



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
FROM: John A. Schneider, Manager, Community Development Services Department
DATE: December 14, 2017
SUBJECT: **An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois**
(Omnibus Text Amendment – Plan Case No. 2320-T-17)

Introduction

The Zoning Administrator requests a multipart amendment to the Zoning Ordinance, to include changes such as revising definitions, removing unused definitions, rewriting sections to make them more understandable, fixing incorrect references, updating parking requirements, making changes to clarify standards for signs, and making other minor changes. The changes are requested to assist in the daily administration of the Zoning Ordinance by reducing inconsistencies and updating regulations to meet current professional practices. This set of proposed changes will also correct typographical errors and inconsistencies that have been identified since the ordinance was last updated. On their own, most or all of these changes would not warrant a separate text amendment, and are therefore combined into one “omnibus” amendment.

At its December 7, 2017 meeting, the Urbana Plan Commission voted six (6) ayes to (1) nay to forward the case to the City Council with a recommendation to approve the request.

Background

The latest series of omnibus Zoning Ordinance amendments were approved in 2015. Since then there have been three text amendments to the ordinance which must be incorporated into a republished document. Republishing the Zoning Ordinance creates an opportunity for staff to make minor updates with an omnibus text amendment. In addition, minor typographical errors can be corrected through this process.

Discussion

This memorandum explains the more significant Zoning Ordinance changes and summarizes the minor changes. The attached Zoning Ordinance Changes (see Exhibit A) outlines all of the proposed changes using a strikethrough and underline notation system. A ~~strikethrough~~ is used to indicate ~~deleted language~~, while an underline is used to indicate added language. Staff suggests a number of grammatical corrections and organizational changes as well.

The Urbana Plan Commission held a public hearing to discuss the proposed changes on December 7, 2017. Prior to and after the meeting, staff received several communications regarding the proposed

text amendment. All but one of the communications received prior to the Plan Commission meeting were opposed to a proposed change that would clarify how front yard setbacks are calculated in residential zones when a building is planned for demolition. In addition to expressing opposition to the proposed changes to setback calculations, Mary Pat McGuire suggested changes to a proposal regarding basements and floor-area ratio calculations, and also made a suggestion to staff to revisit Article VI-6 to incorporate sustainable landscape guidance. At the Plan Commission meeting, Adam Rusch spoke in favor of the proposed changes regarding setback calculations, and later submitted a written communication to that effect. Esther Patt, in a written communication, expressed concern over a proposal to reduce the parking requirements for single-bedroom units in multi-family residential buildings. All of the communications staff received can be found in Attachment B.

At their meeting, the Plan Commission made several suggested changes to the staff proposal, which have all been incorporated into the proposed amendment. The Plan Commission also suggested removing one item, regarding vehicle signs, from the proposal for further study.

Upon adoption of this proposed multipart text amendment, staff will republish the Zoning Ordinance, including the following text amendments that were adopted after the Zoning Ordinance was last published in September, 2015:

- Transitional Housing (Plan Case 2269-T-16, Ord. No. 2016-02-008)
- Home Occupations (Plan Case 2270-T-16, Ord. No. 2016-02-009)
- Southeast Urbana Overlay District (Plan Case 2302-T-17, Ord. No. 2017-06-032)

The following summarizes the miscellaneous proposed changes organized by Zoning Ordinance article. Changes are listed in bullet points, followed by a brief explanation in italics.

Proposed Text Changes

General Changes:

1. Replace the phrase “building or structure” with “structure”.

The definition for “structure” includes buildings, making it redundant, and in many cases less clear, to use the phrase “building or structure”.

2. Fix incorrect references.

There are incorrect references in several places that are being fixed to refer to the correct section.

3. Make general typographical and grammatical changes.

Minor typographical/grammatical changes have been made throughout the Zoning Ordinance.

Article II. Definitions

4. Move parts of the definition for “Accessory Building or Structure”.

The definition for “Accessory Building or Structure” is being amended to remove regulatory language from the definitions section. Those regulations are being moved to Article V. The current

definition also includes a definition of “Shed”, which is being moved to its own definition in Article II.

5. Replace or amend definitions for “Accessory Building or Structure”, “Accessory Use”, “Lot, Corner”, “Lot Width”, and “Structure”.

These definitions are being rewritten to make them more understandable, and in some cases to move regulatory language from the definitions section into the proper section of the Zoning Ordinance.

6. Remove definitions for “Amusement Center/Arcade”, “Efficiency Apartment”, and “Garden, Home”.

“Amusement Center/Arcade” and “Garden, Home” are not used in the Zoning Ordinance outside of the definitions section, so they are being removed. “Efficiency Apartment” is only found in one place, Table VIII-7. Parking Requirements by Use. With proposed changes to Table VIII-7, “Efficiency Apartment” will no longer be used anywhere in the Zoning Ordinance, and is therefore being removed.

7. Update captions for Figure 1 and Figure 2.

The captions should read “Figure II-1” and “Figure II-2” to be consistent with the rest of the Zoning Ordinance.

Article V. Use Regulations

8. Update Section V-2. Principal and Accessory uses to make it more understandable.

Section V-2 contains wordy, difficult-to-understand language. It has been rewritten to make the regulations clear and concise, while maintaining the intent of the regulations.

9. Update Section V-3. Table of Permitted Uses, by District to allow more than one principal use in a single building in all Zoning Districts, if each principal use is permitted by right in that district.

Currently, approval by the Zoning Board of Appeals (ZBA) is required to have more than one principal use in a single building in certain districts but not in others. It does not seem logical to require review by the ZBA simply to have more than one by-right use in the same building. In practice, we receive very few proposals to have more than one by-right, principal uses in one building. However, when those proposals do happen, the proposed change will save significant staff, volunteer, and applicant time in the future.

10. Remove Section V-7. Additional Regulations in the B-2 District

This section has two paragraphs, “A” and “B”. The intent of “A” is to require business uses in new multifamily residential buildings in the B-2 district, which is mostly along Springfield Ave. between Birch St. and Busey Ave. In reality, this requirement has not produced the desired effect, which was to create a mixed-use business/residential corridor along Springfield Ave. The requirement for business uses in the B-2 district is an impediment to development in areas that are already constrained. Removing paragraph “A” will not preclude mixed-use development in the district, but it will make residential-only development a possibility.

Paragraph “B” is very confusing. It incorrectly refers to Section VIII-5.D, which is about parking in the B-4E District, not the B-2 District. The intent is to refer to Section VIII-5.E, which allows for a reduction in the amount of parking required for business and industrial uses when there is a shared a parking lot for multiple uses. The section explicitly states that residential uses do not qualify for a reduction in parking. Paragraph “B” makes the same statement, so there is no need to include it in the Zoning Ordinance. It should be removed.

11. Rewrite Section V-8. Additional Use Regulations in the Mixed-Office Residential (MOR) District to be more understandable.

Paragraph V-8.B states the review requirements for projects in the MOR District. The proposed changes make this section more understandable without changing the requirements. Paragraph V-8.B is separated into two paragraphs, with “B” stating when review by the MOR Development Review Board is required, and “C” stating when review can be handled administratively.

12. Add captions to Table V-1. Table of Uses

Currently the table of uses does not explain what P, C, S, and D stand for (you have to flip back eight pages to Section V-3 to find that information). Captions have been added to every page of the table: “*P – Permitted, C – Conditional Use Permit Required, S – Special Use Permit Required, D – Planned Unit Development*”

Article VI. Development Regulations

13. Amend table of contents to include missing information.

The table of contents for Article VI is missing the full title of Section VI-4 and does not include Section VI-9 at all. These are being added.

14. Exclude basements in Gross Floor Area calculations for duplexes and townhouses.

Basements in single-family dwellings are excluded from Gross Floor Area calculations (and are therefore excluded from Floor Area Ratio calculations). The proposal would add basements in duplexes and townhouses to the list of exclusions. It doesn’t make sense that only single-family homes would have this exclusion, and in practice it is hard to justify why duplexes and townhouses don’t share this exclusion. For example, as currently written, a duplex built on a single lot would need to include the area of its basement in its total Gross Floor Area. An identically-designed building split over two lots is considered to be two “common-lot-line” single-family dwellings, and the basement areas are therefore excluded from the total Gross Floor Area. The proposed change would provide consistent regulations for buildings that have the same massing and scale, yet are classified differently.

15. Rewrite Paragraph VI-4.B to make parking bonuses in the B-3U District more understandable

This section is hard to follow, including the formula to calculate the parking bonus. The section and formula were rewritten to be more understandable.

16. Rewrite Paragraph VI-5.D. Multiple Frontage Lots to be more understandable.

This section is very hard to follow, and is unnecessarily verbose. It also references a requirement in the R-6 and R-6B Districts that does not exist. The section has been rewritten to be concise and clear, while retaining the intent of the original. The references to the requirement that does not exist have been removed.

17. Add sentence to clarify how to calculate front yard setback in certain zones.

In certain residential districts, the required front yard is variable and is calculated as the average of the setbacks of all buildings on a block, except that the average is capped with a minimum and maximum value. In each district, except for R-1¹, the minimum required setback is 15 feet and the maximum is 25 feet. When the average setback for the block is calculated, the required setback is therefore between 15 and 25 feet in those districts. Currently if a development proposal includes demolishing an existing building on a lot, it is not explicitly stated in the Zoning Ordinance whether the existing (soon-to-be-demolished) building's setback should be used for the average setback calculation or whether the calculation should be made as if the building were already demolished.

The proposed change adds a sentence derived from a long-standing Zoning Ordinance interpretation that states, "In calculating the average setback...the setbacks for lot(s) to be redeveloped where demolition is anticipated should be calculated at 15 feet." The interpretation was made by the then Administrator of the Department of Community Development Services in 1986, but to date has not been incorporated into the Zoning Ordinance (see Exhibit C). Since 15 feet was the minimum required setback in all residential districts – except R-1 – at the time, the proposed change states that to calculate the average setback for lots where demolition is anticipated, the setback would equal the minimum front yard required in the district.

Many of the communications received regarding the proposed change expressed a desire to maintain appropriate setbacks in residential districts to maintain the character of neighborhoods. Staff understands the desire to preserve the character of neighborhoods, and the proposed change will have virtually no effect on setbacks. As Tyler Fitch, Chair of the Urbana Plan Commission, observed at the Plan Commission meeting on December 7: the effect on determining the required setback for a lot by using the minimum setback (as proposed), as opposed to using the setback of an existing building, is negligible, since setbacks are capped at 25 feet in most districts. Tables 1 and 2 below illustrate this point.

In Table 1 below, Lot 1 is on a block with 5 uniform lots, with 5 houses on each lot all set back 40 feet from the right-of-way. In this example, it makes no difference how the setback for Lot 1 is calculated. While the average setback on the block is different, the *maximum required setback* in the district is capped at 25 feet, so Lot 1 would have a required setback of 25 feet.

¹ In R-1, the minimum and maximum required setbacks are 25 and 60 feet, respectively.

Table 1: 40 foot setbacks

Lot #	Calculated Using Existing Bldg. Setback			Calculated Using Min. Setback			
	Current Setback (ft.)	% of Block Face	Weighted Setback (ft.)	Calculated Setback (ft.)	% of Block Face	Weighted Setback (ft.)	
1	40	20%	8.0	15	20%	3.0	
2	40	20%	8.0	40	20%	8.0	
3	40	20%	8.0	40	20%	8.0	
4	40	20%	8.0	40	20%	8.0	
5	40	20%	8.0	40	20%	8.0	
Average Setback			40.0	Average Setback			35.0
Required Setback			25.0	Required Setback			25.0

In Table 2 below, Lot 1 is on a block with 5 uniform lots, with 5 houses on each lot all set back 25 feet from the right-of-way. In this example, the difference between using the existing setback for the calculation and the minimum front yard required in the district is only two feet.

Table 2: 25 foot setbacks

Lot #	Calculated Using Existing Bldg. Setback			Calculated Using Min. Setback			
	Current Setback (ft.)	% of Block Face	Weighted Setback (ft.)	Calculated Setback (ft.)	% of Block Face	Weighted Setback (ft.)	
1	25	20%	5.0	15	20%	3.0	
2	25	20%	5.0	25	20%	5.0	
3	25	20%	5.0	25	20%	5.0	
4	25	20%	5.0	25	20%	5.0	
5	25	20%	5.0	25	20%	5.0	
Average Setback			25.0	Average Setback			23.0
Required Setback			25.0	Required Setback			25.0

In his letter to the Plan Commission, Paul Debevec included photos of three buildings that are closer to the street than the neighboring buildings. In each case, the required setback was calculated using the method proposed in this amendment, and in each case, the required setback was determined to be the maximum setback required by the Zoning Ordinance in the district each building is in.¹ Calculating the required setback using the setback of the buildings that existed on each lot would have made no difference in the final outcome for each of the building setbacks shown.

18. Rewrite paragraph VI-6.A.2.b Landscaping Buffer to be more understandable.

This section is unnecessarily verbose and has been rewritten to be more clear and understandable, while maintaining the intent of the section. To increase flexibility, a sentence allowing alternative landscaping plans has been added.

19. Make minor amendments to Table VI-2. Landscaping Buffer.

¹ In each case, the required setback was 25 feet. In the case of Coler Crossing (corner of Coler Ave. and Green St.), a variance was granted to allow a smaller setback (23 feet), but the required setback, as calculated using the proposed method, was 25 feet. In the case of 708-710 W. Green St., a variance was initially granted to allow a 20-foot setback. However, the project was redesigned to better fit in with the surrounding buildings, and is set back 25 feet.

The phrase “shall provide” is unnecessary and will be removed. In addition, the word “screening” should say “buffer”.

20. Amend Table VI-3 and footnotes.

A column titled “Minimum or Average Lot Width” is confusing and has been replaced with “Minimum Lot Width”. A footnote referring to Section V-7.A, which is proposed for removal as explained above, will be removed.

Article VIII. Parking and Access

21. Rewrite paragraph VIII-3.F. Special Conditions Requiring Shade Tree Planting

This section will be retitled “Shade Trees”, which is simpler and more to the point. The section has been rewritten to be more understandable.

22. Amend Section VIII-5. Amount of Parking Required to fix an error and to “future proof” a requirement in the Campus Commercial District (CCD).

This section contains an error caused by the auto-numbering feature in Microsoft Word, where paragraph VIII-5.E was split into two paragraphs, “E” and “F”. The amendment will correct this error. On a related note, since the error was not detected when it happened, several references to paragraphs in Section VIII-5 in other parts of the Zoning Ordinance are incorrect. Fixing this error will correct those references.

In this section, paragraph “K” specifies parking requirements in the CCD. The parking requirements for multifamily dwellings in the district are listed as “0.5 spaces per bedroom; no less than 1 space per dwelling unit,” which is the same as the requirement for multifamily dwellings in any district (as specified in Table VIII-7). If any changes are ever made to the multifamily requirements in Table VIII-7, this section would also need to be changed. To simplify the process, this paragraph will be changed to refer to the requirements in Table VIII-7, rather than restate the requirements verbatim.

23. Amend Table VIII-7. Parking Requirements by Use to simplify parking requirements for multifamily dwelling units.

The current parking requirement for multifamily dwelling units, according to Table VIII-7, is essentially “0.5 spaces per bedroom, with a minimum of one space per dwelling unit”. This means that every single bedroom apartment requires the same number of parking spaces (one) as a two-bedroom apartment. Empirical evidence collected by staff by surveying the owners/managers of apartment buildings near the University of Illinois campus found that the demand for parking spaces is less than 0.5 spaces per bedroom. As discussed at the Plan Commission meeting on December 7, the proposed change would still allow developers to provide more than 0.5 spaces per bedroom in areas where they feel the demand warrants it, but it would not force them to provide excess parking in areas where the demand is less.

Total Parking Demand

Data from 187 apartment buildings surveyed indicated that the aggregate demand for off-street parking by residents of those buildings was 0.423 spaces per bedroom.¹ The demand for on-street parking by residents of those buildings was just 0.012 spaces per bedroom.² Therefore, the total parking demanded by residents was just under 0.44 spaces per bedroom.

Total Parking Supply

Of the 187 apartment buildings surveyed, only 75 percent of all off-street parking is used by residents of the apartments; 10 percent of spaces are leased to non-residents; 15 percent of spaces are not used. This indicates that, taken as a whole, there is an adequate supply (and perhaps an oversupply) of off-street parking in the study area. However, since these number represent the entire study area, there could certainly be some areas where the parking supply is inadequate and residents must park in the street.

Demand for Single-Bedroom Units

In buildings that contain single-bedroom units only, the demand is just over 0.6 parking spaces per bedroom. However, in mixed-unit buildings, where single-bedroom units account for 40% of all units (and 22% of all bedrooms), the parking demand is almost identical to demand in buildings that have no single-bedroom units, with demand being about 0.4 parking spaces per bedroom.

Table 1: Parking Demand by Unit Type

Unit Type	# of Buildings	Total BR	SBR Units	Parking* Demand	Demand per BR
Single-Bedroom Only	56	598	598	368	0.62
Mixed Single- and Multi-Bedroom	59	1,837	411	740	0.40
Multi-Bedroom Only	78	1,928	0	793	0.41
Total	193	4,363	1,009	1,901	0.44

**Demand = Parking spaces on site plus on-street parking permits issued to residents*

Most new apartment buildings have a mix of units (1-, 2-, 3-bedroom), and the data in Table 1 shows that mixed-unit buildings have the same parking demand whether they include single-bedroom units or not. It therefore does not make sense to require buildings that contain single-bedroom units to provide more parking than buildings that do not.

In addition, for buildings that contain only single-bedroom units, the observed demand is about 0.6 parking spaces per bedroom. That number is only an average – some buildings have a higher

1. 1,847 spaces were leased by residents; the total number of bedrooms was 4,363, a ratio of 0.423 spaces per bedroom.

2. 54 on-street parking permits were purchased by residents of the apartment buildings in the survey, which represents about 16% of the 343 on-street parking permits issued in 2017. Of all permits, 110 (32%) were purchased by residents of fraternities/sororities, 97 (28%) were purchased by homeowners, 96 (28%) were purchased by residents in apartment buildings, and 40 (12%) were purchased by residents in rental houses.

demand for parking, some have a lower demand. If the number were set at 0.6 spaces per unit, it would force an oversupply of parking for buildings with lower demand. In addition, the difference between setting the rate at 0.5 spaces per bedroom and 0.6 spaces per bedroom is negligible. For example, for a 15-unit building with only single-bedroom units, 8 spaces would be required at 0.5 spaces per bedroom; at 0.6 spaces per bedroom, 9 spaces would be required.

Conclusion

While staff does not suggest that the parking requirement be reduced to less than 0.5 spaces per bedroom at this time, we feel that the current requirement of one space for every single-bedroom apartment is excessive and discourages developers from including one-bedroom units in new multi-family buildings.

The proposed change would require 0.5 parking spaces per bedroom in a multifamily residential building regardless of the number of bedrooms in each unit. Our analysis of the parking supply and demand at 187 apartment buildings (including on-street parking) supports this change, which would remove the current disincentive to provide single bedroom units in apartment buildings.

24. Replace Figure VIII-2. Typical Turnaround Designs for 90° Parking Access Drive

This figure is confusing, as it combines two different designs into one illustration. Replacing the current illustration with two separate illustrations will convey the design concepts much more clearly.

Article IX. Signs

25. Rewrite Section IX-4.I. Temporary Signs

This section has been rewritten to make it more understandable.

26. Amend Section IX-4.J.7 to allow Sandwich Boards in the B-3 and CCD districts, to identify where they must be located, and to make the section more understandable.

Sandwich boards are currently not allowed in the B-3 or CCD districts. It may be that sandwich boards are not allowed in B-3 to prevent them from being placed far from businesses in shopping centers. The proposed amendment would add that sandwich boards must be placed in the area directly in front of a building, up to 30 feet front the building, which should alleviate this concern. In most places, there will not be 30 feet directly in front of a building because the buildings are close to the right-of-way or a parking lot, but in the MOR District many buildings are set back a good distance from the sidewalk. Allowing signs up to 30 feet from the front of a building will allow business owners in the MOR District to place their signs near the sidewalk.

It is not certain why sandwich boards are not allowed in the CCD District. It is likely an oversight.

27. Rewrite Section IX-5. Sign Permits

This section is very difficult to understand as written. The proposed amendments would make it much easier to understand.

28. Amend Tables IX-1 through IX-9 (sign standards tables)

Changes are proposed to many of these tables to make the language consistent within each table, to make the regulations more understandable, and to reorganize tables and footnotes as needed. In addition, the proposed amendments to Table IX-3 would allow projecting signs above the first story of a building.

Article XI. Administration

29. Amend Section XI-3. Zoning Board of Appeals to require the City Clerk to record Major Variance ordinances.

The City Clerk is responsible for recording ordinances that are enacted by the City Council. Currently, the Zoning Ordinance states that the Zoning Administrator is responsible for recording ordinances granting Major Variances. The proposed amendment would transfer this responsibility to the City Clerk, making it consistent with other administrative procedures.

Article XII. Historic Preservation

30. Add a duty for the Secretary of the Preservation Commission

The Secretary of the Preservation Commission is a City staff member who, among other things, provides professional analysis and recommendations to the Historic Preservation Commission. The proposed amendment would formally add these roles for the Secretary to Article XII.

Article XIII. Special Development Provisions

31. Make minor typographical changes

There are three minor errors being fixed in Article XIII.

Summary of Findings

1. The proposed amendment will assist with daily administration and enforcement of the Zoning Ordinance by reducing inconsistencies and updating regulations to meet current professional practices.
2. The proposed amendment is consistent with the goals and objectives of the 2005 Urbana Comprehensive Plan regarding updating various sections of the Zoning Ordinance.
3. The proposed amendment will update the Zoning Ordinance to ensure that the regulatory environment more closely matches the goals and policies of the City.
4. 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

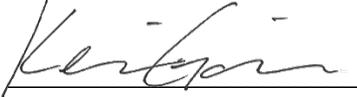
The Urbana City Council has the following options in this case:

1. Approve the proposed Zoning Ordinance text amendments as presented;
2. Approve the proposed Zoning Ordinance text amendments as modified by any specific suggested changes; or
3. Deny the proposed Zoning Ordinance text amendments.

Recommendation

At its December 7, 2017 meeting, the Urbana Plan Commission voted six (6) ayes to (1) nay to forward the case to the City Council with a recommendation to **APPROVE** the request, including all of the changes that have been incorporated into the draft ordinance. Staff likewise recommends approval.

Prepared by:



Kevin Garcia, AICP
Planner II

Attachments: A: Strikethrough Copy of Proposed Zoning Ordinance Changes (*relevant sections only*)
B: Communications
C: Memorandum: Policy on Calculation of Average Setback, May 15, 1986
D: Draft Plan Commission Minutes, 12/7/2017

ORDINANCE NO. 2017-12-074

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF
URBANA, ILLINOIS**

(Omnibus Text Amendment – Plan Case No. 2320-T-17)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #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 which is also known as the Urbana Zoning Ordinance; and,

WHEREAS, the Urbana Zoning Ordinance has periodically been recodified and republished by the City of Urbana to incorporate the numerous amendments that have been made since Ordinance #9293-124 was adopted on June 21, 1993; and,

WHEREAS, the Urbana Zoning Administrator proposes to enact an omnibus Zoning Ordinance amendment as part of the process of editing the Ordinance to recodify and republish it; and,

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend the Urbana Zoning Ordinance, which includes numerous miscellaneous editorial changes as part of the recodification and republishing of the Zoning Ordinance; and,

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #2320-T-17; and,

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing on the petition on December 7, 2017; and,

WHEREAS, the Urbana Plan Commission voted six ayes to one nay on December 7, 2017 to forward Plan Case #2320-T-17 to the Urbana City Council with a recommendation for approval of the proposed amendment; and,

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the amendments described herein conform to the goals, objectives and policies of the 2005 Urbana Comprehensive Plan as amended from time to time; and,

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interest 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 Urbana Zoning Ordinance shall be amended as follows:

Section 1. Section II-3, Definitions, is hereby amended as follows:

Accessory Structure: A structure housing an accessory use.

Accessory Use: A use that is incidental to a principal use.

Carport: A structure, with one or more open sides, attached to a dwelling, designed to shelter automobiles belonging to the occupants of the dwelling.

Dwelling, Duplex (Extended Group Occupancy): A building containing two dwelling units, each of which is occupied at any given time by:

- A. A household; and
- B. Such additional persons who are permanent members of the housekeeping unit, ordinarily in a loco parentis relationship with one or more members of the basic group such as foster children or persons in a group home licensed by the State of Illinois.

Dwelling, Single-Family (Extended Group Occupancy): A building containing only one dwelling unit and occupied at any given time by a group consisting of only:

- A. A household; and
- B. Such additional persons who are permanent members of a housekeeping unit, and in a loco parentis relationship with one or more members of the basic group such as foster children or persons in a group home licensed by the State of Illinois.

Home Occupation: Any occupation or profession for gain or support, carried on as an accessory use in a dwelling unit by a member or members of the household residing on the premises. (Ord. No. 1999-06-045, 06-11-99)

Lot, Corner: A lot located at the intersection of two or more streets.

Lot Width: The distance between the side lot lines measured at the front setback line. For corner lots, it is the distance between the side lot line and the opposite front lot line, measured at the setback line of the remaining front lot line.

Principal Structure: A structure housing a principal use.

Principal Use: The primary use on a lot or of a structure.

Shed: A structure primarily intended for non-vehicular storage that is not served by heat, electricity or plumbing, and does not need to be placed on a permanent foundation.

Structure: Any building, or anything constructed, which requires attachment to the ground-

Section 2. Section II, Figures 1 and 2, titles are hereby amended as follows:

Figure II-1. Floor Area Ratio

Figure II-2. Open Space Ratio

Section 3. Paragraph V-1.A is hereby amended as follows:

- A. In any district, no land or structure shall be used, and no structure shall hereafter be erected or structurally altered, except for:

Section 4. Section V-2. Principal and Accessory Uses, is hereby amended, including footnote 1, as follows:

- A. The uses listed in Table V-1 are principal uses.
- B. As indicated by Table V-1, a use may be permitted by right, as a conditional use, or as a special use in the various zoning districts.
- C. An accessory use or structure is permitted to accompany the principal use it is subordinate to, provided that:
 - 1. It is located on the same lot as the principal use, or on another lot under the provisions of Section V-3.E.
 - 2. It is compatible in character and extent with the principal use and district where located;
 - 3. It does not dominate the principal use or structure in area, height, extent, or purpose;
 - 4. It conforms with all other applicable regulations;
 - 5. It is not established before the principal use is established, except as authorized by the Zoning Administrator;
 - 6. It is customarily incidental to the principal use or structure;

7. If accessory structures will be located on a lot containing a single- or two- family dwelling, the maximum combined area for all accessory structures shall be:
 - a) 750 square feet, if the lot contains a single-family home of 1,500 square feet or less¹;
 - b) 800 square feet, if the lot contains a two-family home of 1,500 square feet or less¹;
 - c) 1,000 square feet, or 50 percent of the floor area of the dwelling, whichever is less, if the dwelling is greater than 1,500 square feet;

In addition, the maximum area for a shed shall be 120 square feet.

8. It is not a principal use parking lot as defined in Article II of the Urbana Zoning Ordinance.

¹ (Ord. No. 2011-02-007, 2-21-2011)

Section 5. Section V-3 is hereby amended as follows:

- C. Unless as exempted below, in any zoning district, more than one principal structure per lot or parcel of land may be allowed under conditional use procedures meeting the following criteria:
 1. The uses are permitted by right or as a conditional use in the district in which the lot or parcel of land is located.
 2. The lot or parcel of land does not qualify as a residential, commercial, or industrial PUD.
 3. In zoning districts which permit multiple family residential uses, no conditional use permit shall be required to allow more than one multiple family residential building on a single lot.
- D. In all Zoning Districts, more than one principal use is allowed in a single building without Zoning Board of Appeals Approval if the uses are permitted by right within that Zoning District.

Section 6. Section V-7 is hereby removed and marked “(Reserved)”.

Section 7. Section V-8, is hereby amended as follows:

- B. Site plans shall be reviewed by the MOR Development Review Board, except for plans that can be administratively approved as provided in paragraph C below. The Board shall consider the MOR Site Plan Review Criteria (Section XI-12.I) and a plan’s consistency with the Mixed-Office Residential Design Guidelines when making a

decision.

- C. To encourage the adaptive re-use of principal buildings, the following proposed changes to an existing principal building may be administratively reviewed for compliance with Zoning Ordinance requirements and Mixed-Office Residential Design Guidelines:
 1. Increasing the footprint of the building by 15 percent or less; or
 2. Increasing the floor area ratio by 15 percent or less; or
 3. Making no substantial changes to the principal building’s appearance or scale, as determined by the Zoning Administrator in consultation with the Chair of the MOR Development Review Board;
- D. Adjustments to Existing Codes and Regulations for Adaptive Re-use Projects

Section 8. Section V-9, is hereby amended as follows:

Common-lot-line dwelling units, as defined in Article II and as permitted in Table V-1 of this Ordinance, shall be allowed in conformance with Section VI-3.E and the following restrictions:...

Section 9. Footnote to Table V-1, is hereby added as follows:

TABLE V-1. TABLE OF USES

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-	R-7	AG	B-1	B-2	B-3	B-	B-4	B-	CC	CR	MO	IN-	IN-

*P – Permitted, C – Conditional Use Permit Required, S – Special Use Permit Required,
D – Planned Unit Development*

Section 10. Article VI. Development Regulations, table of contents is hereby amended as follows:

- Section VI-1. Applicability**
- Section VI-2. Height**
- Section VI-3. Lot Area and Width**
- Section VI-4. Floor Area and Open Space**
- Section VI-5. Yards**
- Section VI-6. Screening**
- Section VI-7. Drainage and Storm Water Runoff**
- Section VI-8. Outdoor Lighting Standards**
- Section VI-9. Portable Storage Containers**

Section 11. Paragraph VI-4.A.2.c, is hereby amended as follows:

- c) Basements in single-family dwellings, duplexes, and townhouses.

Section 12. Paragraph VI-4.B is hereby amended as follows:

- B. In the B-3U District, where parking is incorporated into or provided underground below a principal structure, the maximum Floor Area Ratio may be increased by up to 25% using the following formula:

$$F_{\text{bonus}} = 0.25(F)(P/R) + F$$

Where: F = Maximum Floor-Area Ratio specified in Table VI-3.

F_{bonus} = Maximum Floor-Area Ratio after applying parking bonus

P = Number of parking spaces incorporated into or provided underground below the principal structure

R = Number of parking spaces required by Section VIII-5 of this Ordinance

(Ord. No. 9091-61, § 7, 11-19-90)

Section 13. Paragraph VI-5.D is hereby amended as follows:

D. Multiple Frontage Lots

1. Lots shall have a required front yard on each street frontage, as provided in Table VI-3 and in Section VI-5.
2. Required side yards, as provided in Table VI-3, shall not reduce the buildable width of a lot to:
 - a. Less than 20 feet for common-lot-line dwelling units;
 - b. Less than 30 feet for all other buildings.
3. On corner lots, the rear lot line shall be the line opposite the narrower of the two street frontages.

Section 14. Paragraph VI-5.E.1 is hereby amended as follows:

1. In the R-1, R-2, R-3, R-4, R-5, R-7, and MOR Districts, where lots comprising more than 40% of the frontage in a block are improved with buildings, not less than the average depth of the front yards of all lots in the block shall be maintained by all new buildings and by all alterations of existing buildings in the block, except that this provision shall not require a front yard of more than 60 feet in the R-1 zone and 25 feet in the R-2, R-3, R-4, R-5, R-7, and MOR Districts nor less than the minimum required in the district in which they are located, nor shall it reduce the buildable dimension of the lot to less than 30 feet. For the purpose of computing such an average depth, vacant lots within such frontage shall be considered as having the minimum front yard required in that district. If a development proposal includes demolishing existing buildings, those lots shall be considered as having the minimum front yard required in that district.

Section 15. Paragraph VI-5.F.2 is hereby amended as follows:

2. Common-lot-line dwelling units shall conform to the side yard regulations as provided in Section VI-3.F of this Ordinance.

Section 16. Table VI-2 is hereby amended as shown in Attachment A.

Section 17. Paragraph VI-6.A.2.b is hereby amended as follows:

- 1) A landscaping buffer per Table VI-2 shall apply to the subject property when the immediately adjacent property has a different zoning designation.
- 2) In the B-4E Zoning District, the following additional landscaping requirements apply:
 - (a) The required front yard shall be landscaped with a combination of grass or other suitable ground cover, flowers, shrubs, and trees or decorative pavement, walls, or fences. Landscaping shall conform to this Section and other provisions of this ordinance.
 - (b) A decorative wall up to two feet tall may be located within the required front yard. It shall be made of landscaping timbers, stone, brick, or finished masonry materials. It may supplement, but not substitute for, the landscaping required in this section.
- 3) Shrubs and trees shall be provided with one tree and three shrubs for every 40 linear feet or fraction thereof along the lot lines that require a landscape buffer. Alternative planting plans that create a sufficient barrier may be approved by the Zoning Administrator upon the recommendation of the City Arborist.
- 4) Required shrubs and trees shall be a species listed in Table VI-4 or Table VI-5, except that alternative species may be approved by the Zoning Administrator upon the recommendation of the City Arborist and in conformance with the Urbana Arboricultural Specifications Manual.
- 5) All shrub species, except boxwood, shall be spaced at least three feet apart, as measured from center to center at planting grade, and have a minimum initial planting height of 18 inches. The boxwood species shall be spaced at least 30 inches apart and have a minimum initial planting height of 15 inches.
- 6) A ground cover of living grass or other ground cover plants is required on at least 75 percent of the required landscaped yard, excluding any access drives. The remaining area may be covered by non-living landscaping materials.
- 7) Retaining walls supporting raised planting areas may be up to four feet tall, and their width shall be greater than their height.
- 8) All plants required by this Section shall be maintained as living vegetation and shall be promptly replaced within a reasonable period of time, based on seasonal conditions, following notice that such vegetation needs to be replaced. Such notice shall be provided in writing to the owner of the property by the Zoning Administrator upon the recommendation of the City Arborist.

Section 18. Footnote 4 to Table VI-3 is hereby removed and marked “(Reserved)”.

Section 20. Paragraph VIII-3.F is hereby amended as follows:

F. *Shade Trees*

Shade trees are required for surface parking lots with more than 20 parking spaces used for the following:

- Residential land uses;
- Commercial land uses;
- Employee or customer parking for industrial land uses.

Parking lots in a garage or under a principal structure are exempt from this requirement. However, when parking is provided at ground level below any part of a principal structure in residential districts, it shall be effectively screened as required by Section VI-6.B.4.

Shade trees shall be planted in the parking lot according to the following requirements (see Figure VIII-5):

Section 21. Paragraph VIII-3.F.6 is hereby removed.

Section 22. Paragraph VIII-4.F.2 is hereby amended as follows:

2. Accessory off-street parking may be located in the required side yard and rear yard, provided that the parking is behind the rear face of the principal structure. In the case of a lot with no principal structure on which a principal use parking lot is to be located, parking may be located in the rear or side yard. (Ord. No. 9697-154, 6-16-97) (Ord. No. 1999-06-045, 06-11-99)

Section 23. Paragraph VIII-4.J is hereby amended, including footnote 1, as follows:

- J. In order to provide single and two family residential uses an opportunity to establish an accessory parking area, a maximum of two accessory, off-street parking spaces may be constructed for single and two family residences for passenger vehicles, recreational vehicles, watercraft and off-road vehicles. Said accessory parking must be in addition to and on other than the access drive and shall not be located in the required front yard. The surface for such a storage area shall consist of either asphalt, concrete, brick, CA-10¹ or equivalent gravel contained by curbing or approved landscape edging treatment, or other surface approved by the Zoning Administrator. Said accessory parking area shall have approved access thereto. Dirt, woodchip, or sod surfaces are prohibited. (Ord. No. 1999-08-079, 08-03-99)

¹ CA10 is a specific aggregate standard: "CA" stands for "Coarse Aggregate". "10" refers to the gradation level, specifying a blend of approximately 70% of ¾" gravel and 30% of fines less than 1 mm, as per the "Standard Specifications for Road and Bridge Construction", Illinois Department of Transportation, Adopted April 1, 2016

Section 24. Paragraph VIII-5.E is hereby amended as follows:

- E. Where the applicable zoning district regulations permit, nothing in this Article shall be construed to prevent the provision of collective off-street parking facilities for two or more business or industrial uses. The required total of such off-street parking spaces supplied collectively shall not be less than 85% of the sum of the requirements computed separately. In cases of collective usage involving dwelling units, there shall be no reduction in the requirements of this Article. All such parking spaces shall be located in accordance with Section VIII-4.

Section 25. Paragraph VIII-5.K is hereby amended as follows:

- K. CCD, Campus Commercial District Parking Requirements. Parking requirements shall be calculated for individual uses permitted in the CCD, Campus Commercial District, as specified in Table V-1.

Each use shall provide parking at one half the rate required by Table VIII-7, with the following exceptions:

Section 26. Paragraph VIII-5.K.2 is hereby amended as follows:

- 2. Multiple Family Dwellings. Provide parking at the full rate required by Table VIII-7.

Section 27. Table VIII-7 is hereby amended as follows:

TABLE VIII-7. PARKING REQUIREMENTS BY USE

Use	Number of Spaces Required
Efficiency, One or Two Bedroom Multiple Family Dwelling Unit	No less than 1 for every dwelling unit
Three Bedroom Multiple Family Dwelling Unit	1.5 for every dwelling unit
Four Bedroom Multiple Family Dwelling Unit	2 for every dwelling unit
More Than Four Bedroom Multiple Family Dwelling Unit	2.5 for every dwelling unit
<u>Multiple-Family Dwelling Unit</u>	<u>0.5 for every bedroom, minimum of 0.5 for every dwelling unit</u>

Notes: ~~The intent for multi-family dwellings is to provide parking at a rate of one-half space per person. However, in no case shall a dwelling unit have less than one parking space.~~

Section 28. Figure VIII-2 is hereby amended as shown in Attachment B.

Section 29. Paragraph IX-4.H is hereby amended as follows:

- H. *Sign safety.* Signs and OASS shall be designed, sited, and constructed to allow safe vehicular movement onto and within the property, including on driveways and parking lots. Traffic control measures, such as curbs, may be required to be installed and maintained for safety reasons at the discretion of the City Engineer or designee.

Section 30. Paragraph IX-4.I is hereby amended as follows:

I. *Temporary Signs.*

Temporary signs shall be allowed in the following districts:

B-3, B-3U, B-4, B-4E, IN-1, IN-2; and

For non-residential uses in residential districts

Section 31. Paragraph IX-4.J.7 is hereby amended as follows:

7. *Sandwich Boards:* Shall be placed within the 30 feet directly in front of a business. Shall not be located in the traveled roadway or block pedestrian traffic. Shall be moved indoors at the end of business hours. Shall not exceed eight square feet in area and four feet in height.

Sandwich boards shall be allowed in the following districts:

B-1, B-2, B-3, B-3U, B-4, B-4E, CCD, MOR

Section 32. Section IX-5 is hereby amended as follows:

- A. *Permit Requirements.* Permits are required for any sign or OASS, except as provided in paragraph “B” below.
- B. *Permit Exceptions.* The following shall not require sign permits:
- 1) Signs authorized without a permit (see Section IX-4.J);
 - 2) Exempt signs (see Section IX-4.K);
 - 3) Changing the advertising copy or face panels on a sign or OASS;
 - 4) Painting, cleaning and other normal maintenance and repair of a sign or OASS.
- C. *Sign Permit Applications.*
1. Anyone proposing to erect or display a sign or OASS shall file an application for a permit with the Zoning Administrator of the City of Urbana or designee. Sign permit applications shall contain the following:
 - a) The name, address, and telephone number of the owner of the sign and agent, if any;
 - b) The location of buildings, structures, or lots where the sign is to be attached or erected;
 - c) The name of the person, business, corporation, or association that will erect the sign;
 - d) Written consent of the owner of the building, structure, or land where the sign will be erected;

- e) A site plan showing the location of the sign and its relationship to the site, structures, and surrounding properties.
- f) Plans and specifications indicating the method of construction and attachment to buildings or the ground. No drawings are required for temporary signs;
- g) Any other information the Zoning Administrator requires to show full compliance with this and all other laws and ordinances of the City.

Section 33. Paragraphs IX-7.A.2, IX-7.A.4, and IX-7.A.7 are hereby amended as follows:

- 2. Signs or OASS which contain or imitate an official sign, except for private traffic directional or instructional signs;
- 4. Signs or OASS which contains or consists of banners, pennants, ribbons, streamers, strings of light bulbs, spinners, or similar devices, except for Temporary Signs explicitly authorized by Section IX-4;
- 7. Portable signs, except for sandwich boards as defined in Section IX-2.

Section 34. Tables IX-1, IX-2, IX-3, IX-6, IX-7, and IX-9 are hereby amended as shown in Attachment C.

Section 35. Paragraph XI-3.C.2.d.6 is hereby amended as follows:

- 6) The Urbana Zoning Administrator shall notify the petitioner in writing of the City Council's decision regarding a major variance request. If the Council approved the variance, the City Clerk shall record a copy of the ordinance approving the variance with the Champaign County Recorder' Office, and forward a copy of the recorded ordinance to the petitioner.

Section 36. Paragraph XII-3.C.2.d is hereby amended as follows:

- d) Provide independent analysis and recommendations to the Preservation Commission;

Section 37. Paragraph XIII-1.U.1 is hereby amended as follows:

- 1. *Rebuilding Damaged or Destroyed Nonconforming Towers or Antennas.*

Section 38. Paragraph XIII-4.B.1 is hereby amended as follows:

- 1. Definitions and requirements of the Urbana Zoning Ordinance are applicable unless specifically modified pursuant to this section, but no lawful existing use or building shall be made nonconforming by virtue of the provisions of this section so long as the existing use or building is not modified.

Section 39. Paragraph XIII-4.J is hereby amended as follows:

- J. Plan Commission Determinations. The Plan Commission shall determine whether the reasons set forth in the application justify the granting of the Creekway permit based upon the criteria specified in Section XIII-4.C. Notice of hearing for Plan Commission determinations shall be given in the manner required by Section XIII-4.M of the Urbana Zoning Ordinance. The Plan Commission shall have the following options:

Section 40. Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 41. 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 42. 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 (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 _____ day of _____, 2017.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2017.

AYES:

NAYS:

ABSTENTIONS:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this _____ day of _____, 2017.

Diane Wolfe Marlin, Mayor

Exhibit A: Zoning Ordinance Changes

Section II-3. Definitions

...

~~*Accessory Building or Structure:* An attached or detached building or subordinate to and used for purposes customarily incidental to the main or principal use, building, or structure. In no case shall said buildings or structures dominate in area, height, extent, or purpose the principal use, building, or structure (see Section V-2.D for specific area regulations). The following are types of accessory structures:~~

- ~~A. *Private Garage:* A detached structure intended primarily for the parking and storage of vehicles~~
- ~~B. *Shed:* A structure intended primarily for non-vehicular storage purposes that is not designed to be served by heat, electricity or plumbing and does not need to be placed on a permanent foundation.~~
- ~~C. *Miscellaneous:* Any accessory structure that does not match the definitions of private garage or shed.~~

~~Accessory Structure: A structure housing an accessory use.~~

~~*Accessory Use:* A use of land or of a building or portion thereof incidental to and subordinate to the main or principal use, or structure and located on the same lot as the principal use or structure. An accessory use shall not dominate in area, extent, or purpose the principal use, building, or structure.~~

~~Accessory Use: A use that is incidental to a principal use.~~

...

~~*Amusement Center/Arcade:* A location which is maintained or operated for amusement, patronage, or recreation of the public where there are money or token operated amusement devices, including but not limited to video and pinball machines, which are operated as the principal use. (Ord. No. 8485-51, § 3(a), 1-21-85)~~

...

~~*Carport:* A structure, with one or more open sides, attached to a dwelling, designed to shelter automobiles belonging to the occupants of said the dwelling.~~

...

~~*Dwelling, Duplex (Extended Group Occupancy):* A building containing two dwelling units, each of which is occupied at any given time by:~~

- ~~A. A household as defined herein; and~~

...

~~*Dwelling, Single-Family (Extended Group Occupancy):* A building containing only one dwelling unit and occupied at any given time by a group consisting of only:~~

- ~~A. A household as defined herein; and~~

...

~~*Efficiency Apartment:* A dwelling unit consisting of one room, exclusive of bathroom, hallway, and closets, not to exceed 350 square feet in area. (Ord. No. 7980-95, § 2, 5-5-80)~~

...

~~*Garden, Home:* A private garden in which fruits and/or vegetables are raised for consumption by the gardener and his family, and none of the produce thereof is sold or placed on the market.~~

...

~~*Home Occupation:* Any occupation or profession for gain or support, carried on as an accessory use in a dwelling unit by a member or members of the immediate family household residing on the premises. (Ord. No. 1999-06-045, 06-11-99)~~

...

~~Lot, Corner:~~ A lot located at the intersection of two or more streets, where the corner interior angle formed by the intersection of the two streets is 135° or less; or a lot abutting upon a curved street or streets if tangents to the curve at the two points where the lot lines meet the curve, form an interior angle of less than 135°.

...

~~Lot Width:~~ For regularly shaped lots, the average distance between the side lot lines, measured at right angles to the depth of the lot; for irregularly shaped or wedge-shaped lots, the distance between the side lot lines measured at the point of intersection of the front setback line with the side lot lines. The horizontal distance between the side lot lines of a lot measured at the required front setback line. For corner lots, lot width means the it is the horizontal distance between the side lot line and the parallel opposite front lot line, measured at the front setback line of the remaining front lot line.

...

~~Principal Structure:~~ A structure housing ~~the~~ a principal use ~~of a lot~~.

~~Principal Use:~~ The primary use on a lot or of a structure.

...

~~Shed:~~ A structure primarily intended for non-vehicular storage that is not served by heat, electricity or plumbing, and does not need to be placed on a permanent foundation.

...

~~Structure:~~ Any building, or anything constructed, which requires attachment to the ground, including but without limiting the generality of the foregoing, advertising signs, billboards, poster panels, and supports and frames thereof.

...

Figure II-1. Floor Area Ratio

[Image removed from change document to save ink/space]

Figure II-2. Open Space Ratio

[Image removed from change document to save ink/space]

...

Section V-1. Uses Permitted by Right, Conditional Uses, and Special Uses

- A. In any district, no land or structure shall be used, and no structure ~~or building~~ shall hereafter be erected or structurally altered, except for:

...

Section V-2. Principal and Accessory Uses

- A. The uses listed in Table V-1 are principal uses.
- B. As indicated by Table V-1, a use may be permitted by right, as a conditional uses, or as a and special uses in the various zoning districts.
- C. ~~Except as otherwise provided, an accessory use or structure is permitted to accompany the principal use to which it is subordinate to, where such principal use is either permitted by right or authorized by either a conditional or a special use permit.~~
- D. ~~A structure or use may be erected or established as an accessory structure or use to a permitted principal structure or use, provided that:~~
- C. An accessory use or structure is permitted to accompany the principal use it is subordinate to.

provided that:

1. It is located on the same lot as the principal use, lot occupied by or intended for the principal use or building established or existing, or on another lot under the provisions of Section V-3.E.
2. It is compatible in character and extent with the principal use and district where located;
3. It does not dominate the principal use or structure in area, height, extent, or purpose;
4. It conforms with ~~such~~ all other applicable regulations ~~as apply~~;
- ~~5. It is not prohibited by other City Ordinances;~~
5. It shall ~~not be erected or is not established before~~ is not established before prior to the establishment or construction of the principal use ~~or building is established,~~ except as authorized by the Zoning Administrator;
6. It is customarily incidental to the principal ~~structure or use~~ structure;
7. If ~~such~~ accessory structures ~~or buildings are to be~~ will be located on a lot containing a single- or two- family dwelling, the maximum combined area for all accessory structures shall be: the maximum permitted area of the accessory building, regardless of the zoning district,:
 - a) 750 square feet, if the lot contains a single-family home of 1,500 square feet or less¹;
 - b) 800 square feet, if the lot contains a two-family home of 1,500 square feet or less¹;
 - c) 1,000 square feet, or 50 percent of the floor area of the dwelling, whichever is less, if the dwelling is greater than 1,500 square feet;

In addition, the maximum area for a shed shall be 120 square feet.

- a) ~~If the footprint of the single or two family dwelling on the lot does not exceed 1500 square feet, the aggregate area of all accessory structures shall not exceed 750 square feet for a single family dwelling or 800 square feet for a two family dwelling. (Ord. No. 2011-02-007, 2-21-2011)~~
 - b) ~~If the footprint of the single or two family dwelling on the lot is greater than 1500 square feet, the aggregate area of the all accessory building(s) structures shall not exceed 50% of the footprint of that single or two family the dwelling, or 1000 square feet, whichever is less.~~
 - e) ~~The gross floor area of a shed, as defined herein, shall not exceed 120 square feet.~~
8. It is not a principal use parking lot as defined in Article II of the Urbana Zoning Ordinance.

...

Section V-3. Table of Permitted Uses, by District

...

- C. Unless as exempted below, in any zoning district, more than one principal structure or

¹ (Ord. No. 2011-02-007, 2-21-2011)

building per lot or parcel of land may be allowed under conditional use procedures meeting the following criteria:

...

- D. In ~~all the R-6B, B-1, B-2, B-3, B-3U, B-4, B-4E, IN-1, IN-2, MOR Zoning Districts~~, more than one principal use is allowed in a single building without Zoning Board of Appeals Approval if the uses are permitted by right within that Zoning District. ~~the district in which the lot or parcel of land is located.~~

...

Section V-7. ~~Additional Use Regulations in the B-2 District (Reserved)~~

- A. ~~In the B-2 District, if the floor area of a principal structure is intended or designed to be occupied by a residential use of more than 3,000 square feet, a business use shall also be established on the zoning lot. When a business use is required, the floor area devoted to the business use shall be equal to or greater than 25% of the total floor area that is occupied by the residential use on the zoning lot. When a business use is required, the use shall conform to the list of uses permitted in the B-2 District as designated in Table V-1.~~
- B. ~~With reference to Section VIII 5.D, in one structure, collective off-street parking for mixed uses in principal structures shall not apply to residential uses in the B-2 District. In the case of mixed uses involving residential uses in this district, there shall be no reduction in the parking as required in Section VIII-5.~~

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

(Ord. No. 2009-03-015)

...

- 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 changing the principal 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.~~

- B. Site plans shall be reviewed by the MOR Development Review Board, except for plans that can be administratively approved as provided in paragraph C below. The Board shall consider the MOR Site Plan Review Criteria (Section XI-12.I) and a plan's consistency with the Mixed-Office Residential Design Guidelines when making a decision.
- C. To encourage the adaptive re-use of principal buildings, the following proposed changes to an existing principal building may be administratively reviewed for compliance with Zoning

Ordinance requirements and Mixed-Office Residential Design Guidelines:

- 1. Increasing the footprint of the building by 15 percent or less; or
- 2. Increasing the floor area ratio by 15 percent or less; or
- 3. Making no substantial changes to the principal building’s appearance or scale, as determined by the Zoning Administrator in consultation with the Chair of the MOR Development Review Board;

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

...

Section V-9. Regulations for Common-Lot-Line Dwelling Units

Common-lot-line dwelling units, as defined in Article II and as permitted in Table V-1 of this Ordinance, shall be allowed in conformance with Section VI-3.EF and the following restrictions:

...

TABLE V-1. TABLE OF USES

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CGD	CRE	MOR	IN-1	IN-2
-----------------------	------------	------------	------------	------------	------------	------------	-------------	------------	-----------	------------	------------	------------	-------------	------------	-------------	------------	------------	------------	-------------	-------------

*P – Permitted, C – Conditional Use Permit Required, S – Special Use Permit Required,
D – Planned Unit Development*

...

ARTICLE VI. DEVELOPMENT REGULATIONS

- Section VI-1. Applicability**
- Section VI-2. Height**
- Section VI-3. Lot Area and Width**
- Section VI-4. Floor Area and Open Space**
- Section VI-5. Yards**
- Section VI-6. Screening**
- Section VI-7. Drainage and Storm Water Runoff**
- Section VI-8. Outdoor Lighting Standards**
- Section VI-9. Portable Storage Containers**

...

Section VI-4. Floor Area and Open Space

A. Floor Area shall be regulated as follows:

...

2. Gross Floor Area excludes:

...

c) ~~Basements in single-family dwellings.~~ Basements in single-family dwellings, duplexes, and townhouses.

B. ~~Where part or all of the off-street parking spaces required by Section VIII-5 are provided underground below a principal structure or incorporated within a principal structure in the B-3U, General Business-University Zoning District, the maximum floor area ratio specified in Table VI-3 may be increased by a maximum of 25% in accordance with the following formula:~~

~~2. $a = 4.00 + b/c \times 25\% \times 4.00$~~

~~3. Where: — a = the maximum floor area ratio after including the bonus allowed for providing parking underground or within the structure~~

~~1) b = the number of parking spaces provided underground below the principal structure or~~

~~2) incorporated within the structure~~

~~3) c = the number of parking spaces for the use required by Section VIII-5 of the Zoning Ordinance~~

B. In the B-3U District, where parking is incorporated into or provided underground below a principal structure, the maximum Floor Area Ratio may be increased by up to 25% using the following formula:

$F_{bonus} = 0.25(F)(P/R) + F$

Where: F = Maximum Floor-Area Ratio specified in Table VI-3.

F_{bonus} = Maximum Floor-Area Ratio after applying parking bonus

P = Number of parking spaces incorporated into or provided underground below the principal structure

R = Number of parking spaces required by Section VIII-5 of this Ordinance

(Ord. No. 9091-61, § 7, 11-19-90)

...

Section VI-5. Yards

...

D. Multiple Frontage Lots

1. ~~Lots having frontage on two or more streets shall have a required front yard on each street frontage, as provided in Table VI-3 and in Section VI-5, except that neither the buildable width nor depth of the lot shall be reduced to less than 30 feet, except for common-lot-line dwelling units where the buildable width may be reduced to 20 feet as provided in Section V-9 of this Ordinance. On lots having frontage on two or more streets in the R-6 and R-6B Districts, the front yard on each street frontage shall not be less than the minimum required in relation to the height of the building, as provided in Table VI-3. (Ord. No. 9596-58, 11-20-95)~~
2. ~~Except for common-lot-line dwelling units, which may have a buildable width of 20 feet as provided in Section V-9 of this Ordinance, the provision of required side yards shall not reduce the buildable width of a lot to less than 30 feet, except that a required relation to the height of the building, as provided in Table VI-3 and in Section VI-5, the buildable width of the lot may be reduced to less than 30 feet, as may be necessary in order to provide the yards as required in relation to the building height.~~
Required side yards, as provided in Table VI-3, shall not reduce the buildable width of a lot to:
 - a. Less than 20 feet for common-lot-line dwelling units;
 - b. Less than 30 feet for all other buildings.
3. ~~The rear line of the rectangular or generally rectangular lot with frontage on two intersecting streets shall be the line parallel or approximately parallel to the narrower of the two street frontages.~~
On corner lots, the rear lot line shall be the line opposite the narrower of the two street frontages.

...

E. Front Yards

1. In the R-1, R-2, R-3, R-4, R-5, R-7, and MOR Districts, where lots comprising more than 40% of the frontage in a block are improved with buildings, not less than the average depth of the front yards of all lots in the block shall be maintained by all new buildings and by all alterations of existing buildings in the block, except that this provision shall not require a front yard of more than 60 feet; in the R-1 zone and 25 feet in the R-2, R-3, R-4, R-5, R-7, and MOR Districts nor less than the minimum required in the district in which they are located, nor shall it reduce the buildable dimension of the lot to less than 30 feet. For the purpose of computing such an average depth, vacant lots within such frontage shall be considered as having the minimum front yard required in that district. If a development proposal includes demolishing existing buildings, those lots shall be considered as having the minimum front yard required in that district.

...

F. Side Yards

...

2. Common-lot-line dwelling units shall conform to the side yard regulations as provided in Section ~~V-9~~ VI-3.F of this Ordinance.

...

Section VI-6. Screening

...

b) Landscaping Buffer

- 1) A landscaping buffer per Table VI-2 shall apply to ~~the applicable side and/or rear yard of the subject property when the zoning designation of the subject property is different than the zoning designation of the property immediately adjacent property has a different zoning designation.~~

TABLE VI-2. LANDSCAPING BUFFER

		SUBJECT PROPERTY																		
		R-4	R-5	R-6	R-6B	R-7	B-1	B-2	B-3	B-3U	IN-1	B-4	B-4E*	IN-2						
ADJACENT PROPERTY	R-1	SIDE YARD: shall provide a landscape buffer with a minimum depth of five feet .					SIDE YARD: shall provide a solid six-foot high wood or masonry fence .	SIDE YARD: shall provide a solid six-foot high wood or masonry fence .					REAR YARD: shall provide a landscape buffer with a minimum depth of five feet .							
	R-2															REAR YARD: shall provide a landscape buffer with a minimum depth of five feet .				
	R-3																			
	R-4	No screening <u>buffer</u> required.					REAR YARD: shall provide a solid six-foot high wood or masonry fence .	SIDE YARD: shall provide a landscape buffer with a minimum depth of five feet . REAR YARD: shall provide a landscape buffer with a minimum depth of five feet .												
	R-5																			
	R-6																			
	R-6B																			
	R-7																			
	MOR																			

* See Section VI-6.A.2.b.2 for additional requirements for the B-4E zoning district.

- 2) ~~The following additional landscaping requirements apply to the B4-E zoning district:~~
In the B-4E Zoning District, the following additional landscaping requirements apply:
 - (a) ~~In the B-4E District, t~~The required front yard, except for allowed access for access drives and sidewalks, shall be landscaped with a combination of grass or other suitable ground cover, flowers, shrubs, and trees or decorative pavement, walls, or fences. in conformance with Landscaping shall conform to this Section and other provisions of this ordinance.

- (b) ~~In the B-4E District, a~~ A decorative wall no more than up to two feet in height tall may be located within the required front yard ~~setback~~. It shall ~~be made consist of~~ landscaping timbers, stone, brick, or finished masonry materials. ~~Said wall It may be provided as a supplement, but not substitute for, the landscaping required in this section. to the landscaping required herein but shall not be considered as a substitution for the type or amount of landscaping required herein.~~
- 3) ~~Shrubs and trees shall be provided in the amount of~~ with one tree and three shrubs for every 40 linear feet or fraction thereof along the applicable required landscaped buffer yard of the zoning lot lines that require a landscape buffer. Alternative planting plans that create a sufficient barrier may be approved by the Zoning Administrator upon the recommendation of the City Arborist.
 - 4) ~~The r~~ Required shade trees and shrubs and trees required shall be a among the species listed in Table VI-4 and or Table VI-5, except ~~where~~ that alternative species may be approved by the Zoning Administrator upon the recommendation of the City Arborist and in conformance with the Urbana Arboricultural Specifications Manual.
 - 5) All shrub species, except boxwood, shall be spaced at least three feet apart, as measured from center to center at planting grade, and have a minimum initial planting height of 18 inches. The boxwood species shall be spaced at least 30 inches apart and have a minimum initial planting height of 15 inches.
 - 6) A ground cover ~~of~~ with living grass or other ground cover ~~type plants material shall be is~~ required on at least a minimum of 75% of the square footage in the applicable required landscaped yard, excluding any the access drives that may be allowed. The remaining ~~25% of the applicable required yard area may be covered by~~ non-living landscaping materials including bark or wood chips, rock, stone, decorative pavement, landscaping timbers, or other similar material.
 - 7) ~~A r~~ Retaining walls to supporting a raised planting areas may be up to four feet tall, and their width shall be greater than their height. for landscaping shall be no more than four feet in height and the width of such a raised planting area shall be greater than its height.
 - 8) All plants ~~materials~~ required by this Section shall be maintained as living vegetation and shall be promptly replaced within a reasonable period of time, based on seasonal conditions, following notice that such vegetation needs to be replaced. Such notice shall be provided in writing to the owner of the property by the Zoning Administrator upon the recommendation of the City Arborist.

...

TABLE VI-3. DEVELOPMENT REGULATIONS BY DISTRICT

[Table contents removed to save space and ink.]

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum or Average Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (In Feet) ¹		
						Front	Side	Rear

Footnotes

Note: In addition to the footnotes below, please refer to Article V for use regulations, Article VII for conditional and special use procedures, Article VIII for parking regulations, Article IX for sign regulations, Article XII for historic preservation regulations, and Article XIII for special development provisions.

- ...
- 4. ~~See Section V-7.A of the Zoning Ordinance for further information about the required floor areas of residential and business uses in the B-2 District.~~
- 4. (Reserved)
- ...

ARTICLE VIII. PARKING AND ACCESS

...

Section VIII-3. Design and Specifications of Off-Street Parking

...

F. ~~Special Conditions Requiring Shade Tree Planting~~ Shade Trees

~~All off-street parking lots greater than 20 parking spaces for residential and commercial land uses or for employee or customer parking of industrial land uses (except for parking lots provided in a parking structure or under a principal structure) shall include shade trees placed in the parking lot according to the following requirements (see Figure VIII-5):~~

Shade trees are required for surface parking lots with more than 20 parking spaces used for the following:

- Residential land uses;
- Commercial land uses;
- Employee or customer parking for industrial land uses.

Parking lots in a garage or under a principal structure are exempt from this requirement. However, when parking is provided at ground level below any part of a principal structure in residential districts, it shall be effectively screened as required by Section VI-6.B.4.

Shade trees shall be planted in the parking lot according to the following requirements (see Figure VIII-5):

- ...
- 6. ~~As required in Section VI-6.B.4, when parking is provided at ground level below any part of a principal structure in the Residential Districts, said parking shall be effectively screened by extending the façade of said structure to ground level or by installing fencing, landscaping or other suitable screening around the perimeter of the structure in accordance with the provisions of this Section VIII-3.F.~~
- ...

Section VIII-4. Location of Parking Facilities

- ...
- F. Parking in a Required Yard is Prohibited Except as Follows:
 - ...
 - 2. Accessory off-street parking may be located in the required side yard and rear yard, provided that the parking is ~~located~~ behind the rear face of the principal structure. In the case of a lot with no principal structure on which a principal use parking lot is to be located, parking may be located in the rear or side yard. (Ord. No. 9697-154, 6-16-97) (Ord. No. 1999-06-045, 06-11-99)
 - ...
 - J. In order to provide single and two family residential uses an opportunity to establish an accessory parking area, a maximum of two accessory, off-street parking spaces may be constructed for single and two family residences for passenger vehicles, recreational vehicles, watercraft and off-road vehicles. Said accessory parking must be in addition to and on other than the access drive and shall not be located in the required front yard. The surface for such a storage area shall consist of either asphalt, concrete, brick, CA-10¹ or equivalent gravel contained by curbing or approved landscape edging treatment, or other surface approved by the Zoning Administrator. Said accessory parking area shall have approved access thereto. Dirt, woodchip, or sod surfaces are prohibited. (Ord. No. 1999-08-079, 08-03-99)
 - ...

Section VIII-5. Amount of Parking Required

- E. Where the applicable zoning district regulations permit, nothing in this Article shall be construed to prevent the provision of collective off-street parking facilities for two or more business or industrial uses. The required total of such off-street parking spaces supplied collectively shall not be less than 85% of the sum of the requirements computed separately. In cases of collective usage involving dwelling units, there shall be no reduction in the requirements of this Article. All such parking spaces shall be located in accordance with Section VIII-4.
- F. ~~85% of the sum of the requirements computed separately. In cases of collective usage involving dwelling units, there shall be no reduction in the requirements of this Article. All such parking spaces shall be located in accordance with Section VIII-4.~~
- ...
- K. CCD, Campus Commercial District Parking Requirements. Parking requirements shall be calculated for individual uses permitted in the CCD, Campus Commercial District, as specified in Table V-1.

Each use shall provide parking at a one half the rate of one-half of the requirement for said use outlined in required by Table VIII-7, with the following exceptions:

 - ...
 - 2. Multiple Family Dwellings. Provide parking at the full rate required by Table VIII-7. 0.5 spaces per bedroom; no less than 1 space per dwelling unit.
- ...

¹ CA10 is a specific aggregate standard: “CA” stands for “Coarse Aggregate”. “10” refers to the gradation level, specifying a blend of approximately 70% of ¾” gravel and 30% of fines less than 1 mm, as per the “Standard Specifications for Road and Bridge Construction”, Illinois Department of Transportation, Adopted April 1, 2016.

TABLE VIII-7. PARKING REQUIREMENTS BY USE

Use	Number of Spaces Required
Efficiency, One or Two Bedroom Multiple-Family Dwelling Unit	No less than 1 for every dwelling unit
Three Bedroom Multiple-Family Dwelling Unit	1.5 for every dwelling unit
Four Bedroom Multiple-Family Dwelling Unit	2 for every dwelling unit
More Than Four Bedroom Multiple-Family Dwelling Unit	2.5 for every dwelling unit
Multiple-Family Dwelling Unit	0.5 for every bedroom, minimum of 0.5 for every dwelling unit

Notes: The intent for multi-family dwellings is to provide parking at a rate of one-half space per person. However, in no case shall a dwelling unit have less than one parking space.

...

FIGURE VIII-2. Typical Turnaround Designs for 90° Parking Access Drive

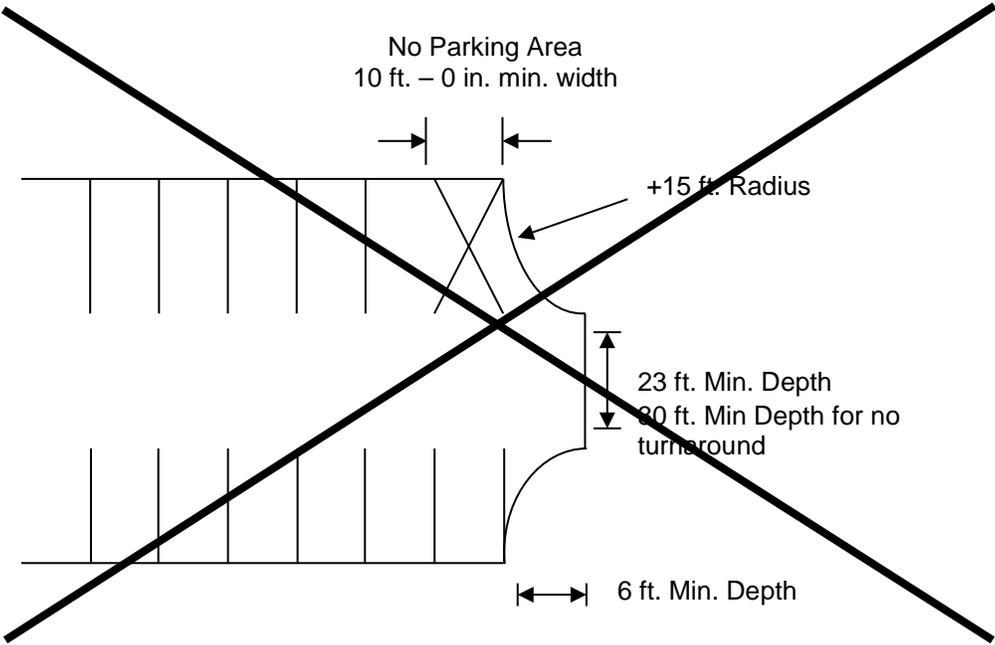
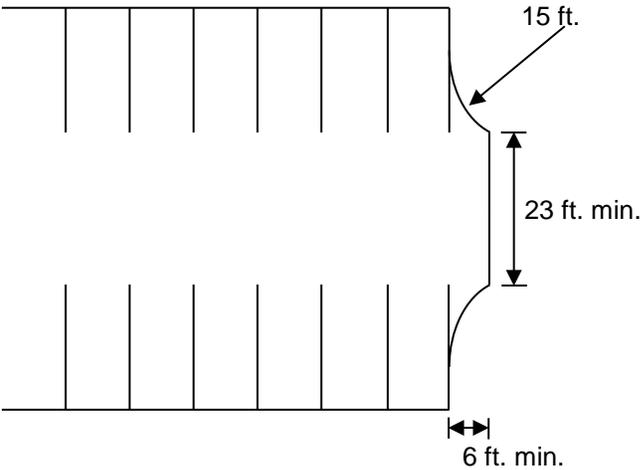
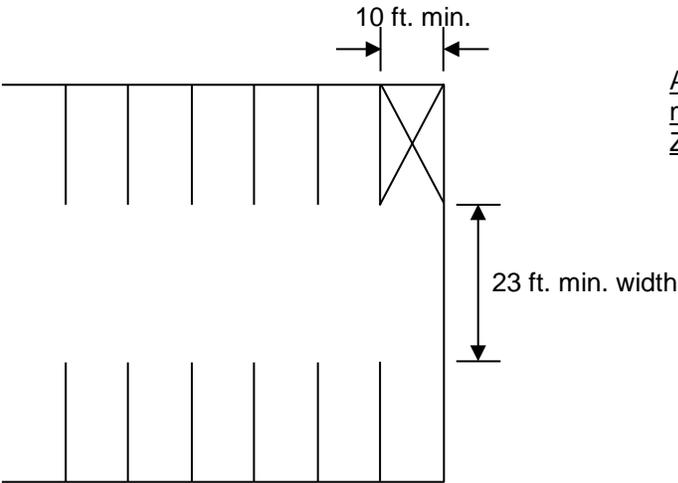


FIGURE VIII-2. Typical Turnaround Designs for 90° Parking Access Drive

Approved Design: Turnaround Area

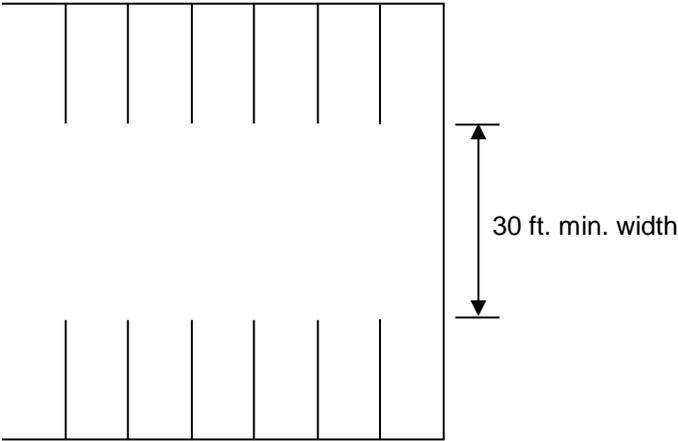


Alternative A: No Parking Area



Alternatives A and B must be approved by the Zoning Administrator.

Alternative B: Wide Drive Aisle



ARTICLE IX. SIGN AND OASS REGULATIONS

...

Section IX-4. General Sign Allowances

...

- H. *Sign safety.* Signs and OASS shall be designed, sited, and constructed to allow safe vehicular movement onto and within the property, including on driveways and parking lots. Traffic control measures, such as curbs curbing, may be required to be installed and maintained for safety reasons at the discretion of the City Engineer or designee.
- I. ~~*Temporary Signs.* In the B-3, B-3U, B-4, B-4E, and IN-1 and IN-2 Districts, in addition to the signs permitted as specified in Table IX-1 through Table IX-4, Table IX-6 and Table IX-9, temporary signs shall be allowed by permit as provided in this Section. Temporary Signs for non-residential uses in residential districts (as allowed in Table V-1) shall also be allowed by permit as provided in this Section.~~
- I. *Temporary Signs.*
Temporary signs shall be allowed in the following districts:
B-3, B-3U, B-4, B-4E, IN-1, IN-2; and
For non-residential uses in residential districts
- J. *Signs Authorized Without a Permit.* The following signs shall be allowed in all zoning districts without a sign permit and with the following limitations.
- ...
7. ~~*Sandwich Boards:* Such signs shall be placed within the 30 feet directly in front of a business. Shall not be located in the traveled roadway or block pedestrian traffic, and shall be moved indoors at the end of business hours. Shall not exceed eight square feet in area and four feet in height. Such signs shall be permitted in the B-1, B-2, B-3U, B-4, B-4E, or MOR Zoning Districts, and shall not exceed eight square feet in area and four feet in height.~~

Sandwich boards shall be allowed in the following districts:

B-1, B-2, B-3, B-3U, B-4, B-4E, CCD, MOR

Section IX-5. Sign Permits

- A. *Permit Requirements.* Permits are required for any sign or OASS, except as provided in paragraph "B" below. With the exception of exempt signs authorized by Section IX-4, it shall be unlawful for any person to display, install, construct, erect, alter, reconstruct, or relocate any sign or OASS without first obtaining a valid permit, in writing, from the Zoning Administrator, and making payment of the fees required by this ordinance.
- B. *Permit Exceptions.* The following shall not require sign permits: Notwithstanding the requirements of Section IX-5.A, the following modifications to signs and OASS shall not be considered as "installing, constructing, erecting, altering, reconstructing, relocating," or creating a sign and shall not require a permit:
- 1) Signs authorized without a permit (see Section IX-4.J);
 - 2) Exempt signs (see Section IX-4.K);
 - 3) The changing of the advertising copy, face panel or face panels on a sign or OASS; on an outdoor advertising sign structure; on a painted, printed, or electronic sign; or

~~on changeable letter panels or bulletin boards specifically designed for the use of replaceable copy.~~

- 4) ~~Painting, repainting, cleaning and other normal maintenance and repair of a sign or OASS, and repair of a sign, sign structure, or outdoor advertising sign structure.~~

C. *Sign Permit Applications.*

1. ~~Anyone~~ person proposing to erect or display a ~~permanent or temporary sign or OASS~~ shall file an application for a permit with the Zoning Administrator of the City of Urbana or designee. Sign permit applications shall contain the following:
 - a) The name, address, and telephone number of the owner of the sign and agent, if any;
 - b) The location of buildings, structures, or lots ~~to which or upon which~~ where the sign is to be attached or erected;
 - c) The name of the person, firm, business, corporation, or association that will erect the sign;
 - d) Written consent of the owner of the building, structure, or land where the sign will be erected;
 - e) ~~A site plan drawn to scale specifying the location of permanent, free-standing signs and their relationship to the site and surrounding properties, including: property lines, rights-of-way, existing structures, required zoning setbacks, pertinent utilities and easements, vehicle parking and circulation, any traffic control measures, and relevant sight visibility triangles;~~
 - e) A site plan showing the location of the sign and its relationship to the site, structures, and surrounding properties.
 - f) ~~d) Two prints or ink drawings p~~Plans and specifications indicating the method of construction and attachment to the buildings or in the ground. ~~No such prints or ink drawings shall be~~ are required for Section IX-5 signs, ~~unless such signs otherwise require a permit; for temporary signs permitted in Section IX-4; or for signs the fair market value of which is less than \$500 and which are to be erected in compliance with a standard method;~~
 - g) ~~The name of person, firm, corporation, or association that will erect the sign;~~
 - h) ~~Evidence of written consent of the owner of the building, structure, or land to which or on which where the sign is to will be erected; and~~
 - g) Such Any other information ~~as~~ the Zoning Administrator ~~shall~~ requires to show full compliance with this and all other laws and ordinances of the City.

...

Section IX-7. Prohibited Signs and OASS

- A. The following are specifically prohibited by this Article:
 - ...
 2. ~~Any sign~~ Signs or OASS which contains or ~~is an imitation of~~ imitate an official sign, ~~other than~~ except for private traffic directional or instructional signs;
 - ...

4. ~~Any sign~~ Signs or OASS which contains or consists of banners, pennants, ribbons, streamers, strings of light bulbs, spinners, or similar devices, except for Temporary Signs explicitly authorized by Section IX-4;
- ...
7. ~~Any portable sign~~ Portable signs, except for sandwich boards as defined in Section IX-2.

TABLE IX-1. STANDARDS FOR FREESTANDING SIGNS¹

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area Of Sign	Maximum Height Of Sign ²	Location of Sign
B-1, Neighborhood Business CRE, Conservation, Recreation and Education District	One sign per business, except that no freestanding sign is permitted if a projecting or roof sign exists on the lot. If a lot has two frontages, one sign per frontage is permitted.	32 square feet; ^{2,3} or 50 square feet when signs from two or more frontages are if combined or monument ^{2,3}	12 feet tall if beyond 15 feet from a public right-of-way; ² or 6 feet tall if located 8 to 15 feet from a public right-of-way	Minimum setback of eight feet from public rights-of-way.
B-2, Neighborhood Business Arterial	One sign per business frontage, except that no sign is shall be permitted on any frontage that which has a projecting or roof sign. One additional sign is allowed on the property if any frontage is longer than exceeds 600 feet in length.			
MOR, Mixed Office Residential CCD, Campus Commercial District B-3U, General Business – University	One sign per business frontage, except that no free-standing sign is permitted if a projecting or roof sign exists on the same frontage.	32 square feet	8 feet tall	
B-3, General Business B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus IN-1 & IN-2, Industrial Districts	One sign per business frontage. One additional sign is allowed on the property if any frontage exceeds 600 feet in length. Provided that no sign is permitted on any frontage which has a projecting or roof sign. <u>One sign per business frontage, except that no sign is permitted on any frontage that has a projecting or roof sign.</u> <u>One additional sign is allowed on the property if any frontage is longer than 600 feet.</u>	50 square feet; ^{2,3} or 75 square feet if combined or monument ^{2,3}	16 feet tall if beyond 15 feet from a public right-of-way; ² or 8 feet tall if located 8 to 15 feet from a public right-of-way	

¹ For buildings with multiple businesses, refer to Table IX-9, Freestanding Shopping Center Signs.

² If a freestanding sign in the B-3, General Business, or IN-1 and IN-2, Industrial, zone is: (1) directed toward the users of an interstate highway; (2) within 2,000 feet of the center line of an interstate highway; and (3) more than 75 feet from the boundary of any residential zoning district; then the sign's maximum height may be increased to 75 feet, and its maximum size may be increased to 150 square feet.

³ Combined and Monument Signs: If a property has two business frontages, a single sign may be constructed with a larger maximum area as defined in Table IX-1. Monument signs (as defined in Section IX-2.O) may be constructed with a larger maximum area as defined in Table IX-1.

TABLE IX-2. STANDARDS FOR WALL SIGNS

Zoning Districts Permitted	Maximum Number Permitted	Total Maximum Area Of Wall Signs per Building Face	Maximum Height and Location of Signs
R-6B, Restricted Business B-1, Neighborhood Business ¹ B-2, Neighborhood Business-Arterial B-3U, General Business – University CCD, Campus Commercial District CRE, Conservation, Recreation and Education District	No Limit	8% of wall area; not to exceed 300 sq. ft. maximum	Anywhere except Signs shall not projecting above or beyond the top or beyond the ends of the wall surface to which they are mounted to.
B-3, General Business B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus IN-1 & IN-2, Industrial Districts		10% of wall area; except no larger than 350 sq. ft. <u>maximum</u> for signs closer than 60 feet from to the front property line; not larger than 500 sq. ft. <u>maximum</u> for signs more distant than 60 feet from to the front property line.	In the B-1, Neighborhood Business Zoning District, no wall signs are permitted on walls immediately facing a residential use or zoning district when not separated by a right-of-way.
MOR, Mixed Office Residential		8% of wall area, not to exceed 150 sq. ft. maximum	

¹ In the B-1, Neighborhood Business Zoning District, wall signs are not permitted on walls immediately facing a residential use or residential zoning district when not separated by a right-of-way.

TABLE IX-3. STANDARDS FOR PROJECTING SIGNS

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height and Projection of Sign	Location of Sign
<p>B-1, Neighborhood Business</p> <p>B-2, Neighborhood Business -Arterial</p> <p>B-3U, General Business - University</p> <p>B-3, General Business</p> <p>B-4E, Central Business Expansion</p> <p>MIC, Medical Institutional Campus</p> <p>CCD, Campus Commercial</p> <p>MOR, Mixed Office Residential</p> <p>CRE, Conservation, Recreation and Education District</p>	<p>One per business frontage, except that no projecting sign is permitted; none if a free-standing sign, roof sign, or canopy sign exists on the same frontage. Projecting signs are not allowed above the first story.</p>	<p>32 square feet</p>	<p>8-foot minimum clearance above ground.</p> <p>Not to sign shall extend above that portion of the roof immediately adjacent to the sign.</p> <p>Not to sign shall project more than 5 feet from the face of the building to which it is attached.</p>	<p>Anywhere except Shall not extend over any public right-of-way. Projecting signs are not allowed above the first story.</p>
<p>B-4, Central Business</p>	<p>One per business frontage;</p> <p>Minimum of 20 feet separation between signs.¹</p> <p>See Note 1 regarding spacing requirements for projecting signs extending over the right-of-way in the B-4 District.</p>	<p>32 square feet:</p> <p>12 square feet if any portion extends over a public right-of-way</p>	<p>Not to sign shall extend above that portion of the roof immediately adjacent to the sign.</p> <p>Not to sign shall project more than 5 feet from the face of the building to which it is attached.</p>	<p>In the B-4 District, projecting signs with a maximum area of 12 square feet Signs extending over a public right-of-way may project a maximum of 5 feet from the face of the building to which it is attached, or to within two feet from the curb face, whichever distance is less.¹</p>

¹ Projecting signs extending over the right-of-way shall not be internally illuminated; the dimension between the two principal faces (i.e., the thickness or depth) shall not be greater than six inches; and a minimum separation of 20 feet must be maintained between such signs; however in no case ~~should~~ shall more than one such sign per business frontage be permitted. (Ord. No. 2011-02-007, 2-21-2011; Ord. No.2002-09-111, 06-17-02)

TABLE IX-6. STANDARDS FOR SIGNS ATTACHED TO CANOPIES AND ENTRANCE STRUCTURES

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Height of Sign
<p>R-6B, High Density Multiple-Family Residential -- Restricted Business</p> <p>B-1, Neighborhood Business</p> <p>B-2, Neighborhood Business -- Arterial</p> <p><u>B-3, General Business</u></p> <p>B-3U, General Business – University</p> <p><u>B-4, Central Business</u></p> <p><u>B-4E, Central Business Expansion</u></p> <p>CCD, Campus Commercial District</p> <p><u>CRE, Conservation, Recreation and Education District</u></p> <p><u>IN-1 & IN-2, Industrial Districts</u></p> <p><u>MIC, Medical Institutional Campus</u></p> <p>MOR, Mixed Office Residential</p> <p>CRE, Conservation, Recreation and Education District</p> <p>B-3, General Business</p> <p>B-4, Central Business</p> <p>B-4E, Central Business Expansion</p> <p>MIC, Medical Institutional Campus</p> <p>IN-1 & IN-2, Industrial Districts</p>	<p>One per business frontage up to 100 feet. One additional sign for each 100 feet thereafter.</p>	<p>40 square feet</p>	<p>9 foot minimum clearance to ground</p>

TABLE IX-7. STANDARDS FOR PROPERTY SALE AND RENTAL SIGNS

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Free-standing Sign ²	Location of Sign
R-1 and R-2 Single-Family Residential R-3, Single and Two-Family Residential	One per dwelling	3 square feet	5 feet	10-foot minimum setback from curb line but wholly upon the premises.
R-4, R-5, & R-6 Multiple Family Residential R-6B, Restricted Business R-7, University Residential	One per apartment building or dwelling ¹ (See Note 1)	10 square feet	10 feet	
AG, Agriculture	One per 660 foot frontage	32 square feet	15 feet	Signs shall conform to the setback requirements for structures in the applicable districts.
B-1, Neighborhood Business B-2, Neighborhood Business Arterial B-3U, General Business University CCD, Campus Commercial District MOR, Mixed Office Residential	One per frontage ¹ (See Note 1)			
B-3, General Business B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus IN-1 & IN-2, Industrial Districts	One per frontage ¹ (See Note 1)	80 square feet	16 feet	

¹ An apartment complex, shopping center, highway plaza, or industrial complex is permitted one sign per frontage, up to 200 feet, and one additional sign for each 300 feet thereafter.

² Wall signs shall not extend beyond the top or ends of the wall surface on which they are placed.
(Ord. No. 2011-02-007, 2-21-2011)

TABLE IX-9. STANDARDS FOR FREESTANDING SHOPPING CENTER SIGNS¹

Class of Shopping Center	Zoning Districts Permitted	Maximum Number Permitted	Maximum Area ²	Maximum Height	Location	Individual ⁴ Business May List
Shopping Center – General (minimum four acres and 50,000 square feet of building area)	R-6B B-2 B-3 B-3U B-4 B-4E IN-1 & IN-2	Two signs per frontage	150 square feet In addition, 50 square feet may be permitted for use as a directory	16 feet tall if located beyond 15 feet from a public right-of-way, or 8 feet tall if located 8 to 15 feet from a public right-of-way	Minimum sign setback of 8 feet from public rights-of-way. No freestanding signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home.	Yes ⁴
Shopping Center - Convenience (between one and four acres and 12,000 – 50,000 square feet of building area)	R-6B B-1 B-2 B-3 B-3U B-4 B-4E IN-1 & IN-2		100 square feet ³			

¹ Freestanding shopping center signs shall comply with the landscape requirements for Outdoor Advertising Sign Structures as required by Section IX-6.D.13 of the Zoning Ordinance.

² Maximum area refers to combined area of both signs, or of one sign if there is only one.

³ Size of sign may be increased to 150 square feet under special use procedures.

⁴ Individual businesses may list, but an individual listing may not exceed 50% of the area of any face of the sign.

ARTICLE XI. ADMINISTRATION, ENFORCEMENT, AMENDMENTS AND FEES

...
Section XI-3. Zoning Board of Appeals

...
C. Powers and Duties of the Board. The Board shall have the power and duty to hear and decide:

...
2. On requests for variances or variations from the terms of this Ordinance.

...
d) *Major Variance Procedures*

...
6) The Urbana Zoning Administrator shall notify the petitioner in writing of the City Council's decision regarding a major variance request. If the Council approved the variance, the Zoning Administrator City Clerk shall record a copy of the ordinance approving the variance with the Champaign County Recorder' Office, and forward a

copy of the recorded ordinance approving the variance to the petitioner and record a copy of the ordinance with the Champaign County Recorder' Office.

...

ARTICLE XII. HISTORIC PRESERVATION

...

Section XII-3. Historic Preservation Commission

...

C. *Officers.* There shall be a Chair and a Vice-Chair elected by the Preservation Commission.

...

2. *Secretary.* The Secretary of the Preservation Commission shall be a representative of the Department of Community Development Services of the City of Urbana. The Secretary shall:

...

d) Provide independent analysis and recommendations to the Preservation Commission;

...

ARTICLE XIII. Special Development Provisions

...

Section XIII-1. Telecommunications Facilities, Towers and Antennas

...

U. *Nonconforming Uses*

...

1. *Rebuilding Damaged or Destroyed Nonconforming Towers ~~of~~ or Antennas.* ...

...

Section XIII-4. Special Procedures in the Boneyard Creek District

...

B. Applicability to Urbana Zoning Ordinance and Zoning Map

1. Definitions and requirements of the Urbana Zoning Ordinance are applicable unless specifically modified pursuant to this section, but no lawful existing use or building shall be made nonconforming by virtue ~~by~~ of the provisions of this section so long as the existing use or building is not modified.

...

J. Plan Commission Determinations. The Plan Commission shall determine whether the reasons set forth in the application justify the granting of the Creekway permit based upon the criteria specified in Section XIII-4.C. Notice of hearing for Plan Commission determinations shall be given in the manner required by Section ~~XIII-M~~ XIII-4.M of the Urbana Zoning Ordinance. The Plan Commission shall have the following options:

COMMUNICATIONS RECEIVED FOR PLAN CASE No. 2320-T-2017

Allen, Mary Beth dated 12-07-2017 @ 2:51 pm
Debevec, Paul dated 12-07-2017 @ 2:46 pm
Katz-Downie, Deborah dated 12-07-2017 @ 4:14 pm
Katz-Downie, Deborah dated 12-07-2017 @ 11:07 pm
McEvoy, Sarah and Sehitoglu, Huseyin dated 12-09-2017 @ 8:11 pm
McGuire, Mary Pat dated 12-06-2017 @ 11:13 am
Mead, Becky dated 12-07-2017 @ 8:13 pm
Moulin, Pierre dated 12-07-2017 @ 3:48 pm
Patt, Esther dated 12-04-2017 @ 3:40 pm
Steinberg, Lois dated 12-07-2017 @ 3:09 pm
Rusch, Adam dated 12-08-2017 @ 10:01 am

From: Allen, Mary Beth
To: [Andel, Teri](#); [Garcia, Kevin](#); [bjackson@hotmail.com](mailto:bjackerson@hotmail.com); jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; fitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com
Cc: mpmcguire00@gmail.com; [wuna-list](#)
Subject: Plan Case 2320-T-17
Date: Thursday, December 07, 2017 2:51:30 PM

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

I agree completely with Mary Pat McGuire's analysis of the issue of setback calculation, and I urge you to accept her recommendation of language for the last sentence of Article VI-5E. Specifically, she recommends that the Plan Commission consider revising the last sentence of Article VI-5E to read:

"If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Please include (and enter into the record) my agreement with her response to the proposed changes to the Urbana Zoning Ordinance development regulations.

Thank you,
Mary Beth Allen

From: Debevec, Paul
To: mpmcquire00@gmail.com; [Andel, Teri](mailto:Andel_Teri); [Garcia, Kevin](mailto:Garcia_Kevin); [bjackson@hotmail.com](mailto:bjackerson@hotmail.com); jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com
Cc: wuna-list
Subject: Re: [wuna-list] Letter re Plan Case 2320-T-17
Date: Thursday, December 07, 2017 2:46:50 PM
Attachments: [Plan commission_12072017.pdf](#)

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please consider the attached letter in regard to the proposed changes to the Urbana Zoning Ordinance development regulations. In my neighborhood recent construction of multi-unit structures have been pushed closer to the street. Setback regulation is not adequate, and the proposed changes are not for the better. Thank you for your attention to this matter.

Regards, Paul Debevec



PAUL T. DEBEVEC
708 W. CALIFORNIA ST.
URBANA, IL
61801-3912
217-337-4752



December 7, 2017

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

I am certainly not able to evaluate in detail the proposed change in the zoning regulations for setbacks described in Zoning Ordinance Omnibus Text Amendment - Case 2320-T-17. I do believe that the current language is not adequate, and it appears to me that the proposed change is not for the better. All new and recent construction of multi-unit dwellings in my neighborhood are pushed much closer to the street. A tape measure is not needed to make this evaluation. Please find below photos of three examples. The red arrow shows how much closer the new construction is to the street compared to older adjacent structures. These are not engineering drawings, but they illustrate the point. Current setback regulations are insufficient. Nothing in the proposed change is for the better. Thank you for your attention to this matter.

Sincerely,



Construction in progress at
802, 804, 806 S. Lincoln Ave.



Recent construction at
708, 710 W. Green St.



Coler Crossing
701 W. Green St.

From: dkatzdow@life.illinois.edu
To: debevec@illinois.edu; mpmcquire00@gmail.com; [Andel, Teri](mailto:Andel_Teri); [Garcia, Kevin](mailto:Garcia_Kevin); [bjackson@hotmail.com](mailto:bjackerson@hotmail.com); jane@janebillman.com; esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com; wuna-list
Cc: wuna-list@googlegroups.com
Subject: Re: [wuna-list] Letter re Plan Case 2320-T-17
Date: Thursday, December 07, 2017 4:14:04 PM
Attachments: [Plan commission_12072017.pdf](#)

Hello,

As Mary Pat Mcguire pointed out in an email 'setbacks are an important urban design principle, creating the visual continuity of great streets throughout neighborhoods and downtown. The setback distance is also important for planting, in particular, in order for canopy trees to mature properly, they need as much continuous soil-and-root volume as possible.'

Her points as to why setbacks are important are clearly illustrated from Paul Debevec's attached photos. Therefore, in order to maintain our current property values and our neighborhood as a desirable place to live, work and send our kids to school, I agree with Mary Pat to revise the last sentence of Article VI-5E to read:

"If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Thank you,

Deborah S. Katz-Downie
 209 W Delaware Ave
 Urbana, IL 61801

----- Original Message -----

Subject: Re: [wuna-list] Letter re Plan Case 2320-T-17
From: "Debevec, Paul" <debevec@illinois.edu>
Date: Thu, December 7, 2017 2:46 pm
To: mpmcquire00@gmail.com
 "Andel, Teri" <tmandel@urbanailinois.us>
kjgarcia@urbanailinois.us
[bjackson@hotmail.com](mailto:bjackerson@hotmail.com)
jane@janebillman.com
Esarey@gmail.com
andrewfell@comcast.net
tfitch71v@gmail.com
ldhopkins@sbcglobal.net
dave.trail@gmail.com
danturner13@gmail.com
Cc: "wuna-list" <wuna-list@googlegroups.com>

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please consider the attached letter in regard to the proposed changes to the Urbana Zoning Ordinance development regulations. In my neighborhood recent construction of multi-unit structures have been pushed closer to the street. Setback regulation is not adequate, and the proposed

changes are not for the better.Â Thank you for your attention to this matter.

Regards, Paul Debevec

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From: dkatzdow@life.illinois.edu
To: [Marx Christopher](#); [Pearson, Lorrie](#); [Ricci, Marcus](#); debevec@illinois.edu; mpmcguire00@gmail.com; [Andel, Teri](#); [Garcia, Kevin](#); bjackerson@hotmail.com; jane@janebillman.com; esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com; [wuna-list](#)
Cc: estherpatt@hotmail.com
Subject: Correction re Letter re Plan Case 2320-T-17
Date: Thursday, December 07, 2017 11:07:11 PM
Attachments: [Plan commission_12072017.pdf](#)

Hello,

I am sending this email to make sure that it is recorded as part of the official record for the meeting regarding Plan Case 2320-T-17.

As Mary Pat McGuire pointed out in an email 'setbacks are an important urban design principle, creating the visual continuity of great streets throughout neighborhoods and downtown. The setback distance is also important for planting, in particular, in order for canopy trees to mature properly, they need as much continuous soil-and-root volume as possible.'

Her points as to why setbacks are important are clearly illustrated from Paul Debevec's attached photos. Therefore, in order to maintain our current property values and our neighborhood as a desirable place to live, work and send our kids to school, I agree with Mary Pat to revise the last sentence of Article VI-5E to read:

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Thank you,

Deborah S. Katz-Downie
 209 W Delaware Ave
 Urbana, IL 61801

----- Original Message -----

Subject: Re: [wuna-list] Letter re Plan Case 2320-T-17
From: "Debevec, Paul" <debevec@illinois.edu>
Date: Thu, December 7, 2017 2:46 pm
To: mpmcguire00@gmail.com
 "Andel, Teri" <tmandel@urbanailinois.us>
kjgarcia@urbanailinois.us
bjackerson@hotmail.com
jane@janebillman.com
Esarey@gmail.com
andrewfell@comcast.net
tfitch71v@gmail.com
ldhopkins@sbcglobal.net
dave.trail@gmail.com
danturner13@gmail.com
Cc: "wuna-list" <wuna-list@googlegroups.com>

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please consider the attached letter in regard to the proposed changes to

the Urbana Zoning Ordinance development regulations. In my neighborhood recent construction of multi-unit structures have been pushed closer to the street.Â Setback regulation is not adequate, and the proposed changes are not for the better.Â Thank you for your attention to this matter.

Regards, Paul Debevec

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PAUL T. DEBEVEC
708 W. CALIFORNIA ST.
URBANA, IL
61801-3912
217-337-4752



December 7, 2017

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

I am certainly not able to evaluate in detail the proposed change in the zoning regulations for setbacks described in Zoning Ordinance Omnibus Text Amendment - Case 2320-T-17. I do believe that the current language is not adequate, and it appears to me that the proposed change is not for the better. All new and recent construction of multi-unit dwellings in my neighborhood are pushed much closer to the street. A tape measure is not needed to make this evaluation. Please find below photos of three examples. The red arrow shows how much closer the new construction is to the street compared to older adjacent structures. These are not engineering drawings, but they illustrate the point. Current setback regulations are insufficient. Nothing in the proposed change is for the better. Thank you for your attention to this matter.

Sincerely,



Construction in progress at
802, 804, 806 S. Lincoln Ave.



Recent construction at
708, 710 W. Green St.



Coler Crossing
701 W. Green St.

From: Sarah McEvoy
To: mballen@illinois.edu
Cc: [Andel, Teri](mailto:Andel_Teri); [Garcia, Kevin](mailto:Garcia_Kevin); bjackson@hotmail.com; jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com; mpmcguire00@gmail.com; wuna-list
Subject: Re: [wuna-list] Plan Case 2320-T-17
Date: Saturday, December 09, 2017 8:11:24 PM

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

We agree completely with Mary Pat McGuire's analysis of the issue of setback calculation, and we urge you to accept her recommendation of language for the last sentence of Article VI-5E. Specifically, she recommends that the Plan Commission consider revising the last sentence of Article VI-5E to read:

"If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Please include (and enter into the record) our agreement with her response to the proposed changes to the Urbana Zoning Ordinance development regulations.

Sarah McEvoy and Huseyin Sehitoglu
805 W. Michigan Ave.

On Thu, Dec 7, 2017 at 2:50 PM, Allen, Mary Beth <mballen@illinois.edu> wrote:

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

I agree completely with Mary Pat McGuire's analysis of the issue of setback calculation, and I urge you to accept her recommendation of language for the last sentence of Article VI-5E. Specifically, she recommends that the Plan Commission consider revising the last sentence of Article VI-5E to read:

"If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Please include (and enter into the record) my agreement with her response to the proposed changes to the Urbana Zoning Ordinance development regulations.

Thank you,
Mary Beth Allen

--
--

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Visit this group at <https://groups.google.com/group/wuna-list>.

For more options, visit <https://groups.google.com/d/optout>.

From: MaryPat McGuire
To: [Andel, Teri](#); [Garcia, Kevin](#); [bjackson@hotmail.com](mailto:bjackerson@hotmail.com); jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; fitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com
Cc: wuna-steering@googlegroups.com; [wuna-list](#)
Subject: Letter re Plan Case 2320-T-17
Date: Wednesday, December 06, 2017 11:13:57 AM
Attachments: [UPC_ZoningOmnibus_responseletter20171206.pdf](#)

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please include (and enter into the record) attached letter in response to the proposed changes to the Urbana Zoning Ordinance development regulations.

In particular, I draw your attention to my comments regarding the issue of setback calculation, and recommendation on page 2 of my letter to consider the following language:

Therefore, I recommend that the last sentence of Article VI-5E read:

If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block.

Thank you,

Mary Pat McGuire

December 6, 2017

Re: Zoning Ordinance Omnibus Text Amendment - Case 2320-T-17

Dear Urbana Plan Commissioners,

As residents of Urbana, we have been asked to comment on the proposed changes to the Zoning Ordinance. My comments below address Development Regulations pertaining to basements, setback requirements and screening.

BASEMENTS and FAR:

In Article VI-4A.2, I think we need to consider additional language in this article, such that to be considered a basement, the floor must be entirely submerged/below-grade. The reason is that basement apartments (sometimes called “garden”) apartments, are often partially below and partially above grade, and in these situations, should not be excluded in the FAR.

Please consider language that will make this designation clear: to be counted as a basement, whether the floor must be completely below grade.

SETBACKS:

In Article VI-5E.1, “vacant” is not the right terminology for a condition where a building will be demolished and replaced with another building. As such, the amendment doesn’t make sense: first, the parcel is not in fact vacant, and second, relative to preserving continuity of the block, the pre-existing structure presumably was “in line” with other buildings on that block. Therefore, to allow the minimum setback to be used for a parcel that has an existing structure undermines the pre-existing condition for the entire block. Below I provide two urban planning and design reasons, and make a recommendation.

Reason #1: “Vacant” is not the right terminology

According to standard usage in development and planning, vacant land is land that has been sitting in that condition for some time. It represents a property that has fallen off the books, and often shows signs of neglect. Vacant land is an epidemic. It unfortunately occurs more often in lower-income areas, and is a well documented issue in cities. It’s an actual land-use designation. The City of Chicago, for example, uses this as a designation of land by parcel; you may search for vacant land on their land-use inventory; I mention this because it is a State of Illinois example. Vacant is not a short lived phenomenon, (e.g. when a developer demos a building and the site is temporarily without structure between demo and construction - this is false use of the term vacant, the site is technically and legally “under construction”). *“Vacant” is not up for debate or interpretation, or appropriate in its flippant use to justify reduced development standards in a built neighborhood or community.*

Reason #2: Setbacks should be based on good urban design principles

The creation and adherence to setbacks should be predicated on good, consistent urban design sense. They should be based on block type, building type, density, urban landscape objectives, street widths, street use, and so forth. There is copious urban design and planning research documentation on the importance of setback to foster city and street quality. Our city planning department could consult this research, and incorporate its guidance in considering setbacks for

Urbana. Good cities and good neighborhoods are based on good design. Setbacks should not be recalculated every time, nor should they automatically adhere to the minimum. *The more that we allow the minimum of everything, we continue to erode the quality of our blocks, streets and neighborhoods.*

Therefore, I recommend that the last sentence of Article VI-5E.1 read:

If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block.

SCREENING

In **Article VI-6**, the proposed changes are of an entirely grammatical nature. Yet, the effort to revise this section was also an opportunity to evaluate whether the guidelines themselves are also up to date. I recommend that city planning staff revisit this part of the Zoning Ordinance to bring Urbana up to date with sustainable landscape guidance. For example, this would include the planting of more trees, the reduction or elimination of lawn, and the development of more stringent tree preservation regulations.

Thank you for considering my comments.

Sincerely,

*Mary Pat McGuire
804 W Nevada Street
Urbana IL 61801*

From: Becky Mead
To: [Garcia, Kevin](#); [Andel, Teri](#)
Subject: Plan Case 2320-T-17
Date: Thursday, December 07, 2017 8:13:19 PM

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

I agree completely with Mary Pat McGuire's analysis of the issue of setback calculation, and I urge you to accept her recommendation of language for the last sentence of Article VI-5E. Specifically, she recommends that the Plan Commission consider revising the last sentence of Article VI-5E to read: "If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Please include (and enter into the record) my agreement with her response to the proposed changes to the Urbana Zoning Ordinance development regulations.

Thank you,
Becky Mead

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For more options, visit <https://groups.google.com/d/optout>.

From: pierremoulin007@gmail.com
To: wuna-steering@googlegroups.com
Cc: [Andel, Teri](mailto:Andel_Teri); [Garcia, Kevin](mailto:Garcia_Kevin); [bjackson@hotmail.com](mailto:bjackerson@hotmail.com); jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com; wuna-list
Subject: Re: [wuna-steering] Letter re Plan Case 2320-T-17
Date: Thursday, December 07, 2017 3:48:28 PM

Dear Plan Commissioners and Mrs. Andel,

I fully support Mary-Pat McGuire recommendation about setbacks:

If a development proposal includes demolishing existing structure(s), **the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block.**

Erosion of setbacks would not only be detrimental to the neighbors of the new buildings, this would also substantially degrade the unique appeal and beauty of our neighborhood, and would be inconsistent with the goals described in the Comprehensive Plan.

Sincerely,
Pierre Moulin

On Wed, Dec 6, 2017 at 11:13 AM, MaryPat McGuire <mpmcguire00@gmail.com> wrote:
Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please include (and enter into the record) attached letter in response to the proposed changes to the Urbana Zoning Ordinance development regulations.

In particular, I draw your attention to my comments regarding the issue of setback calculation, and recommendation on page 2 of my letter to consider the following language:

Therefore, I recommend that the last sentence of Article VI-5E read:
If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block.

Thank you,

Mary Pat McGuire

--

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For more options, visit this group at

<http://groups.google.com/group/wuna-steering?hl=en?hl=en>

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Visit this group at <https://groups.google.com/group/wuna-steering>.

To view this discussion on the web visit <https://groups.google.com/d/msgid/wuna-steering/CAOtxwDOnK9Fa-%2BVfaQWnqtMD2DEkhXZVZcEufxkcOy1UNmBH%3Dg%40mail.gmail.com>.

For more options, visit <https://groups.google.com/d/optout>.

From: Esther Patt
To: [Andel, Teri](#)
Cc: bjackerson@hotmail.com; jane@janebillman.com; Esarey@gmail.com; [Andrew Fell - Andrew Fell Architecture and Design \(andrewfell@comcast.net\)](#); tfitch71v@gmail.com; dave.trail@gmail.com; danturner13@gmail.com; [Lew Hopkins](#); [Marlin, Diane](#)
Subject: Plan Case No. 2320-T-17: An application by the Urbana Zoning Administrator for "minor changes"
Date: Monday, December 04, 2017 3:40:51 PM
Attachments: [Parking Space Chart.docx](#)

Dear Urbana Plan Commission members:

I am unable to attend the December 7 Plan Commission meeting in person and ask that this message be included in the public comment for Plan Case 2320-T-17 to express my opposition to the provision in that case to cut in half the required parking for 1 bedroom apartments in multi-family structures.

Although the staff memo describes the many changes in this plan case as "minor," the proposed 50% reduction in the amount of required parking is a major change to development regulations that will significantly impact the availability of on-street parking in an area of Urbana where we already have a serious parking congestion problem.

I ask that you please remove from the Plan Case the change to Article VIII-7. Parkin and Access table, and send it back to the staff for further study.

If the City is going to change the parking requirement for 1 bedroom units, the City should study 1 bedroom units in each area near campus (showing results separately for east of Lincoln and west of Lincoln).

The staff should also survey tenants of 1 bedroom apartments (more than a few of which have 2 tenants) and not just the landlords. Landlords can only report how many of their tenants pay them for parking, not how many parking on the street. Tenants can tell you how many cars they each park either on the street or in an off-street space.

You may recall that one year ago, I spoke before the Plan Commission about parking needs in the first few blocks east of Lincoln Avenue. I've attached the chart I showed to you at the time. I surveyed 8 blocks that had multiple apartment buildings and combined the number of off-street parking spaces and overnight, on-street parking permits purchased on each block.

I found a ratio of .52 to .67 for every block except on one block that has mostly 1 bedroom units. On that block (700 block of Nevada), there were 28 bedrooms and 28 cars either parked off-street or on-street with a permit, a ratio of 1.0.

The staff surveyed landlords of campus area apartments that have studio, 1, 2, 3 and 4 bedroom units in order to come to their conclusion that for 4,363 bedrooms, 1,847 spaces

were leased and 54 permits were purchased by residents, yielding a ratio of 0.423 spaces per bedroom.

This survey is not valid for the purpose of changing the parking requirement for 1 bedroom units because:

1 - it surveyed all housing types: 1, 2, 3 and 4 bedroom units to get the 0.423 ratio, not just 1 bedroom units;

2 - it did not count all the on-street parking north of Green Street or west of Lincoln Avenue for which a person does not need to purchase a permit; and,

3 - the count for permits is likely incorrect because staff reported 54 total permits for the entire area near campus but on just 8 blocks I counted 48 permits purchased by residents (800 and 700 blocks of Green, 300 and 500 blocks of Busey, 800 block of Illinois, 800 block of Oregon and 800 block of Iowa and 700 block of Nevada); there were definitely more than 6 additional permits purchased on all of the other blocks in the neighborhood that have apartments.

Car ownership rate for people renting in the campus area west of Lincoln is probably lower than those renting east of Lincoln due to the age difference of the two populations. Most important, the rate of car ownership for people in 2, 3 and 4 bedroom apartments has always been lower than for 1 bedroom units. How much lower? The staff study did not examine that.

I know staff wants this change to accommodate developers, but accommodating the needs of residents -- both tenants and homeowners, should also be a consideration for city officials. A proper study of 1 bedroom units might well show that 1 space per apartment is more than needed; however, the need might well be .8 spaces or .75 spaces or .67 spaces that are needed, not .5.

This change will have a serious impact on tenants in all areas and on homeowners in the first three blocks east of Lincoln for the mile from Main Street south to Florida. I think it warrants more careful study focused on the actual question of the parking needs for 1 bedroom units.

Please do not approve this change but send it back for more study.

Thank you,

Esther Patt
706 S. Coler Avenue
Urbana IL 61801
217-344-8394

Exhibit B

Location	Number of Bedrooms	Number of Off-Street Parking Spaces	Number of Overnight, On-Street Parking Permits Purchased FY 17	Percent of Cars to Bedrooms
800 Oregon	50	20 40% of bedrooms	6	26 cars for 50 bedrooms: 52%
812 W. Iowa	24	16 (8 spaces each hold 2 cars, one behind the other)	N/A 2 permit holders on that block but they might live at a different property	16 cars for 24 bedrooms: 67%
700 Nevada (22 are 1 bedroom, unfurnished apts.)	28	19 68% of bedrooms	9	28 cars for 28 bedrooms: 100%
800 Illinois	146	88 60% of bedrooms	3	91 cars for 146 bedrooms: 62.3%
700 & 800 Green and 300 Busey (805, 709, 701 W. Green & 302,303, 304 S. Busey)	207	88 42.5% of bedrooms	24	112 cars for 207 bedrooms : 54%
500 Busey	72	34 47.2% of bedrooms	4	38 cars for 72 bedrooms: 53%

From: Rusch, Adam P
To: bjackerson@hotmail.com; jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com
Cc: [Andel, Teri](#); [Garcia, Kevin](#); [Pearson, Lorrie](#)
Subject: Re: Plan Case 2320-T-17 and future related cases
Date: Friday, December 08, 2017 10:01:43 AM

To the Plan Commissioners,

I believe it is in the best interest of the City of Urbana to have a unified, clear, and progressive construction policy for community redevelopment.

In regards to the section of the planning code that handles setbacks, I am strongly in favor of the clarification of rules as they were proposed by our City Staff and have been effectively implemented for the past 30 years. Any development that includes demolition of an existing structure should follow the current setback rules - as if the lot were vacant.

Best Regards,

Adam Rusch
212 W California Ave
Urbana, IL

Adam P. Rusch
Email: arusch2@illinois.edu
Web: <http://adam.rusch.me>
PhD Candidate, University of Illinois at Urbana-Champaign
Department of Education Policy, Organization & Leadership

From: Lois Steinberg
To: debevec@illinois.edu
Cc: mpmcguire00@gmail.com; Andel_Teri; Garcia_Kevin; bjackerson@hotmail.com; jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com; wuna-list
Subject: Re: [wuna-list] Letter re Plan Case 2320-T-17
Date: Thursday, December 07, 2017 3:09:58 PM

I agree with Paul Debevec. The setback should not be eroded.

Lois Steinberg

On Thu, Dec 7, 2017 at 9:46 PM, Debevec, Paul <debevec@illinois.edu> wrote:

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please consider the attached letter in regard to the proposed changes to the Urbana Zoning Ordinance development regulations. In my neighborhood recent construction of multi-unit structures have been pushed closer to the street. Setback regulation is not adequate, and the proposed changes are not for the better. Thank you for your attention to this matter.

Regards, Paul Debevec

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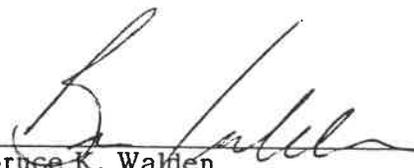
CITY OF URBANA
DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

M E M O R A N D U M

TO: Policy Book
FROM: Bruce K. Walden, Administrator
Department of Community Development Services
DATE: May 15, 1986
RE: POLICY ON CALCULATION OF AVERAGE SETBACK

In calculating the average setback for R-1 through R-4 properties, the following should be followed:

1. The setback for lot(s) to be redeveloped where demolition is anticipated should be calculated at 15 ft.
2. The average setback shall only include lots for which an average setback is required. Where other setbacks are applicable, such minimum setbacks shall be utilized in the average regardless of actual setback.
3. Measurements shall be made from the face of the building or from a porch if roofed.


Bruce K. Walden

BKW:dr

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: December 7, 2017

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Barry Ackerson, Jane Billman, Andrew Fell, Tyler Fitch, Lew Hopkins, David Trail, Dan Turner

MEMBERS EXCUSED: Nancy Esarey Ouedraogo

STAFF PRESENT: Lorrie Pearson, Planning Manager; Kevin Garcia, Planner II; Teri Anel, Administrative Assistant II

OTHERS PRESENT: Adam Rusch

1. COMMUNICATIONS

Email communications were received regarding Plan Case No. 2320-T-17 from the following people:

- Mary Beth Allen
- Paul Debevec
- Mary Pat McGuire
- Pierre Moulin
- Esther Patt
- Lois Steinberg

2. NEW PUBLIC HEARINGS

Plan Case No. 2320-T-17 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with minor changes to Article II (Definitions), Article V (Use Regulations), Article VI (Development Regulations), Article VIII (Parking and Access), Article IX (Signs), Article XI (Administration), Article XII (Historic Preservation) and Article XIII (Special Development Provisions).

Chair Fitch opened this item on the agenda. Kevin Garcia, Planner II, introduced this case to the Plan Commission. He reviewed the proposed changes to the Urbana Zoning Ordinance.

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

Chair Fitch questioned City staff whether the regulations for vehicle signs would apply to the Mass Transit District (MTD) buses. Mr. Garcia replied no because MTD's main purpose is to provide public transportation. So, the advertising on the buses would be considered secondary.

Mr. Ackerson asked for an example of when more than one principal use might be allowed. Mr. Garcia replied that if an owner of a building in the CCD (Campus Commercial) zoning district wanted to have a bakery and a coffee shop, the owner would be required to obtain approval of a conditional use permit. If both uses are allowed by right as principal uses, then why should they have to seek approval of a conditional use permit to allow both uses at the same time.

Mr. Fell understood the intent of the amended language for the MOR District to not apply to a new building. On page 5, Section V-8.C lists what could be administratively reviewed, but it does not mention that it applies to existing buildings. He suggested adding "existing" to the language. Lorrie Pearson, Planning Manager, felt this change would be acceptable to make the Zoning Ordinance clear on its intent.

Mr. Trail wondered at what point would a sizeable bumper sticker on a vehicle become a vehicle sign. Mr. Garcia responded that it would not be considered a vehicle sign.

Mr. Fell wondered how the City would enforce prohibiting vehicle signs. Mr. Garcia replied that the police could pull the driver over and tell them they are not allowed to drive the sign around in the City of Urbana. Ms. Pearson added that if a vehicle with a sign in it was parked at a location regularly, City staff could send the property owner a violation notice.

Mr. Ackerson questioned what the definition of a vehicle sign would be. Ms. Pearson replied that it is a vehicle with a sign and the driver drives around the City with the sole purpose to advertise. They are not delivering a product to a business or client. Mr. Hopkins recommended that they defer this topic to the discussion portion of the hearing.

With no further questions for City staff, Chair Fitch briefly reviewed the procedures for a public hearing. He opened the hearing up for public input.

Adam Rusch approached the Plan Commission to speak. He stated that vehicle signs are usually small trucks with a billboard on the back of the truck. The driver will drive around certain areas to advertise what is on the billboard. He did not know if the City would be able to regulate these vehicles driving on the streets; however, the City could determine whether or not to regulate these vehicles being parked in front of locations.

With no further public input, Chair Fitch closed this portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

The Plan Commission members reviewed and discussed issues with some of the proposed changes that were expressed in the written communications received. The topics of concern are listed below.

VEHICLE SIGNS

Mr. Fell felt there should be more language clarifying on what a vehicle sign is. From the way the proposed language reads, they would not be able to have the Red Bull truck or the Oscar Meyer Weiner mobile at the Sweetcorn Festival. Mr. Garcia said that while they do advertise, he did not believe that was the sole purpose of the proposed text amendment prohibiting vehicle signs.

Mr. Trail questioned whether the City could regulate a properly licensed vehicle driving within the laws of the road. He wondered what City staff was trying to regulate? Mr. Garcia explained that they were only trying to address an issue before it becomes an issue. City staff heard at a conference regarding signs from other cities in the State of Illinois about how vehicle signs have become an issue.

Chair Fitch noticed that in order to get a sign, one must apply for a permit. Would someone need a permit to drive a vehicle sign around town? Mr. Trail asked if a U-Haul truck would be considered a vehicle sign. Mr. Fitch believed U-Haul would be considered a contractor with a sign on the side of the truck.

Mr. Hopkins felt that this specific amendment was not considered minor. He understood these types of signs to be billboards being towed behind pickup trucks. This has been happening in the City of Urbana for a long time. If this is what they are talking about regulating, then he recommended regulating them similar to the way the City regulates billboards. It would give the City legal backing to regulate them.

Chair Fitch suggested that the Plan Commission remove this section from the proposed text amendment and consider it in the future as a text amendment of its own. The other Plan Commission members agreed.

SETBACKS

Mr. Fell believed that there should be some additional language added to clarify the intent of the proposed changes. Mr. Garcia agreed and suggested that the language in the proposed last sentence of Section VI-5.E.1 to read as such, *“If a development proposal includes demolishing existing buildings, those lots shall be calculated at a minimum setback for that district.”* Mr. Fell felt it should be calculated at the setback of the existing structure. There are times when the existing building is closer than the minimum setback, in which case it inverts the intent of what the proposed language is trying to do. Mr. Garcia explained that this was a zoning interpretation from 1986 that City staff has been practicing and now would like to clarify in the Zoning Ordinance.

Mr. Hopkins felt that they should either include the proposed language because it is current practice or they should decide it should not be current practice and change it. Mr. Trail

commented that past practice may be an argument but it should not be what determines the Ordinance to be. This is a way for the City to decide if they want a greater infill density or if they want to lean away from a greater infill density. Mr. Hopkins believed that it would be reasonable to calculate the setback at a minimum for that zoning district, but that they should acknowledge that they are doing it.

Mr. Ackerson agreed there is a rationale for practicing it the way it has been. He is for being open and up front about what they are doing and why. The City does not want to tie a property owners hands concerning development, and we do not want lots sitting vacant for a specified period of time just so they can be deemed vacant. We want to be able to encourage infill development.

Chair Fitch agreed that the front yard setback should be calculated at a minimum for that district. It would only be a matter of a couple of feet if calculated at the setback of the existing structure. Mr. Garcia added that they would be looking at the average of the setbacks on the block. Each house will be somewhere between 15 feet to 25 feet. The more houses on the block, the less change it creates. Ms. Billman pointed out that this may be true for houses, but what about apartment buildings that have more of an impact. Mr. Fitch said that it depends on the characteristics of the neighborhood, block by block.

PARKING

Mr. Ackerson said that he never understood why the City treated one-bedroom apartments from 2+ bedroom apartments. It creates a disincentive to construct one-bedroom apartment buildings. Mr. Hopkins responded that one-bedroom apartments are not generally occupied by one person in certain areas of the City and usually one of the people living in a one-bedroom apartment has a car. He expressed concern about applying a regulation that would be appropriate for one area to the entire City. He believed they should come up with a way to enable one-bedroom apartments in large complexes.

Mr. Fell commented that it is a market driven algebra problem. A developer will put in the amount of parking he needs for his development according to where it is located. A developer is constructing one now that will have no parking because it is located right in the middle of campus. The same developer is constructing a project three miles from campus and will probably have one parking space per bedroom. The amount of parking provided falls on the responsibility of the developer to be able to lease out his apartments. If he does not have parking, then he would not be able to lease the units if the tenants need vehicles. Therefore, he does not see an issue with the proposed change in parking requirements.

Ms. Billman did not see how this argument would hold true because renters would just park on the street. Is not this the problem in the West Urbana area? Mr. Trail replied that it depends on the available transit options and the location of services. The developer will put in more parking if the people demand it, and the people demand it based on many things other than just zoning. He did not see where the proposed change would make a huge difference.

FLOOR AREA RATIO/BASEMENTS

Mr. Fell advised that they be careful about including basements in Floor Area Ratio (FAR) calculations because it will make about a third of the houses in the City of Urbana non-conforming. Mr. Hopkins noted that single-family homes are excluded from this amendment. In fact, this extends to duplexes and townhouses and would make duplexes conforming.

Chair Fitch expressed concern about the language in Section VI-4.A.2.c regarding FAR referring to the use as basements. The intent is to exclude basement structures from the calculation for the FAR of a single-family dwelling, duplex or townhouse, not the use as a basement. He recommended removing the word “used” from the language. Mr. Hopkins agreed.

LANDSCAPING

Ms. Pearson noted that another concern expressed in some of the communications received was to enhance the landscaping and tree planting requirements. Chair Fitch believed that similar to vehicle signs, this would require a separate text amendment.

OTHER DISCUSSION OF THE COMMISSION

Mr. Hopkins questioned the amendment to the definition of “*multiple frontage (corner) lots*”. Mr. Garcia explained that any lot is required to have a front yard along a street frontage. Therefore, the definition for “*corner lot*” seemed unnecessarily complicated, especially since the term was only referred to once or twice throughout the entire Zoning Ordinance. Simplifying the definition, as proposed, would not affect any of those references. Mr. Hopkins felt that it would work.

Mr. Hopkins questioned the amendment to the definition of “*Accessory Building or Structure*”. Is anything constructed that requires attachment to the ground? A shed, which is defined as a structure, does not require a foundation. However, a shed that is under 120 square feet and does not require a permit is required to be attached to the ground so it will not blow away. Does the Zoning Ordinance make a distinction between attached to the ground and requiring a foundation? Mr. Garcia replied that the proposed amendment would only clean up the extra language. City staff was not proposing a new definition for “*shed*”, but instead moving it out from under “*accessory building or structure*” to its own definition. They are proposing to get away from using the term “*building or structure*” throughout the Zoning Ordinance because all buildings are structures. It is redundant to say “*building or structure*”, so with the proposed amendment we can just say “*structure*”.

Mr. Hopkins inquired about Figure VIII-2. Is replacing the existing Turnaround Design with two options a result of a change to the Site Plan requirements? Mr. Garcia replied that after he published the memo, he spoke with Bill Gray, City Engineer, about Figure VIII-2. It was intended to provide three typical designs, not two. They need to add a third option. He explained that Option A would be as proposed. Option B would have a No Parking Area but the drive aisle would be 23 feet wide, and Option C would have all parking spaces available and a 30-foot wide drive aisle. Mr. Hopkins stated that it would be helpful to provide the explanatory text next to

each option. Mr. Garcia said that they could label Option A as the minimum requirement and the other two options would be labelled as Alternative Option A and Alternative Option B.

With no further discussion, Chair Fitch summarized the changes that the Plan Commission mentioned. They were as follows:

1. Remove the section about vehicle signs.
2. Reword the proposed last sentence of Section VI-5.E.1 to read something like, “*If a development proposal includes demolishing existing buildings, those lots shall be considered as having the minimum front yard required in that district*”.
3. Reword Section VI-4.A.2.c to read as such, “*Basements in single-family dwellings, duplexes, and townhouses*”.
4. Include all three diagrams and add language to Figure VIII-2.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2320-T-17 to the City Council with a recommendation for approval with the following changes as summarized by Chair Fitch prior to this motion and to keep the requirement for parking for one-bedroom apartments to be one parking space per dwelling unit as currently written in the Zoning Ordinance. Chair Fitch seconded the motion.

Mr. Fell inquired whether the change to the use regulations in the MOR District as discussed earlier was part of the motion. Mr. Hopkins stated that it was his intent to include any changes that were mentioned during discussion. That would include rewording Section V-8.C. to add “existing.”

Mr. Fell moved an amendment to the motion to change the parking requirement for one-bedroom apartments to be .5 parking space per dwelling unit as recommended by City staff in the proposed text amendment. Mr. Trail seconded the motion.

Mr. Ackerson commented that the argument is based on the assumption of the number of people living in a unit, but it should not matter from one-bedroom apartments to two or more bedroom apartments. We should not assume that a two-bedroom apartment would not have four people living in it. It does not logically make sense to require one parking space for a one-bedroom apartment (one parking space per unit) and one parking space for a two-bedroom apartment (.5 parking space per bedroom). Mr. Trail spoke in favor of the change in required parking for one-bedroom apartments.

Roll call taken on the motion to amend was as follows:

Ms. Billman	-	No	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Hopkins	-	No
Mr. Trail	-	Yes	Mr. Turner	-	Yes
Mr. Ackerson	-	Yes			

The amendatory motion passed by a vote of 5 – 2.

Roll call on the main motion including the amendment to change the parking as amended was as follows:

Mr. Fell	-	No	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Trail	-	Yes
Mr. Turner	-	Yes	Mr. Ackerson	-	Yes
Ms. Billman	-	Yes			

The motion was approved by a vote of 6 – 1.

Mr. Garcia noted that this case would be forwarded to City Council on Monday, December 18, 2017.