



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

m e m o r a n d u m

**TO:** The Urbana Plan Commission  
**FROM:** Kevin Garcia, Principal Planner  
**DATE:** September 2, 2021  
**SUBJECT:** Plan Case 2425-T-21: An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with changes to Article XI (Administration, Enforcement, Amendments and Fees), and other relevant sections, to change how the Zoning Administrator is appointed.

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### **Introduction**

The Zoning Administrator is a regulatory role that is appointed by the Mayor, with the consent of City Council. The proposed text amendment would amend the Zoning Ordinance to make the Zoning Administrator an designee of the Community Development Services Director.

### **Discussion**

Section XI-1.B of the Zoning Ordinance states that the Zoning Administrator has the authority and duty to administer the Zoning Ordinance. The Zoning Administrator's role is therefore regulatory and administrative in nature. Their role does not change based on policy direction from the Mayor or City Council; however, the Zoning Ordinance currently requires that the Zoning Administrator be appointed by the Mayor, with the consent of City Council. Since the Zoning Administrator's role is not subject to the Mayor or City Council's direction, it would be more prudent to have the appointment of the Zoning Administrator be an administrative decision. To that end, the proposed text amendment would shift the authority to appoint the Zoning Administrator to the Community Development Services Director.

Exhibit A, Proposed Amendments, outlines the proposed changes using strikethrough and underline notation. A ~~strikethrough~~ is used to indicate ~~deleted language~~, while an underline is used to indicate added language.

## Summary of Findings

1. The proposed amendment will change the role of the Zoning Administrator from being a political designee to an administrative designee.
2. The proposed amendment will update the Zoning Ordinance to ensure that the regulatory environment more closely matches the goals and policies of the City.
3. 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 Plan Commission has the following options regarding Plan Case 2384-T-19:

1. Forward this case to City Council with a recommendation to approve as presented;
2. Forward this case to City Council with a recommendation to approve as modified by specific suggested changes; or
3. Forward this case to City Council with a recommendation to deny.

## Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission forward Plan Case No. 2425-T-21 to the Urbana City Council with a recommendation to **APPROVE** the proposed text amendment to the Zoning Ordinance.

Attachments: Exhibit A: Proposed Amendments

## Exhibit A: Proposed Amendments

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### **Section XI-1. Zoning Administrator**

- A. *Enforcement of this Ordinance.* This Ordinance shall be administered and enforced by the Zoning Administrator, appointed by the Community Development Services Director, ~~Mayor, by and with the advice and consent of the City Council.~~ The Zoning Administrator may be provided with the assistance of such persons as the City Council may direct.

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### **Section XI-4. City Council**

In the administration and enforcement of this Ordinance, it shall be the duty and responsibility of the City Council to do the following:

- B. Consider all appointments made by the Mayor to the Plan Commission, and Zoning Board of Appeals, ~~and the position of the Zoning Administrator,~~ as provided in Section XI-1 through Section XI-2 and Section XI-3; and

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