

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

**(Revisions to Section V-8, "Additional Use Regulations in the MOR District",
of the Urbana Zoning Ordinance - Plan Case No. 2098-T-09)**

WHEREAS, the City Council of the City of Urbana, Illinois, adopted Ordinance No. 9293-124 on June 21, 1993 consisting of a comprehensive amendment to the 1979 Zoning Ordinance of the City of Urbana, also known as the Urbana Zoning Ordinance; and

WHEREAS, Article IV of the Urbana Zoning Ordinance, District and Boundaries Thereof, establishes the M.O.R., Mixed-Office Residential Zoning District; and

WHEREAS, in 2003, the Urbana City Council revised Sections IV-2.I, V-8, and XI-12 of the Urbana Zoning Ordinance as they pertain to the requirements of the M.O.R. District to promote adaptive reuse of existing structures in the District by allowing for administrative approval of site plans and granting of certain minor variances (Ordinance No. 2003-11-120); and

WHEREAS, in October 2008, the Mayor and the Urbana Zoning Board of Appeals requested City Staff to review and recommend necessary amendments to Section V-8 to improve public review and opportunity for input; and

WHEREAS, the Urbana Zoning Administrator has requested to amend Section V-8 of the Urbana Zoning Ordinance regarding administrative review in the M.O.R., Mixed-Office Residential Zoning District to place quantifiable limits on the type of projects allowed to undergo administrative review and remove the Zoning Administrator's ability to grant minor variances; and

WHEREAS, said text amendment was presented to the Urbana Plan Commission as Plan Case No. 2098-T-09; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing to consider the case on February 19, 2009; and

WHEREAS, the Urbana Plan Commission voted 7 ayes to 0 nays on February 19, 2009 to forward the proposed text amendment set forth in Plan Case No. 2098-T-09 to the Urbana City Council with a recommendation for approval; and

WHEREAS, on March 2, 2009, the Urbana City Council passed an Ordinance No. _____ to amend the zoning ordinance of the City of Urbana; and

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 V-8, Additional Use Regulations in the MOR District is hereby amended to read as follows:

Section V-8. Additional Use Regulations in the MOR District

- A. Within MOR Zoning Districts, site plans for all changes of use, building additions, exterior building remodeling, new construction, and parking lot construction or expansion shall comply with the MOR zoning ordinance requirements and applicable design guidelines. Wherever this ordinance imposes greater restrictions on properties in the MOR, Mixed-Office Residential Zoning District than in other zoning districts, the greater restrictions shall govern.
- B. As an incentive to encourage the adaptive re-use of principal buildings, proposed changes to existing principal buildings which do not:
 - 1. Increase the building footprint by more than 15 percent; or
 - 2. Increase the floor area ratio by more than 15 percent; or
 - 3. Include installing or enlarging a parking lot; or
 - 4. Substantially change the building's appearance and/or scale, as determined by the Zoning Administrator in consultation with the Chair of the MOR Development Review Board

may be reviewed administratively for compliance with MOR zoning ordinance requirements and design guidelines. Other site plans shall be reviewed by the Design Review Board, in accordance with

the provisions of the Board as specified in Section XI-12 and shall also demonstrate consistency with the "MOR, Mixed-Office Residential Design Guidelines" as specified in Section XI-12.J.

C. Adjustments to Existing Codes and Regulations for Adaptive Re-use Projects.

1. For site plans incorporating the adaptive re-use of existing structures, the MOR Development Review Board is empowered to authorize modifications from the following Zoning Ordinance standards on a case-by-case basis in accordance with the purpose and objectives of the MOR District regulations:
 - a. Section VIII-3, Design and Specifications of Off-Street Parking;
 - b. Section VIII-4, Location of Parking Facilities;
 - c. Section VIII-5, Amount of Parking Required; except that no reduction of the parking requirements shall be approved for residential uses; residential use in the MOR District shall conform to the full parking requirements of Section VIII-4;
 - d. Section VIII-6, Off-Street Loading Regulations;
 - e. Article VI, Development Regulations; and
 - f. Chapter 7 of the City Code, Fences.

D. *Appeals.* See Section XI-3.D for information regarding the appeals process. All appeals must be filed within 45 days as prescribed by the State Zoning Act (65 ILCS 5\11-13-12).

Section 2. 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).

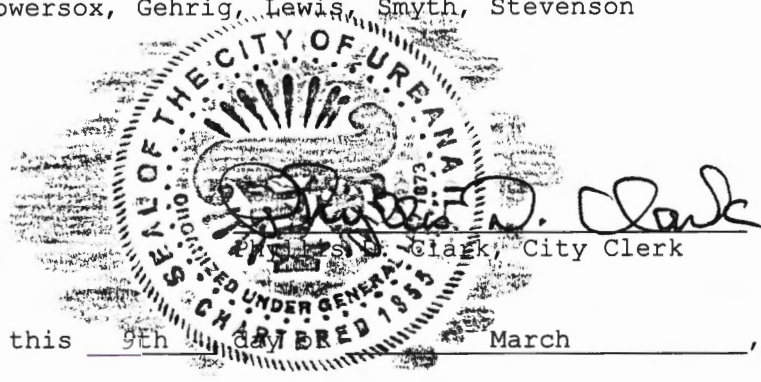
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 2nd, day of March, 2009.

PASSED by the City Council this 2nd day of March,
2009 .

AYES: Barnes, Bowersox, Gehrig, Lewis, Smyth, Stevenson

NAYS:

ABSTAINS:



APPROVED by the Mayor this 9th day of March,
2009 .

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor