

ORDINANCE NO. 9596-57

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

(Amendment to Create a Second Category of Bed and Breakfast and to Permit a Bed and Breakfast, Owner Occupied as a Conditional Use, and a Single Family Dwelling by Right in the R-7 University Residential Zoning District - Plan Case # 1597-T-95)

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend the Urbana Zoning Ordinance; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1597-T-95; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing to consider the proposed amendment on November 9, 1995; and

WHEREAS, the Urbana Plan Commission voted at its regular meeting on November 9, 1995 to forward Plan Case #1597-T-95 and the proposed amendments with added language allowing subordinate retail sales in a "Bed and Breakfast Inn" 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 Urbana Zoning Ordinance 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. Section II-3, entitled "Definitions", is amended to replace the current definition for a "Bed and Breakfast" with definitions for a "Bed and Breakfast Inn" and a "Bed and Breakfast, Owner Occupied." Said definitions shall read as follows:

Bed and Breakfast Inn: A converted single family detached dwelling in which rooms are rented to transient guests on an overnight basis. A dining area that is open to both guests of the Inn and to the public as a restaurant, and retail sales, are permitted activities within a Bed and Breakfast Inn if they are subordinate to the use of the Inn for lodging.

Bed and Breakfast, Owner Occupied: An owner-occupied single-family dwelling or part thereof, where rooms are rented to transient guests on an overnight basis. A bed and breakfast, owner occupied shall be subordinate to the principal use as a single-family dwelling.

Section 2. Table V-1, entitled "Table of Uses", is amended as follows:

The letter "P" shall be placed in the row labeled "Dwelling, Single-family" at its intersection with the column for the R-7 Zoning District to indicate that a "Dwelling, Single-family is a use permitted by right in the R-7 University Residential Zoning District.

The row labeled "Bed and Breakfast" shall be relabeled "Bed and Breakfast, Owner Occupied," and the letter "C" shall be placed where that row intersects with the column for the R-7 Zoning District to indicated that such a use is permitted as a conditional use in the R-7 Zoning District.

A new row, labeled "Bed and Breakfast Inn" shall be inserted immediately preceding the row labeled "Bed and Breakfast, Owner Occupied", and the letter "P" shall be placed at the intersections of that row with the columns for the B-2, B-3, B-3U, B-4, B-4E and MOR Zoning Districts to indicated that such a use is permitted by right in those Zoning Districts.

Section 3. 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).

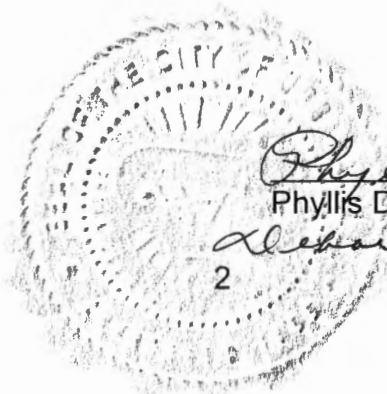
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 20th day of November, 1995.

PASSED by the City Council on this 20 day of November, 1995.

AYES: Hayes, Kearns, Patt, Ryan, Taylor, Whelan

NAYS:

ABSTAINED:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

Alexander J. Roberts, Deputy Clerk

APPROVED by the Mayor this 27th day of November, 1995.

Tod Satterthwaite
Tod Satterthwaite, 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 _____, 1995, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "**AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS** (Amendment to Create a Second Category of Bed and Breakfast and to Permit a Bed and Breakfast, Owner Occupied as a Conditional Use, and a Single Family Dwelling by Right in the R-7 University Residential Zoning District - Plan Case # 1597-T-95)" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the ___ day of _____, 1995, 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 _____, 1995.

(SEAL)

Phyllis D. Clark, City Clerk

(1597t95 .ORD)



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 20th day of November, 1995, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9596-57, entitled "AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS (AMENDMENT TO CREATE A SECOND CATEGORY OF BED AND BREAKFAST AND TO PERMIT A BED AND BREAKFAST, OWNER OCCUPIED AS A CONDITIONAL USE, AND A SINGLE FAMILY DWELLING BY RIGHT IN THE R-7 UNIVERSITY RESIDENTIAL ZONING DISTRICT - PLAN CASE #1597-T-95)" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9596-57 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 28th day of November, 1995, 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 28th, day of November, 1995.

(SEAL)



Phyllis D. Clark by _____
Phyllis D. Clark, City Clerk
Subornal J. Roberts, Deputy Clerk