

ORDINANCE NO. 9091-8

**AN AMENDMENT TO THE ZONING ORDINANCE  
OF THE CITY OF URBANA, ILLINOIS**

**(Church Re-Use Amendment)**

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend Article VII-7 of the Urbana Zoning Ordinance entitled "Utility or public buildings or adaptive re-use of school buildings exemption procedures" to add a procedure to allow the re-use of vacant church buildings subject to special use permit procedures; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1339-T-90; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on the proposed amendment on March 8, 1990 and again on July 5, 1990; and

WHEREAS, the Urbana Plan Commission voted to forward the amendment described herein as Plan Case #1339-T-90 to the Urbana City Council with a recommendation for approval; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that the Zoning Ordinance of the City of Urbana, Illinois is hereby amended as follows:

Section 1. That Article VII-7, entitled "Utility or public buildings or adaptive re-use of school buildings exemption procedures", is hereby amended to be entitled as follows:

**Section VII-7. Special use permit procedures for utility or public buildings and for adaptive re-use of school buildings and church buildings.**

Section 2. That Article VII-7 is hereby amended to add the following Section VII-7-C to include the re-use of church buildings subject to special use permit procedures.

C. *Specific special uses for the adaptive re-use of church buildings.*

The City Council may authorize by ordinance a special use permit for the adaptive re-use of church buildings in accordance with the provisions set forth in section VII-6 of this Article and this subsection.

1. *Purpose and intent.* The provisions of this subsection have been set forth in recognition of the following:
  - a. that existing church buildings in Urbana are an asset to the community because of their unique architectural designs, structural characteristics and locations.
  - b. that as a result of the land use controls of the Urbana Zoning Ordinance, the re-use of church buildings that become vacant is made more difficult to the extent that the marketable value of such properties may be substantially diminished.
  - c. that the City of Urbana recognizes the need to permit the adaptive re-use of vacant church buildings to further promote and conserve the economic value of such buildings and thereby protect and improve the City's tax base. At the same time, the City must insure that any proposed adaptive re-use is in harmony and compatible with surrounding land uses.
  - d. that the compatible re-use of vacant church buildings is consistent with the goals, objectives and policies of the City of Urbana's Comprehensive Plan.
  - e. that the parking requirements imposed by the Urbana Zoning Ordinance may render the re-use of some vacant church buildings unfeasible. For this reason, this subsection includes a variance procedure that authorizes the City Council to grant a variance to the number of parking spaces normally required for any uses authorized under this subsection in a vacant church building.
2. *Qualifications for standing to make application for special use permits authorized under this subsection.*
  - a. Petitions for a special use permit under this subsection may be accepted only for existing structures originally designed and constructed as a church.
  - b. A list of church buildings which qualify for a special use permit under this subsection is on file at the City

Clerk's Office entitled "Original Church Structures in Urbana City Limits as of July 1, 1990."

- c. If a building not on the list is believed to be an original church building, the petitioner must prove to the Zoning Administrator that the building qualifies as an original church building by reason of its design and construction to qualify for a special use permit.
  - d. A special use permit may be granted upon the termination of a previous special use permit issued under the authority of this subsection for the same church building.
  - e. Unless the City Council otherwise authorizes, any special use permit granted under this subsection shall become invalid upon the termination of the use(s) for which the special use permit was originally authorized.
  - f. Special use authorization under this subsection does not preclude any other uses permitted by right, conditional or special uses as provided under Article V, Use Regulations, Table V-1, Table of Uses.
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:

**a. *Public and Quasi-Public Facilities:***

Radio or Television Tower and Station  
Hospital or Clinic  
University or College

**b. *Residential Uses:***

Boarding or Rooming House  
Dwelling, Duplex  
Dwelling, Duplex (Extended Group 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  
Tourist Home

**c. *Business Uses - Personal Services:***

Barbershop

Beauty Shop  
Reducing Salon  
Shoe Repair Shop  
Tailor and Pressing Shop  
Mortuary

**d. Business Uses - Business, Private Educational and Financial Services:**

Bank, Savings and Loan Association  
Professional and Business Office  
Private Kindergarten or Day Care Facility  
Vocational, Trade or Business School

**e. Business Uses - Food Sales and Services:**

Restaurant  
Bakery (less than 2,500 sq. ft.)  
Dairy Store  
Delicatessen  
Confectionery Store

**f. Business Uses - Retail Trade:**

Apparel Shop  
Electronic Sales and Services  
Jewelry Store  
Stationery - Gift Shop - Art Supplies  
Florist  
Bookstore  
Tobacconist  
Music Store  
Photographic Studio and Equipment Sales and Service  
Antique or Used Furniture Sales and Service  
Bicycle Sales and Service  
Sporting Goods  
Art and Craft Stores and Studios

**g. Business Uses - Recreational:**

Dancing School  
Lodge or Private Club  
Private Recreational or Health Club  
Private Indoor Recreational Development  
Theater, Indoor

**h. Industrial Uses:**

Engineering, Laboratory, Scientific and Research Instruments  
Manufacturing  
Electrical, Electronic Machinery, Equipment Sales and  
Manufacturing

Mechanical Measuring and Controlling Instruments Manufacturing  
Optical Instruments and Lenses Manufacturing  
Surgical, Medical, Dental and Instruments Supply and  
Manufacturing  
Photographic Equipment and Supplies Manufacturing (except for  
the manufacturing and/or reconstitution of photographic  
chemicals to be used for wholesale or resale  
distribution)  
Watches, Clocks and Clockwork Operated Devices Manufacturing  
Bookbinding  
Motion Picture Production Studio  
Theoretical and Applied Research with regard to Development  
of Prototype and Light Manufacturing of Electrical  
Products  
Non-profit or Governmental, Educational and Research Agencies

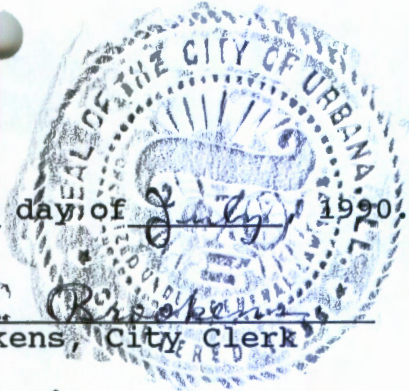
In addition, the City Council may authorize a mixture of uses  
in single structures in accordance with the provisions set  
forth in this Article.

4. *Specific qualifications, standards, requirements or restrictions to any special use permit.* The Plan Commission may recommend to the City Council the imposition of conditions, restrictions or requirements authorized under section VII-6, Special Use Permit Procedures, of this Article.
5. *Procedures to authorize a variance to off-street parking requirements.* Off-street parking for the special uses authorized under this subsection should be provided in accordance with the requirements of Section VIII-4 of the Zoning Ordinance. However, the Plan Commission may recommend and the City Council may grant a variance to reduce or waive the parking requirement if the site restricts construction of parking or if the Council imposes additional site design requirements which reduce the area available for parking. Such variance may only be granted as part of the special use permit if the City Council determines it will not negatively impact the surrounding neighborhood.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

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 16<sup>th</sup> day of July, 1990.

PASSED by the City Council on this 16th day of July, 1990.



Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 23rd day of July, 1990.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

**Certificate of Publication**

I, Ruth S. Brookens, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the News-Gazette on the 27th day of July, 1990, and a Certificate of Publication is attached hereto.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

