



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members
FROM: John A. Schneider, MPA, Director, Community Development Services
DATE: December 13, 2018
SUBJECT: **An Ordinance Amending the Urbana Zoning Ordinance** (Revising Article VIII-3.B to refer to the Illinois Accessibility Code – Plan Case No. 2358-T-18)

The Zoning Administrator requests an amendment to the Zoning Ordinance to update accessible parking requirements. The change requested would simplify the daily administration of the Zoning Ordinance by reducing inconsistencies and updating regulations to match current State and Federal accessible parking standards.

Background

On October 23, 2018, the Illinois Commerce Commission (ICC) accepted a revised Illinois Accessibility Code (IAC) which, among other things, eliminates the requirement that all Americans with Disabilities Act (ADA) parking stalls have their own access aisle and can instead share an aisle, and also provides flexibility in the allowable widths of parking spaces and access aisles. Section VIII-3.B of the Zoning Ordinance requires that adjacent accessible parking spaces shall not share a common access aisle, and requires accessible parking spaces and aisles to be eight feet wide. Section VIII-3.B also requires one accessible spaces for parking lots between 21-25 spaces, while the IAC requires only one space for lots of that size.

Discussion

The Federal ADA standard has for some time allowed shared access aisles between accessible parking spaces, though the Illinois Accessibility Code did not. Now that the State has changed the IAC to match Federal standards, the Zoning Administrator seeks to amend Urbana's Zoning Ordinance to be consistent with State and Federal standards. The proposed change, which would simply refer to the IAC standards, would allow for shared access drives between accessible parking spaces, and would allow more flexible drive/aisle widths. The number of accessible parking spaces required would also change for parking lots between 21-25 spaces. Currently, the City code requires two spaces, while the IAC only requires one space. In practice, few parking lots are constructed in that size range, minimizing any impact of adopting the IAC standard. The Zoning Administrator discussed that issue with PACE Center for Independent Living. PACE is satisfied with the text as presented.

The change will keep City requirements consistent with State and Federal requirements and also with City of Champaign requirements. This consistency creates a more streamlined and equitable development process. It would also simplify the ordinance by referring directly to the IAC, so that

any future changes will automatically be reflected in the Zoning Ordinance and not require amending the text in the future.

During the Plan Commission Meeting on December 6, 2018, clarifications were requested regarding exact language of new regulations in terms of parking space widths, but were ultimately resolved. No members of the public provided comment.

Options

The City Council has the following options:

1. Approve the ordinance as presented;
2. Approve the ordinance as modified by specific suggested changes; or
3. Deny the ordinance.

Recommendation

At its December 6, 2018, meeting, the Plan Commission voted six ayes to zero nays to forward to City Council a recommendation to APPROVE the proposed text amendment to revise Article VIII-3.B of the Zoning Ordinance. Staff concurs with this recommendation.

Prepared by:
Will Andresen, Planning Intern

Attachments: Exhibit A: Proposed Zoning Ordinance Changes
Exhibit B: Excerpts from Recent Revisions to Illinois Accessibility Code
[Full IAC text and illustrations are available; see Section 208.2 (p. 45) and Section 502 (p. 137) for parking:
<https://www2.illinois.gov/cdb/announcements/2018/Documents/Register%20Page.pdf>]
Exhibit C: DRAFT Plan Commission Minutes from 12/6/18

ORDINANCE NO. 2018-23-083

AN ORDINANCE AMENDING THE URBANA ZONING ORDINANCE

**(Revising Article VIII-3.B to refer to the Illinois Accessibility Code –
Plan Case No. 2358-T-18)**

WHEREAS, the City Council passed Ordinance No. 9293-124 on June 21, 1993, which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana (“City”), which is also known as the Urbana Zoning Ordinance (“Zoning Ordinance”); and

WHEREAS, the Illinois Commerce Commission (ICC) accepted a revised Illinois Accessibility Code; and

WHEREAS, the Zoning Administrator has submitted a petition to amend the Zoning Ordinance to simplify the daily administration of the Zoning Ordinance by reducing inconsistencies and updating regulations to match current State and Federal handicapped parking standards; and

WHEREAS, said petition was presented to the Plan Commission as Plan Case #2358-T-18; and

WHEREAS, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in The News-Gazette, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing; and

WHEREAS, the Plan Commission voted six ayes to zero nays on December 6, 2018, to forward Plan Case #2358-T-18 to the City Council with a recommendation for approval of the proposed amendment; and

WHEREAS, the amendments described herein conform to the goals, objectives and policies of the 2005 Comprehensive Plan as amended from time to time; and

WHEREAS, after due and proper consideration, the City Council finds that amending the Zoning Ordinance as herein provided is in best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1.

That Article VIII, “Parking and Access,” Section VIII-3, “Design and Specifications of Off-Street Parking”, Paragraph B, “Handicapped Parking” is amended to read as follows:

B. *Handicapped Parking*. Accessible parking must comply with the State of Illinois Accessibility Code, as amended.

Section 2.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 3.

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 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 Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:

ABSTAINED:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Diane Wolfe Marlin, Mayor

Exhibit A

Article VIII-3.B:

...

B. Handicapped Parking. Accessible parking must comply with the State of Illinois Accessibility Code, as amended.

~~1. When Illinois state, federal law, or local ordinance(s) require handicapped accessibility, all off-street parking lots, except those servicing single-family and duplex dwelling units, shall have an appropriate number of handicapped parking spaces in conformance with Table VIII-1.~~

~~2. Handicapped spaces shall be located as close as possible to an accessible building entrance.~~

~~3. Handicapped parking spaces shall be at least 16 feet wide and 18.5 feet in length and shall include an eight foot wide access aisle. Adjacent handicapped parking spaces shall not share a common access aisle.~~

~~4. Handicapped parking spaces, including design and signs, must comply with the State of Illinois Accessibility Code as amended. Where the requirements in Section VIII-3.B. of the Urbana Zoning Ordinance and the State Code differ, the more restrictive of the two standards shall apply.~~

TABLE VIII-1. HANDICAPPED PARKING

<i>Total Number of Parking Spaces Provided</i>	<i>Number of Handicapped Parking Spaces Required</i>
1 to 20	1
21 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total number of parking spaces provided
Over 1,000	20 plus 1 for each 100 over 1,000

...

Exhibit B

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EXCEPTION: Parking spaces used exclusively for buses, trucks, other delivery vehicles, law enforcement vehicles, or vehicular impound shall not be required to comply with 208 provided that lots accessed by the **public** are provided with a passenger loading zone complying with 503.

208.2 Minimum Number. Parking spaces complying with 502 shall be provided in accordance with Table 208.2 except as required by 208.2.1, 208.2.2, and 208.2.3. Where more than one parking **facility** is provided on a **site**, the number of accessible spaces provided on the **site** shall be calculated according to the number of spaces required for each parking **facility**.

Table 208.2 Parking Spaces	
Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000

208.2.1 Hospital Outpatient Facilities. Ten percent of patient and visitor parking spaces provided to serve hospital outpatient **facilities** shall comply with 502.

208.2.2 Rehabilitation Facilities and Outpatient Physical Therapy Facilities. Twenty percent of patient and visitor parking spaces provided to serve rehabilitation **facilities** specializing in treating conditions that affect mobility and outpatient physical therapy **facilities** shall comply with 502.

208.2.3 Residential Facilities *Owned or Financed by Governmental Entities*. Parking spaces provided to serve residential **facilities** *owned or financed by governmental entities* shall comply with 208.2.3.

208.2.3.1 Parking for Residents. Where at least one parking space is provided for each **residential dwelling unit**, at least one parking space complying with 502 shall be provided for

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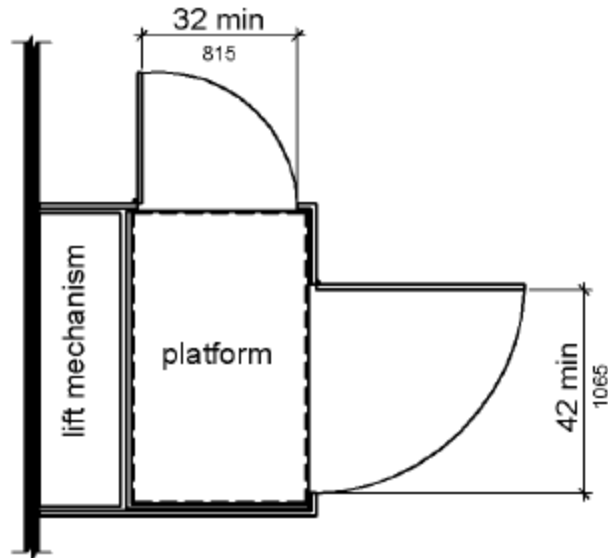


Figure 410.6 Platform Lift Doors and Gates

CHAPTER 5: GENERAL SITE AND BUILDING ELEMENTS

501 General

501.1 Scope. The provisions of Chapter 5 shall apply where required by Chapter 2 or where referenced by a requirement in this document.

502 Parking Spaces

502.1 General. *Parking spaces shall comply with 502.* Where parking spaces are marked with lines, width measurements of parking spaces and access aisles shall be made from the centerline of the markings.

EXCEPTION: Where parking spaces or access aisles are not adjacent to another parking space or access aisle, measurements shall be permitted to include the full width of the line defining the parking space or access aisle.

502.2 Vehicle Spaces. Vehicle parking spaces shall be *either 8 feet (2440 mm) wide minimum or 11 feet (3350 mm) wide minimum*, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3.

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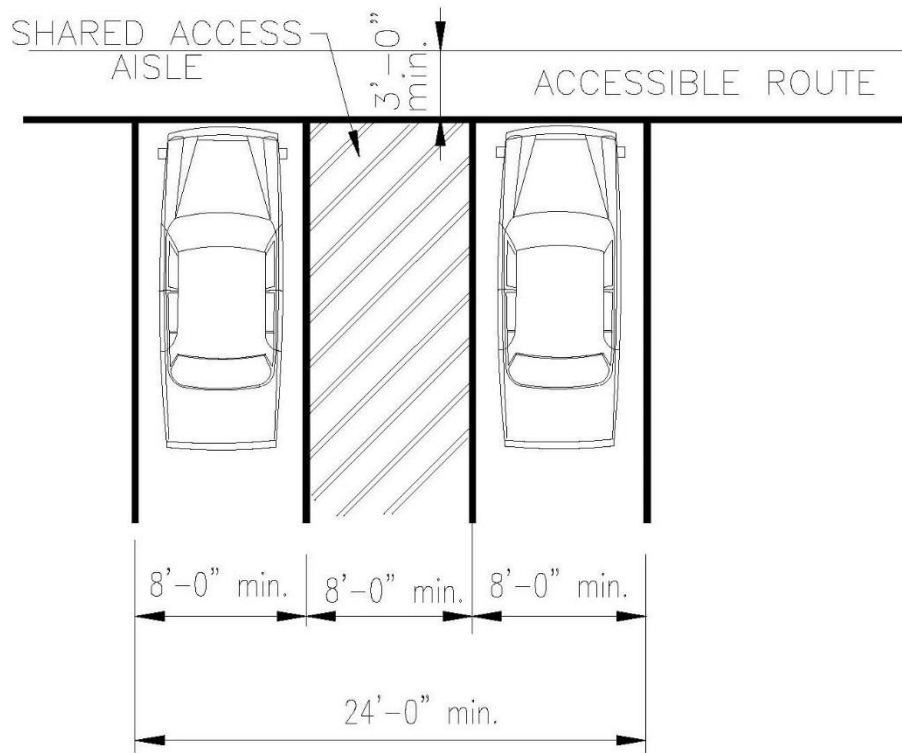


Figure 502.2 Vehicle Parking Spaces

502.3 Access Aisle. Access aisles serving parking spaces shall comply with 502.3. Access aisles shall adjoin an **accessible route**. Two parking spaces shall be permitted to share a common access aisle.

EXCEPTION: Diagonal parking spaces shall not share an access aisle. Access aisles serving diagonal accessible parking spaces shall be located on the passenger side of the vehicle space.

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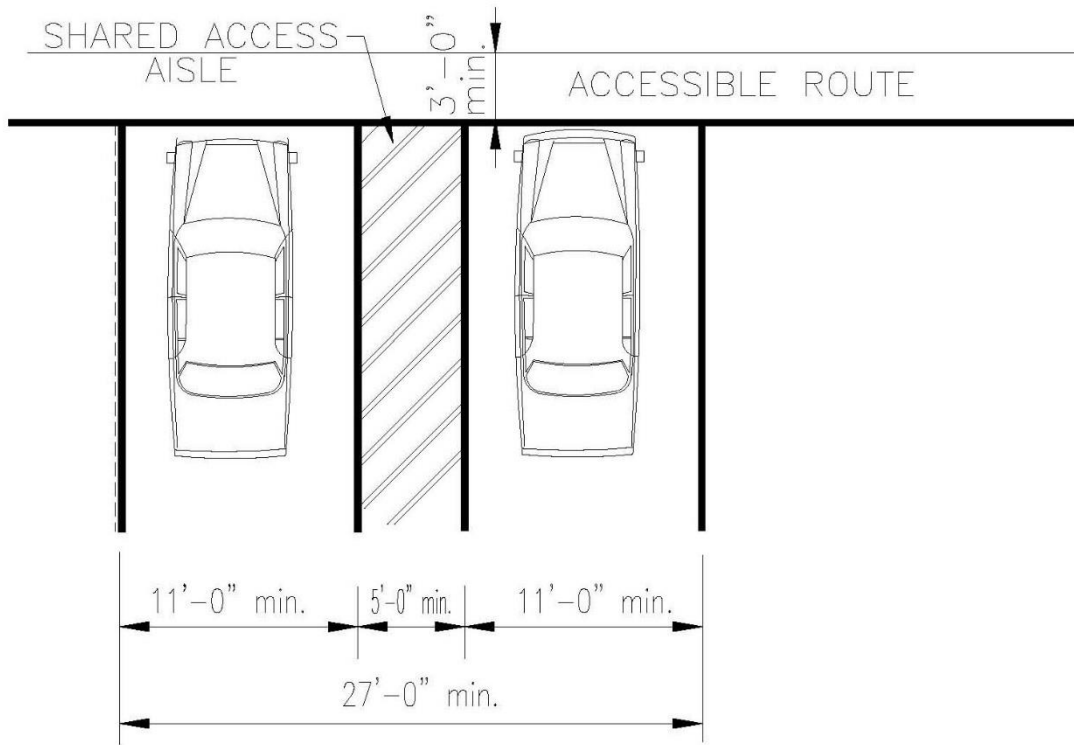
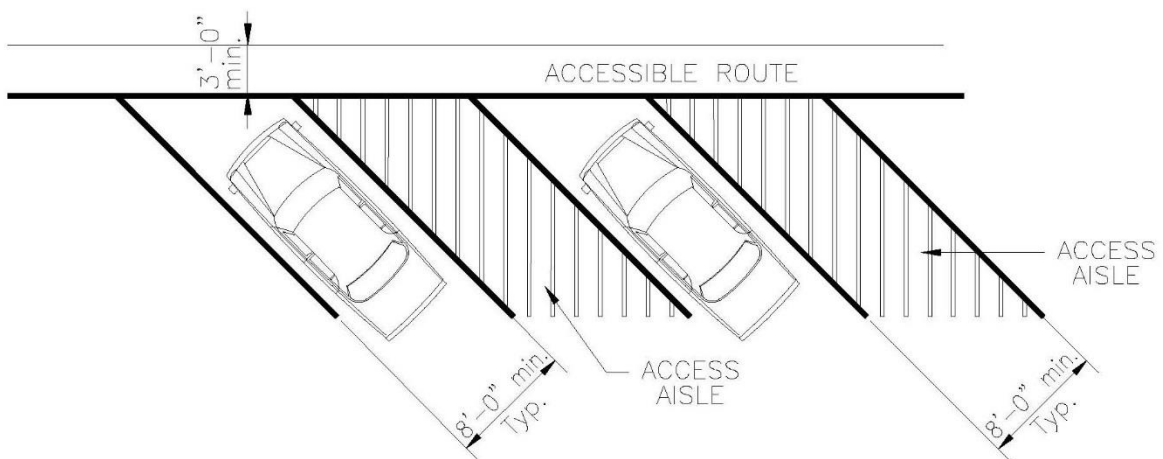


Figure 502.3 (a) Parking Space Access Aisle



(Typical Parking Spaces for 45°, 60°, and 90° Arrangements)

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Figure 502.3 (b) Diagonal Parking Space Access Aisle

502.3.1 Width. *The combined width of an accessible parking space and its adjacent access aisle shall be 16 feet (4875 mm) minimum. Access aisles serving parking spaces that are 11 feet (3350 mm) wide minimum shall be 5 feet (1525 mm) wide minimum. Access aisles serving parking spaces that are less than 11 feet (3350 mm) wide shall be 8 feet (2440 mm) wide minimum.*

502.3.2 Length. Access aisles shall extend the full length of the parking spaces they serve.

502.3.3 Marking. Access aisles shall be marked with *diagonal striping* so as to discourage parking in them. *A high quality yellow paint recommended by the paint manufacturer for pavement striping shall be used.*

502.3.4 Location. Access aisles shall not overlap the ***vehicular way***. Access aisles shall be permitted to be placed on either side of the parking space except for angled *parking spaces* required by 208.2.4 which shall have access aisles located on the passenger side of the parking spaces (see *Figure 502.3 (b)*).

502.4 Floor or Ground Surfaces. Parking spaces and access aisles serving them shall comply with 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted.

EXCEPTION: Slopes not steeper than 1:48 shall be permitted.

502.5 Vertical Clearance. *Parking spaces required by 208.2.4, and access aisles and vehicular routes serving them, shall provide a vertical clearance of 98 inches (2490 mm) minimum.*

502.6 Identification. *Accessible parking spaces shall be designated as reserved by providing a permanently mounted R7-8 (U.S. Department of Transportation standard; see *Figure 502.6 (a)*) sign which contains the international symbol of accessibility. Such signs shall exhibit the dollar amount of the fine as required by the Illinois Vehicle Code [625 ILCS 5/1124 and 301.1] or the higher amount if required by local ordinance (see *Figure 502.6 (b)*). Signs shall be vertically mounted on a post or wall at front center of the parking space, no more than 6 feet (1830 mm) horizontally from the front of the parking space and set a minimum of 5 feet (1525 mm) and a maximum of 9 feet (2745 mm) from finished grade to the bottom of the R7-8 sign.*

Accessible Parking Signs (for parking lots subject to the ***Illinois Vehicle Code***) shall comply with the R7-8 sign shown in *Figure 502.6(a)* (U.S. Department of Transportation Standard). Existing signs may remain, but their useful lives shall not be extended by other means than normal maintenance.

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502.7 Relationship to Accessible Routes. Parking spaces and access aisles shall be designed so that *vehicles*, when parked, cannot obstruct the required clear width of adjacent ***accessible routes***.

503 Passenger Loading Zones

503.1 General. Passenger loading zones shall comply with 503.

503.2 Vehicle Pull-Up Space. Passenger loading zones shall provide a vehicular pull-up space 96 inches (2440 mm) wide minimum and 20 feet (6100 mm) long minimum.

503.3 Access Aisle. Passenger loading zones shall provide access aisles complying with 503 adjacent to the vehicle pull-up space. Access aisles shall adjoin an ***accessible route*** and shall not overlap the ***vehicular way***.

503.3.1 Width. Access aisles serving vehicle pull-up spaces shall be 60 inches (1525 mm) wide minimum.

503.3.2 Length. Access aisles shall extend the full length of the vehicle pull-up spaces they serve.

503.3.3 Marking. Access aisles shall be marked so as to discourage parking in them.

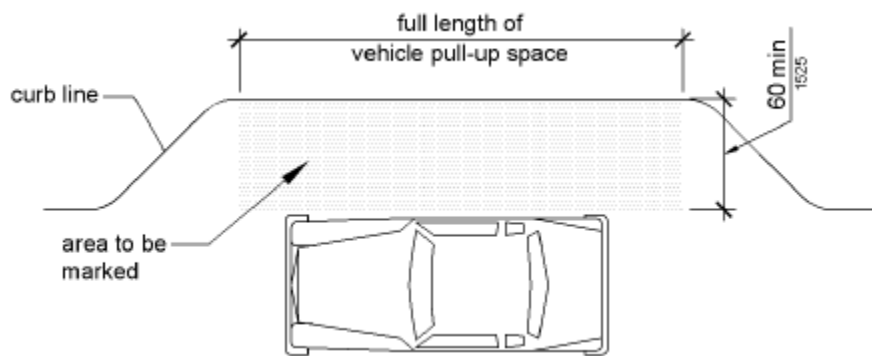


Figure 503.3 Passenger Loading Zone Access Aisle

503.4 Floor and Ground Surfaces. Vehicle pull-up spaces and access aisles serving them shall comply with 302. Access aisles shall be at the same level as the vehicle pull-up space they serve. Changes in level are not permitted.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: December 6, 2018

TIME: 7:00 P.M.

PLACE: Urbana City Building
Council Chambers
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Barry Ackerson, Jane Billman, Tyler Fitch, Lew Hopkins, Nancy Ouedraogo, Jonah Weisskopf

MEMBERS ABSENT: Andrew Fell, Daniel Turner, Chenxi Yu

STAFF PRESENT: Lorrie Pearson, Planning Manager; Lily Wilcock, Planner I; Teri Anel, Administrative Assistant II

OTHERS PRESENT: Karen Fresco, Alice Novak

NEW PUBLIC HEARINGS

Plan Case No. 2358-T-18 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with changes to Article VIII (Parking and Access) to modify the requirements for handicapped parking to reflect changes in state law for handicapped parking spaces.

Chair Fitch opened the public hearing for this case.

Lorrie Pearson, Planning Manager, introduced Will Andresen as one of the City of Urbana's planning interns.

Will Andresen, Planning Intern, presented the staff report to the Plan Commission. He began by stating that the Illinois Commerce Commission (ICC) recently accepted a revised Illinois Accessibility Code, which eliminates the requirement that all American with Disabilities Act (ADA) parking stall have their own access aisle and can instead share an aisle. It also provides flexibility in the allowable widths of parking spaces and access aisles. He proceeded to review the proposed changes to the Zoning Ordinance. Figure 502.2, Vehicle Parking Spaces, shows the City's existing requirement for a shared access aisle. The proposed text amendment would allow a developer to either install handicapped parking spaces using the existing requirement or the newly proposed requirement, shown in Figure 502.3 (a), Parking Space Access Aisle. He read the options of the Plan Commission and presented City staff's recommendation for approval.

Ms. Pearson suggested that they strike Table VIII-1, Handicapped Parking, of the Urbana Zoning Ordinance and instead refer to the state code for the total number of handicapped parking spaces required. She noted that the City of Champaign also refers to the state and federal codes, so approval of the proposed text amendment would bring the City of Urbana's codes in line with our neighbors to the west.

Chair Fitch asked if any members of the Plan Commission had questions for City staff.

Mr. Hopkins asked for clarification that one handicap parking space would be required for a parking lot with 1 to 25 spaces. Ms. Pearson replied that was correct.

Mr. Hopkins stated that it has to be legal for someone to park in the extra 3 feet of the 8-foot aisle to allow a handicapped person to exit from the right side of the vehicle in an 8-foot space. He expressed concern that Parking Enforcement staff does not seem to understand this, so he felt an interpretation/explanation should be added in the proposed text amendment of the Zoning Ordinance.

Chair Fitch reviewed the procedure for a public hearing. He then opened the hearing for public input. There was none, so Chair Fitch closed the public input portion and opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Ackerson moved that the Plan Commission forward Plan Case No. 2358-T-18 to the City Council with a recommendation for approval as presented. Ms. Billman seconded the motion. Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Ms. Ouedraogo	-	Yes	Mr. Weisskopf	-	Yes
Mr. Ackerson	-	Yes	Ms. Billman	-	Yes

The motion passed by unanimous vote.

Ms. Pearson noted that this case would be forwarded to the City Council on Monday, December 17, 2018.