

ORDINANCE NO. 9192-62

**AN AMENDMENT TO THE SUBDIVISION AND LAND DEVELOPMENT CODE  
OF THE CITY OF URBANA, ILLINOIS**

**(Ordinance to Correct Errors in Ordinance No. 9192-44)**

WHEREAS, the City Planner of the City of Urbana submitted a petition to amend Chapter 21 of the Code of Ordinances of the City of Urbana, also known as the Urbana Subdivision and Land Development Code; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1453-T-91; and

WHEREAS, after due publication, the Urbana Plan Commission held a public hearing on the proposed amendments on July 18, 1991 and continued said hearing to August 8, 1991, August 22, 1991 and September 5, 1991; and

WHEREAS, the Urbana Plan Commission in its regular meeting of September 5, 1991 voted to forward the proposed amendment to the Urbana Subdivision and Land Development Code to the Urbana City Council with a recommendation for approval; and

WHEREAS, after due and proper consideration, the Urbana City Council passed Ordinance No. 9192-44 on October 21, 1991 which ordinance was approved by the Mayor on November 11, 1991 and which ordinance amended the Urbana Subdivision and Land Development Code by adopting the amendments proposed in Plan Case #1453-T-91; and

WHEREAS, Section 2 of Ordinance No. 9192-44 amended Section 21-4 of the Urbana Subdivision and Land Development Code but in so doing incorrectly printed subsections 21-4-6(c), 21-4-6(e) and 21-4-6(f) so that certain words and phrases were inadvertently misplaced or deleted; and

WHEREAS, Section 2 of Ordinance No. 9192-44 was not intended to change the previously existing text of subsections 21-4-6(c), 21-4-6(e) and 21-4-6(f), and only in transcription did the errors described herein occur; and

WHEREAS, it is necessary to correct said subsections 21-4-6(c), 21-4-6(e) and 21-4-6(f) so that Section 2 reads as originally intended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, that Section 2 of Ordinance No. 9192-44 is amended as follows:

Section 1. Section 2 of Ordinance No. 9192-44 passed by the Urbana City Council on October 21, 1991 and approved by the Mayor on November 4, 1991 is hereby repealed and replaced with a new Section 2, amending the definition of "Development" in Section 21-4 of the Urbana Subdivision and Land Development Code, to read as follows:

Development means any activity that causes a change to be made in the legal rights or physical state of the real estate such that;

(1) The activity creates a substantial use demand for new sanitary sewage service, collection and treatment, or the activity shall require the extension of a sanitary sewer system collector or interceptor, or the installation and capping of sanitary sewer lines, in accordance with Section 21-41 of this Chapter; or

(2) The activity constitutes any mining, quarrying, or other excavations related thereto; or

(3) The activity constitutes the creation or change of a Subdivision, Resubdivision or lot-line adjustment; or

(4) The activity constitutes the creation or a change of a Mobile Home Park; or

(5) The activity constitutes the creation or change of a Planned Unit Development;

(6) The following activities are not considered to constitute a development:

(a) The transfer of any existing building or use rights for use for a single individual parcel, as it then exists immediately prior to any sale or lease where such transfer or lease does not create any additional parcel by exception; or

(b) The dedication of land for public use to a public entity, the vacation of any land so dedicated, and the taking of property rights through eminent domain or inverse condemnation; or

(c) The construction of one single family dwelling and/or farm related structures on a single lot or the creation or transfer of a single lot of ten acres or more, except where such acreage or structures are at locations of future streets as designated in the Official Comprehensive Plan; or

(d) The maintenance or improvement of an existing public street or railroad by a public utility not involving

redesign if the work is carried out on land within the boundaries of the right-of-way; or

(e) Work by any utility not including redesign for the purpose of inspection repair, renewal or construction on established rights-of-way of any sewers, mains, pipes, cables, utility tunnels, power lines, power poles, trunk-lines or the like; or

(f) The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products or for other agricultural purposes; or

(g) Individual installation of a building sewer, service connection, or lateral.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities and 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 6<sup>th</sup> day of January, 1992.

PASSED by the City Council on this 6<sup>th</sup> day of January, 1992.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 14<sup>th</sup> day of January, 1992.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Ruth S. Brookens, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 6th day of January, 1992, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9192-62, entitled "An Amendment to the Subdivision and Land Development Code of the City of Urbana" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of ordinance No. 9192-62 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 15th day of January, 1992, 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 31st day of January, 1992.

(SEAL)

Ruth S. Brookens  
CITY CLERK

(1453a.ord)

