See “Rowhouse or Townhouse”.

Section 3. Article II, Figure 1 is hereby amended as shown in Attachment A.

Section 4. Section V-12 is hereby amended to read as follows:

- A. Without a Certificate of Occupancy, any activity that meets (but does not exceed) the following criteria:
1. There are no persons, other than members of the household residing in the dwelling unit, engaged in the home occupation; and
- B. Any activity which exceeds any of the criteria set forth under Section V-12.A, above, shall require approval by the Zoning Administrator and require the issuance of a Certificate of Occupancy, and furthermore shall be limited to the following restrictions and conditions:
1. No more than one person, other than members of the household residing in the dwelling unit, is engaged in the home occupation; and
 2. Two off-street parking spaces must be provided on-premise as approved by the Zoning Administrator. Driveways may qualify in meeting this requirement; and
 3. No mechanical or electronic equipment is used which creates objectionable noise, odors, or electronic impulses, or otherwise create a nuisance discernible beyond the property lines of the premises; and
 4. There is no activity, construction, or display which would indicate from the exterior of the building or dwelling unit that the building or dwelling unit is being used for any purpose other than residential, except as provided in Section V-12.A.5; and

5. There are no other signs other than a nameplate, not more than one square foot in area, only permitted as a wall-mounted sign and not internally illuminated; and
 6. Storage of materials and space for equipment use in an accessory building is limited to 200 square feet. No outdoor storage is permitted; and
 7. The occupation does not or will not constitute a violation of any nuisance code; and
 8. No more than two customers or clients may be on the premises at any one time; and
 9. There is no exterior storage of vehicles other than those owned by members of the immediate family residing on the premises; and
 10. No more than two commercial or business vehicles used in conjunction with the home occupation may be parked on the premises or on an abutting street.
- C. Any activity which exceeds the criteria under Section V-12.B shall be prohibited as a home occupation as herein defined. Furthermore, since it is the intent of this subsection to prohibit any activity as a home occupation which may use hazardous materials, any activity which the Zoning Administrator classifies as exterminator, lawn care (except lawn manicuring), dry cleaning, or medical diagnostic laboratory shall be prohibited as a home occupation as herein defined.
- D. A home occupation involving a landscaping business shall not be permitted to grow outdoor plant materials on the home premises for the purpose of later removing the material for sale or transplanting on another site.
- E. A home occupation involving vehicle repair shall be permitted as a home occupation only if subject vehicle(s) are repaired inside the garage and no inoperable vehicle is stored outside. Any vehicle to be repaired may not queue outside of the garage. Additionally, the garage must meet all applicable building codes, and any such work may not violate any of the City's nuisance codes and ordinances. Additionally, no major automobile repairs as defined in this Ordinance are permitted.
- F. Only one home occupation, as defined herein, is permitted per dwelling unit and/or accessory structure.
- G. Certificates of Occupancy for home occupations issued prior to the effective date of this amendment not meeting the conditions of Section V-12.B shall be considered legally nonconforming. (Ord. No. 1999-06-045, 06-11-99)
- H. The sale of firearms as a home occupation shall require approval of a site security plan by the Urbana Police Chief, or designee, with renewal every three years.

Section 5. Table V-1, Table of Uses, is hereby amended to change the uses listed in the following table as follows:

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	MOR	IN-1	IN-2
Business																				
<i>Food Sales and Service</i>																				
Banquet Facility										C	C	P	P	P	P	P		C	P	
Catering Service										C	P	P	P	P	P	P		C	P	
<i>Professional and Financial Services</i>																				
Vocational, Trade or Business School									C			P	P	P	P		P	P	P	C
<i>Miscellaneous Business</i>																				
Contractor Shop and Showroom (Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops)										C	C	P	P	P	P				P	P
Lawn Care and Landscaping Service										C	C	P	P	P	P				P	P
Residential																				
Dwelling, Duplex***		C	P	P	P	P	P	P		C	P		P					P		
Dwelling, Duplex (Extended Occupancy)***		C	P	P	P	P	P	C		C	P		P					P		
Mobile Home Park (See Section XIII-2)									S											
Residential Planned Unit Development (See Section XIII-3)		D	D	D	D	D	D	D								D		D		
<i>Industrial (continued)</i>																				
Microbrewery											S	P		P	P				P	P

Section 6. Paragraph V-4.A is hereby amended as follows:

A. Floor Area shall be regulated as follows:

Gross floor area will be measured to the outer face of the exterior wall, or in the absence of an exterior wall, to the furthest extension of the edge of the floor surface. When an encroachment over a right-of-way has been approved by the City for a habitable structure, the gross floor area of the structure shall be increased by the gross floor area of the encroachment. (Ord. No. 8485-51, § 4(c), 1-21-85)

Section 7. Section VI-5, Figure B. 5 is hereby amended as shown in Attachment B.

Section 8. Section VI-5, Figure B. 6 is hereby amended as shown in Attachment C.

Section 9. Paragraph VI-5.B.10 is hereby amended as follows:

10. Flagpoles, decorative lights, lattices, bird baths, bird houses, planting beds, and other landscape features.

Section 10. Paragraph VI-6.E.1 is hereby amended as follows:

- The requirements of this section apply to outdoor storage areas (as defined in Article II) existing on any parcel in use as a construction yard, warehouse, automobile salvage yard, automobile-truck repair, towing service, electrical substation, or any other industrial use as listed in Table V-1. Outdoor storage in these areas shall be screened from view of all public rights-of-way and adjacent properties that are in residential use or are zoned R-1, R-2, R-3, R-4, R-5, R-6, R-7, or MOR.

Section 11. Table VI-3, Development Regulations by District, is hereby amended to change the regulations listed in the table as follows:

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum or Average Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (In Feet) ¹		
						Front	Side	Rear
B-2	6,000	60	35³	1.50⁴	0.15	15	7	10
B-4	2,000	20	none³	9.00	none	none	none	None¹⁸
B-4E	4,000	40	none	6.00	none	6	5	5¹⁸
IN-2	10,000	90	none	1.00	none	25	none	none¹⁸

Section 12. Footnote 18 of Table VI-3 is hereby added as follows:

- In the B-4, B-4E, and IN-2 Districts, if the property is adjacent to a residential district, a ten foot rear buffer yard is required, in accordance with Table VI-3.

Section 13. Paragraph VII-7.3.h is hereby amended as follows:

- h) *Residential:*
- Assisted Living Facility
 - Bed and Breakfast Inn
 - Bed and Breakfast, Owner Occupied
 - Boarding or Rooming House
 - Dwelling, Duplex
 - Dwelling, Duplex (Extended Occupancy)
 - Dwelling, Multiple-Family
 - Dwelling, Community Living Facility, Category I
 - Dwelling, Community Living Facility, Category II
 - Dwelling, Community Living Facility, Category III
 - Dwelling, Home for Adjustment
 - Dormitory
 - Nursing Home

Section 14. Paragraph VIII-5.G is hereby amended as follows:

- G. Drive-through facilities shall provide a lane(s) for the stacking of motor vehicles waiting to use the drive-through facility. The minimum length of each stacking lane for drive-through facilities other than fast-food restaurants (such as automobile washes, banks) shall be 60 feet per drive-up facility or window. The minimum total capacity of all stacking lanes for fast-food restaurants shall be 90 feet, measured from the front of the space(s) where orders are given. Each stacking lane shall have a minimum width of seven and one-half feet. Such stacking lane(s) shall not include any portion of any access aisles for off-street parking lots. This subsection shall not apply to gas stations.

Section 15. Paragraph VIII-7.A.2.b is hereby amended as follows:

- b) Bicycle parking rack types and placement shall be designed so as to accommodate standard bicycle models and lock types and shall be subject to the approval of the Zoning Administrator as part of the building permit review process. Examples of acceptable and unacceptable bicycle rack types are provided in Figure VIII-7.

Section 16. Table VIII-7, Parking Requirements by Use, is hereby amended to include the following uses and requirements as follows:

Use	Number of Spaces Required
Gaming Hall	1 for every 250 sq. ft. of floor area

Section 17. Figure VIII-2 is hereby amended as shown in Attachment D.

Section 18. Paragraph IX-4.C.4 is hereby amended as follows:

4. *Illumination.*

- a) Electronic display signs shall be equipped with automatic dimming technology which adjusts the sign's illumination level based on ambient light conditions.
- b) The maximum illumination level of an electronic display shall be 0.3 foot candles above ambient light levels, to be measured as follows. First, at least 30 minutes past sunset, and with the electronic display turned on, a light level reading in footcandles will be taken with a light meter aimed directly at the electronic display and at the following distance:

<i>Electronic sign size</i>	<i>Measurement distance</i>
0 - 25 square feet	50 feet
26 - 50 square feet	71 feet
51 - 100 square feet	100 feet
101-175 square feet	122 feet

Section 19. Section XI-10 is hereby amended to add the following paragraphs:

D. *Continued Hearings or Meetings*

In the instance a hearing or meeting is continued to a date certain, the date and time of the continued hearing or meeting shall be announced at the time and place of the hearing being continued, and the continued hearing's notice requirements shall be deemed satisfied. If for any reason the continued hearing or meeting date or time needs to be changed, the Zoning Administrator shall, in his or her best effort, provide the public with the new date and time of the continued hearing by:

1. Posting the continued meeting or hearing notice at the City Building; and
2. Posting the continued meeting or hearing notice on the City's website.

E. In the event a quorum is not present for the initial meeting or a continued meeting, a majority of the board or commission members present may reschedule the meeting to a new date and time. In the event a meeting is canceled prior to the scheduled meeting, any agenda items will be continued to the next regular meeting or to a posted special meeting. No additional mailed or published notices shall be required for continued or canceled meetings.

Section 20. Paragraph XII-5.C.1.d is hereby amended as follows:

- d) Notable work of a master builder, designer, architect or artist whose individual genius has influenced an area, or notable work of a firm or group whose collective genius has influenced an area.

Section 21. Paragraph XIII-1.5.b is hereby added as follows:

- b) Towers in residential districts must be set back a distance equal to at least 200% of the height of the tower from any residential lot front, side and rear yard setback line unless there are unusual geographic or public health, safety, and welfare or other public policy considerations.

Section 22. Table XIII-2, Planned Unit Development Recommended Design

Features, is hereby amended as follows:

Pedestrian Connectivity		
Connectivity	All pedestrian facilities should connect to on-street and off-street bicycle facilities, existing and planned bicycle and shared-use paths identified in the <i>Urbana Bicycle Master Plan, Champaign County Greenways and Trails Plan</i> , the Urbana Capital Improvements Plan, and the Urbana Comprehensive Plan.	All
Parking Areas		
Maximum Parking	The amount of parking provided should be reduced to the minimum amount required by the use, as identified in Table VIII-7, or by additional data related to parking demand.	All

Section 23. Paragraph XIII-4.E.1 is hereby amended as follows:

1. **Access.** In addition to frontage on a public street, additional requirements may include easements for the construction of public sidewalks, bike paths, and drainage facilities consistent with the Boneyard Creek Master Plan and any amendments thereto or subsequent plans that specifically define such elements, and, when necessary, shall include easements for construction, maintenance, and police and fire access to the riparian properties of the Boneyard Creek.

Section 24. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the _____ day of _____, 2015.

PASSED by the City Council this _____ day of _____, 2015.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2015.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the ____ day of _____, 2015, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (Omnibus Text Amendment - Plan Case No. 2254-T-15)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____, including all of its attachments, was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2015, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 2015.

Attachment A

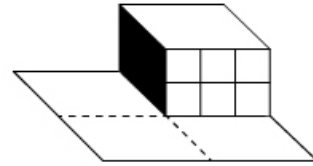
Floor Area Ratio

Formula: $\frac{\text{Floor Area}}{\text{Lot Area}} = \text{Floor Area Ratio}$

F.A.R.: 0.50

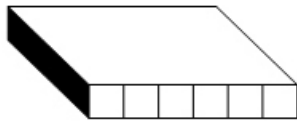


1 story on 1/2 of the lot area

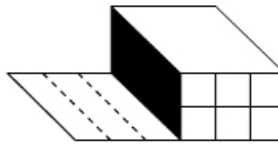


2 stories on 1/4 of the lot area

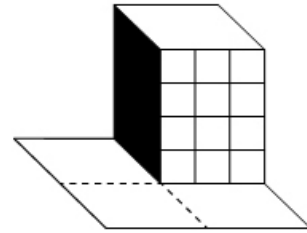
F.A.R.: 1.00



1 story on the full area of the lot

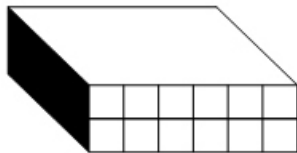


2 stories on 1/2 of the lot area

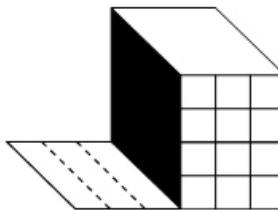


4 stories on 1/4 of the lot area

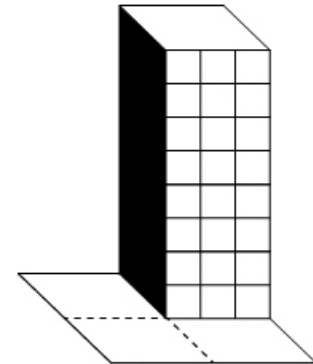
F.A.R.: 2.00



2 stories on the full area of the lot



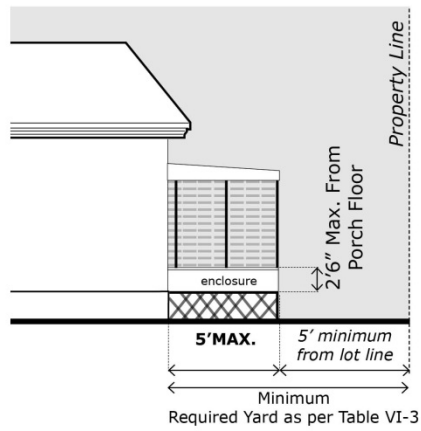
4 stories on 1/2 of the lot area



8 stories on 1/4 of the lot area

Attachment B

**Section VI-5 Yards
B. 5**

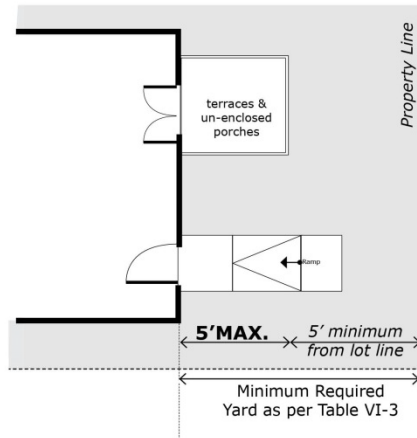


Maximum Projection Allowed into a Required Yard by:

Terraces & Open Un-enclosed Porches

which may have roofs and mesh screening but which are not glassed in or enclosed above 2 feet, 6 inches from porch floor

5 FEET
Regardless of average setback, but not within 5 feet of lot line

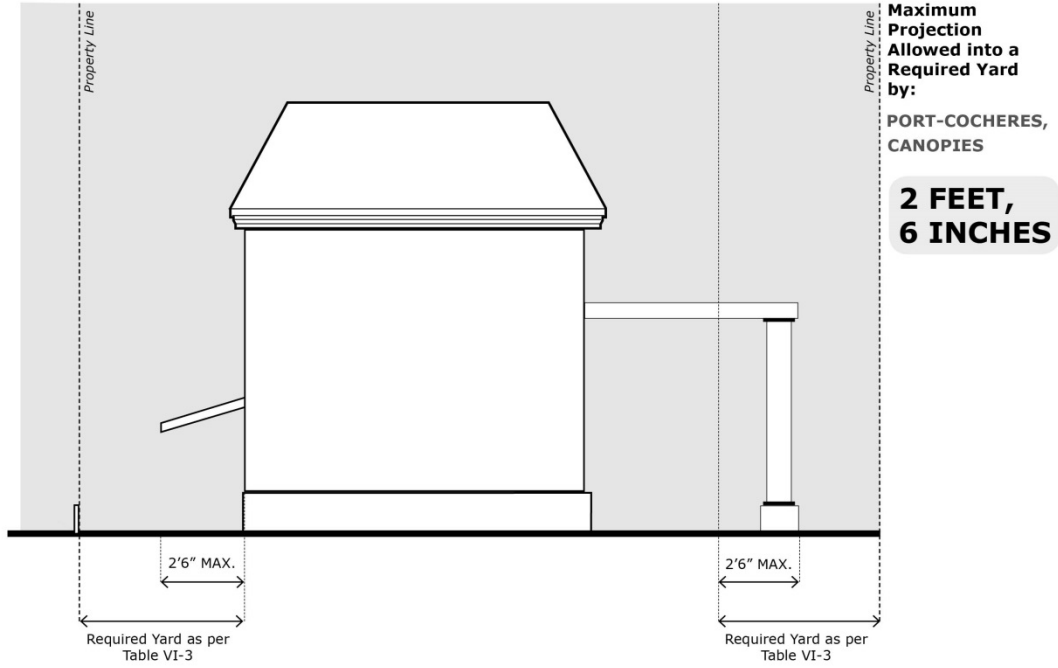


Exception:

Ramps & Structures for Handicapped Accessibility may encroach into a required side yard

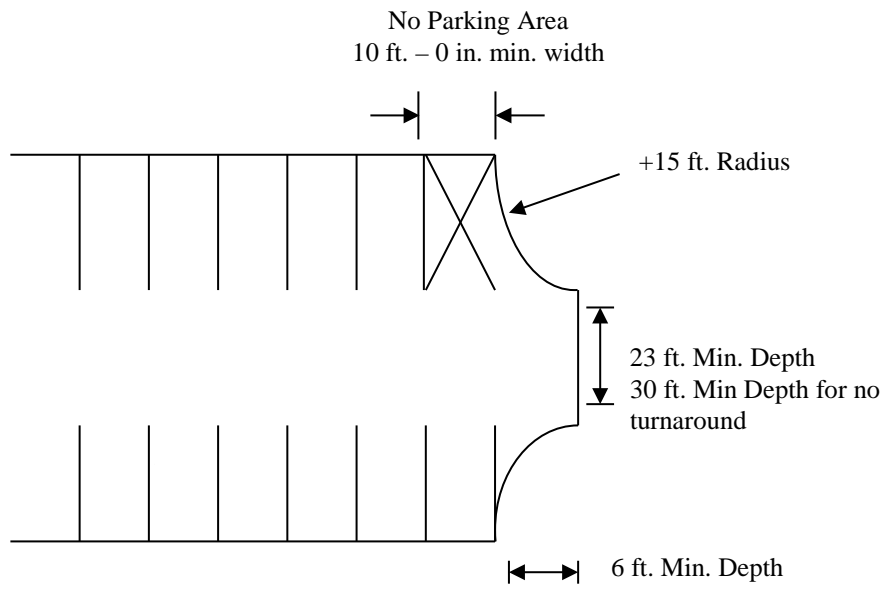
Attachment C

Section VI-5 Yards
B. 6



Attachment D

FIGURE VIII-2. Typical Turnaround Design for 90° Parking Access Drive



(Not Drawn to Scale)

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: July 23, 2015

TIME: 7:30 P.M.

PLACE: Urbana City Building
Council Chambers
400 South Vine Street
Urbana, IL 61801

MEMBER PRESENT: Barry Ackerson, Corey Buttry, Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Christopher Stohr, David Trail

MEMBERS ABSENT: Maria Byndom

STAFF PRESENT: Lorrie Pearson, Planning Manager; Kevin Garcia, Planner II; Maximillian Mahalek, Community Development Associate

OTHERS PRESENT: None

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

Chairperson Fitch called the meeting to order at 7:30 P.M. Roll call was taken and there was a quorum of the members present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes from the June 11, 2015 special meeting and June 25, 2015 rescheduled meeting were presented for approval.

Mr. Fell moved that the Plan Commission approve both sets of minutes as presented. Mr. Trail seconded the motion. The motion was approved as presented by unanimous vote.

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

There was none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case 2254-T-15: An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with minor changes to Article II (Definitions), Article V (Use Regulations), Article VI (Development Regulations), Article VII (Conditional and Special Uses), Article VIII (Parking and Access), Article XI (Administration, Enforcement, Amendments, and Fees), Article XII (Historic Preservation), and Article XIII (Special Development Provisions).

Chair Fitch opened the public hearing for this case. Kevin Garcia, Planner II, presented the case to the Plan Commission. He began by noting that this multi-part amendment made up the 2015 Omnibus to the Urbana Zoning Ordinance. He stated that the last Omnibus to the Zoning Ordinance had been approved in 2013. Since then, he said that three text amendments to the Urbana Zoning Ordinance had been approved, and these needed to be integrated into a republished Ordinance. He also stated that this republication allowed for minor changes to the Zoning Ordinance.

Mr. Garcia listed the three text amendments to the Urbana Zoning Ordinance approved since the 2013 Omnibus: the medical cannabis use regulations, the electronic message boards in the CRE District, and the gaming hall regulations. He then provided a brief summary of the proposed changes to the Urbana Zoning Ordinance included in the 2015 Omnibus, listed in the Appendix of his memorandum to the Plan Commission.

Mr. Otto inquired into reasoning behind changing the requirement for Home Occupations from being allowed amongst an immediate family to being allowed amongst a household within Section V-12. Mr. Garcia replied that this change allowed for flexibility in Home Occupations, and reflected the growth in “non-traditional” households. Mr. Otto suggested adding an “or” statement between “household” and “immediate family” to allow for this desired flexibility. Ms. Pearson noted that zoning ordinances are typically shifting from the use of word “family” to the more inclusive term “household.”

Mr. Otto asked if an adult child would be allowed to participate in a home occupation, if the Zoning Ordinance was to utilize the word household, and if it was Staff’s intention to prevent this. Mr. Garcia answered that this was not Staff’s intention.

Mr. Stohr asked why images in Section VI-5 were being amended to read “2 feet, 6 inches” instead of “2.5 feet.” Mr. Garcia answered that this change would allow for consistency. Mr. Garcia also pointed out that the image would continue to have to be updated to read “2 feet, 6 inches” in all places.

Mr. Ackerson asked for clarification of the proposed changes to sign illumination requirements in Section IX-4. Mr. Garcia replied that this proposal was made to reflect changes being proposed in the digital billboard case that is currently pending in front of the City Council.

Mr. Fell asked if the condition that buildings over 25 feet in the B-2 District have greater setbacks remained in place. Mr. Garcia stated this regulation remained in place, although staff had been discussing the effectiveness of this regulation.

Mr. Trail asked if the parking requirements listed in Table VIII-7 applied to all zoning districts. Mr. Garcia answered that these requirements applied to all zones except the B-4 District. Mr. Trail noted that this seemed to be an excessive amount of minimum parking.

Mr. Fitch asked if microbreweries were allowed in the Urbana Liquor Code. Ms. Pearson noted that they were. Mr. Fitch then asked if food could be sold at a microbrewery. Mr. Fell replied that different licenses were offered based on planned services. Ms. Pearson stated that a use such as Destihl in Champaign would be considered a restaurant in the context of the Urbana Zoning Ordinance. Mr. Fell replied that if your preliminary income comes from food, then your liquor license is coded differently. Mr. Fitch noted he did not want to preclude a restaurant from being associated with a microbrewery, and was satisfied that this matter was covered by the Urbana Liquor Code. Mr. Trail stated that the difference between a microbrewery and other similar establishments is the amount of alcohol brewed.

With no further questions, Chair Fitch opened the hearing up for public input. With no audience present, Chair Fitch then closed the public input portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

Mr. Hopkins stated that he felt banquet facilities did not meet the intent of the MOR District, and suggested removing these uses from the MOR District.

Mr. Fell stated that floor area ratio requirements in the MOR District would prohibit most large banquet facilities.

Mr. Trail stated that we would want to vote on amendments to the proposed Omnibus separately. Mr. Fitch agreed.

Mr. Fitch asked if public schools were located in the CRE District. Ms. Pearson confirmed that they were.

Mr. Garcia noted that, in the MOR District, the maximum area of a zoning lot would be 8,500 square feet. Mr. Hopkins then stated you could have a 5,000 square foot building in the MOR District, and that the apartment buildings along Green Street were not located in the MOR District. Mr. Garcia then clarified that the maximum size of a building in the MOR District could be 5,900 square feet.

Mr. Fitch stated there were three areas of clarification before the Plan Commission: banquet facilities in the MOR District, catering services in the MOR District, and the use of the term household verses family in regards to Home Occupations.

Mr. Hopkins stated that, with a Home Occupation permit, one non-family member of the household would be allowed to participate in the business. Mr. Hopkins felt this addressed any concerns the Commission may have. Mr. Otto agreed.

Mr. Hopkins made a motion to send the case to City Council with a recommendation of approval. Mr. Otto seconded the motion.

Mr. Hopkins proposed an amendment that would remove as an addition Banquet Facility and Catering Service in the MOR District. Mr. Stohr seconded the motion.

Mr. Ackerson stated that he understood the issue regarding banquet facilities in the MOR District, but not about catering services in the MOR District. Mr. Fell stated that both of these uses could be obtrusive to residences.

Mr. Otto asked Mr. Hopkins if he would agree with allowing Banquet Facility and Catering Service as Conditional Uses in the MOR District. There may be some buildings conducive to such uses, dependent on plans. He pointed to the several churches in the area of the MOR District as an example of a repurposing of a building. If these uses were treated as Conditional Uses, this would allow for an additional level of review. Mr. Hopkins stated the only two applicable churches would be the Unitarian Church and the Presbyterian Church.

Mr. Trail noted that much of this issue would be dependent on the size of the banquet, and provided for an example any services potentially offered at the Lindley House (currently Sylvia's Irish Inn Bed and Breakfast).

Mr. Hopkins again stated that he felt the uses were not compatible with the intent of the MOR District.

Mr. Trail noted that if, in the long-run, if Urbana is to get denser, neighborhoods need to get denser. Mr. Fitch stated the issue-at-focus was over the intensity of the use, not density.

Mr. Ackerson stated that he thought that that requiring a Conditional Use Permit for these two uses would allow for an additional level of review.

A Roll Call on the amendment to exclude both Banquet Facility and Catering Service from the MOR District was as follows:

Mr. Ackerson- No	Ms. Buttry - No
Mr. Fell - No	Mr. Fitch - No
Mr. Hopkins - Yes	Mr. Otto - No
Mr. Stohr - No	Mr. Trail- Abstain

The amendment was defeated by a vote of 6 nays to 1 aye and 1 abstention.

Mr. Otto moved that Banquet Facility and Catering Service be allowed in the MOR District as Conditional Uses. This motion was seconded by Mr. Buttry.

Mr. Stohr asked what the parking requirement would be for a catering service. Mr. Garcia replied that the parking requirement would be one space for every 400 square feet of floor area, while restaurants would require one space for every 100 square feet of indoor floor area. Mr. Fitch stated that a parking requirement mitigates the size of the building allowed. Mr. Hopkins noted that the current parking requirement would be impossible to meet in the MOR District, and the Conditional Use permitting process would help with this issue.

Mr. Trail asked why Banquet Facility was being added as a use. Mr. Garcia answered that this use had been allowed in the past, presumably being treated similarly to a restaurant.

Mr. Otto stated the City did not lose anything by allowing Catering Service and Banquet Facility as Conditional Uses, particularly if someone had an innovative way to create either of these uses. Mr. Otto was agreed, and said he approved of both uses as long as they were not allowed by right.

Ms. Pearson clarified that Conditional Use Permits would only be heard by the Zoning Board of Appeals.

A Roll Call on the proposed amendment to include both Banquet Facility and Catering Service as Conditional Uses in the MOR District was as follows:

Mr. Ackerson- Yes	Ms. Buttry - Yes
Mr. Fell - Yes	Mr. Fitch - Yes
Mr. Hopkins - Yes	Mr. Otto - Yes
Mr. Stohr - Yes	Mr. Trail- Yes

The amendment passed by a vote of 8 ayes to 0 nays.

A Roll Call on the motion for a recommendation of approval, with one amendment, was as follows:

Mr. Hopkins- Yes	Mr. Stohr- Yes
Mr. Ackerson- Yes	Ms. Buttry - Yes
Mr. Fell - Yes	Mr. Fitch - Yes
Mr. Hopkins - Yes	Mr. Otto - Yes
Mr. Stohr - Yes	Mr. Trail- Yes

The motion passed by a vote of 8 ayes to 0 nays.

Ms. Pearson stated this case would go to council on August 3, 2015.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:24 P.M.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission