



**Plan and Zoning Commission
7:00 p.m. Tuesday, June 2, 2020
Village of Mahomet - Administrative Office
Virtual Meeting Via Zoom or Skype for Business**

**Join Zoom Meeting
<https://us02web.zoom.us/j/88285890929>**

**Meeting ID: 882 8589 0929
One tap mobile
+13126266799,,88285890929# US (Chicago)
+16468769923,,88285890929# US (New York)**

**Join by Skype for Business
<https://us02web.zoom.us/skype/88285890929>**

AGENDA

1. CALL TO ORDER

2. ROLL CALL

- 3. PUBLIC COMMENT:** The Commission welcomes your input. Due to the current COVID-19 emergency and the Governor's executive orders, the meeting will have an online live participation option. We encourage all interested citizens that can, to participate online (login in information provided above). Interested citizens are invited to provide comments either at the public hearing (online preferred) or by prior written statement. Public comments may be submitted in hard copy by placing them in the drop box outside of the Administrative Office (503 E. Main Street, Mahomet) before 2:00 pm on June 2, 2020. Other written comments may be submitted by emailing Abby Heckman, aheckman@mahomet-il.gov no later than the start of the meeting on June 2, 2020 to ensure placement of such comments in the official record of the meeting.

4. REVIEW/APPROVE MINUTES: MARCH 3, 2020

5. PUBLIC HEARINGS:

ZONING ORDINANCE TEXT AMENDMENT

TEXT AMENDMENT TO ALTER PERMITTED AND CONDITIONAL USES IN THE R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT; AMEND EXISTING AND ESTABLISH NEW DEVELOPMENT STANDARDS FOR MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS; AND TO AMEND AND ESTABLISH NEW DEVELOPMENT STANDARDS FOR PARKING LOTS.

6. DISCUSSION ONLY (NO ACTION)

ZONING ORDINANCE TEXT AMENDMENT

TEXT AMENDMENT TO ALTER PERMITTED AND CONDITIONAL USES IN THE R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT; AMEND EXISTING AND ESTABLISH NEW DEVELOPMENT STANDARDS FOR MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS; AND TO AMEND AND ESTABLISH NEW DEVELOPMENT STANDARDS FOR PARKING LOTS.

7. COMMISSIONER / STAFF COMMENTS

NEXT PZC MEETING – JULY 7, 2020

8. ADJOURN

PLAN AND ZONING COMMISSION
MEETING MINUTES - DRAFT
March 3, 2020



CALL TO ORDER: Abby Heckman called the meeting to order at 7:00pm on Tuesday March 3, 2020. She stated the chair would not be at the meeting and requested someone nominate an acting chair.

Buchanan moved to make Mike Buzicky the acting chair for the meeting. DeAtley seconded the motion. ROLL CALL. 5-0. Motion Passed.

ROLL CALL:

Members Present: Steve Briney, Mike Buzicky, Bob Buchanan, Robert DeAtley, and Earl Seamands.

Members Absent: Jay Roloff and Damian Spencer.

Others Present: Village Attorney Joe Chamley and Planner Abby Heckman.

PUBLIC COMMENT: No one came forward.

REVIEW/APPROVE MINUTES: December 3, 2019
January 7, 2020

Mr. Buzicky stated there are two (2) sets of minutes to approve.

Abby Heckman stated the December 2019 minutes were included in the PZC packet posted online and the January 2020 minutes were emailed to Commission members yesterday.

Mr. Buzicky asked for any comments about the provided minutes.

Buchanan moved to approve the December 3, 2019 and January 7, 2020 minutes as submitted. DeAtley seconded the motion. ROLL CALL. 5-0. Motion Passed.

Abby Heckman stated that the 2020 Zoning Map was shown on the agenda as a public hearing in error. She stated there is no public hearing required nor was it advertised.

Joe Chamley stated that the Commission can offer an opportunity for public comment about the 2020 Zoning Map when the resolution is discussed later on the agenda.

PUBLIC HEARINGS:

ZA2020-02: 408 SOUTH DIVISION LLC

A RESOLUTION CONCERNING A REZONING FROM R2 TWO-FAMILY RESIDENTIAL DISTRICT TO C2 GENERAL COMMERCIAL AND R1C SINGLE-FAMILY DISTRICTS ON 0.253± ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF UNION AND DIVISION STREETS, COMMONLY KNOWN AS 101 E UNION STREET

Abby Heckman presented information in the staff memo. Village staff and the Commission discussed the existing and proposed uses on the property, the functionality of the alley, and the Certificate of Exemption subdivision process.

Jim Smith, petitioner, stated that on the one (1) day that the orthodontist is in the office they needed some additional parking. He stated if they wanted to sell the residential property in the future, they wanted to separate the uses.

Mr. Buzicky stated his issues were maintaining the use of the alley and how the property would be subdivided.

Abby Heckman stated that staff would make sure the use of the alley for others is maintained and will continue with the Certificate of Exemption subdivision process.

Mr. Buzicky asked if there were any other comments.

Eric Lewis, 401 S. Division Street, stated he didn't have a problem with the parking that is on the north side of the alley. He stated he and his neighbor were concerned that the entire residential lot would be converted to commercial. He stated seeing it is just for the parking spaces and not the entire lot that he was no longer concerned. He stated he didn't think the neighbor that he spoke with would be concerned either. He stated he would be concerned if the alley was disappearing. He stated he didn't have a problem as it was presented.

Jim Smith, petitioner, stated they would like the house to stay a house and have the option to sell the house separately later.

Briney moved to close the public hearing for ZA2020-02. Seamands seconded the motion. ROLL CALL. 5-0. Motion Passed.

ORDINANCES, RESOLUTIONS and MOTIONS (TO BE ACTED UPON):

ZA2020-02: 408 SOUTH DIVISION LLC

A RESOLUTION CONCERNING A REZONING FROM R2 TWO-FAMILY RESIDENTIAL DISTRICT TO C2 GENERAL COMMERCIAL AND R1C SINGLE-FAMILY DISTRICTS ON 0.253± ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF UNION AND DIVISION STREETS, COMMONLY KNOWN AS 101 E UNION STREET

Mr. Buzicky asked if staff had anything else to add.

Abby Heckman stated no but could answer any questions.

Mr. DeAtley stated he had concerns which were somewhat alleviated after hearing from the petitioner and the neighboring property owner. He asked why the parking lot use wasn't processed as a Special Use to limit imposing on the residential use on the lot.

Abby Heckman stated the Zoning Ordinance does not have a commercial parking lot as a special use in the R2 zoning district and therefore a special use wasn't an option. She stated that Village staff talked with the petitioner about their options. She stated that because it is a commercial business, having all of the commercial assets on the same lot makes sense for them to be able to sell the properties in the future. She stated that staff suggested the proposed zoning scenario in order to gain a permanent easement for the alley. She stated that the special use option would have been nice because we could have then put stipulations on the use relating to landscape buffering or other issues.

Mr. DeAtley stated that instead of the C2 district that maybe another district such as C1 could have been used.

Abby Heckman stated that could have been an option.

Mr. DeAtley stated that the Commission often hears intentions by developers that don't always turn out they way they are presented.

Abby Heckman stated she did not see this property redeveloping in its current configuration. She stated that other adjacent property could be purchased to combine with this property which could facilitate redevelopment of the whole block or part of a block. She stated the alley served as sort of a barrier because they would not be allowed to build into the alley so the limited land area north of the alley used for parking could only be used for an accessory use to the commercial principle use. She stated that she understood the concerns and that Village staff suggested to the petitioner that some sort of screening be installed north of the parking because it could be a potential conflict between neighbors. She stated that unfortunately our Zoning Ordinance does not require perimeter landscape screen for parking lots.

Mr. Buzicky asked for any other comments.

Abby Heckman stated there was a draft resolution in the packet and the commission can make changes as they see fit. She stated it includes the same typical findings of fact questions.

Mr. Buzicky stated he wanted to make sure the easement for the alley is provided.

Mr. Buchanan asked if a condition could be added.

Joe Chamley stated the Commission can express concern in their recommendation to the Board of Trustees.

Abby Heckman stated that the petitioner had filed for the Certificate of Exemption subdivision procure but there is nothing requiring them to do the subdivision. She stated that Village staff would not administratively approve a plat that does not have accommodations for the alley.

Mr. Buzicky stated the Commission's intent is to provide the alley easement and for the property to go through the subdivision procedure.

Joe Chamley stated the language addressing those concerns could be added but it wouldn't be a requirement.

Abby Heckman stated that the draft minutes of the meeting could be completed and presented to the BOT with the staff memo which will include your concerns.

Joe Chamley stated its entirely appropriate that a finding of fact be added which states that the alley easement be preserved and that the property owner follow through with the subdivision. He stated it wouldn't be binding by the BOT but it would be consistent with your other findings of fact.

Mr. Buzicky went through the findings of fact.

Mr. Buchanan stated he thought the findings of fact number 15 should be ARE NOT. No objections were voiced by the rest of the Commissioners.

Briney moved to recommend granting ZA2020-02 with the findings of fact as stated below. Seamands seconded the motion. ROLL CALL. 5-0. Motion Passed.

BE IT THEREFORE RESOLVED this 3rd day of March, 2020 by the Plan and Zoning Commission of the Village of Mahomet that:

- A. The Plan and Zoning Commission does hereby further set forth the following findings of fact concerning the requested zoning amendment:
1. The procedural requirements for zoning establishment or amendment **HAVE** been met.
 2. The proposed zoning **DOES** conform with the intent of the Village Comprehensive Plan.
 3. The proposed zoning **IS** consistent with the proposed use of the site.
 4. The proposed zoning **WILL** be compatible with the established land use pattern in the vicinity.
 5. The proposed zoning **DOES NOT** create an isolated, unrelated zoning district.
 6. The site **IS** suitable for the uses allowed in the proposed zoning district.
 7. The proposed zoning **WILL** be consistent with the health, safety and general welfare of the public.
 8. Major land uses in the neighborhood **HAVE NOT** changed since zoning was applied to this site.
 9. The proposed zoning **IS** consistent with the existing zoning designations in the surrounding area.
 10. The proposed zoning **WILL NOT** be contrary to the original purpose and intent of the Zoning Ordinance.
 11. The proposed zoning **WILL NOT** be injurious to the use and enjoyment of adjacent properties.
 12. The proposed zoning **WILL** promote the orderly development of the site and surrounding properties.
 13. The proposed zoning **WILL NOT** significantly adversely impact existing traffic patterns.
 14. Adequate facilities for municipal sanitary sewage disposal and water supply **ARE** available for the site.
 15. Adequate provisions for stormwater drainage **ARE NOT** available for this site.
 16. The proposed zoning **WILL NOT** adversely impact police protection or fire protection.
 17. The proposed zoning **WILL NOT** significantly adversely impact schools or other public facilities.
 18. The proposed zoning **WILL NOT** conflict with existing public commitments for planned public improvements.
 19. The proposed zoning **WILL NOT** adversely influence living conditions in the immediate vicinity.
 20. The proposed zoning **WILL** preserve the essential character of the neighborhood in which it is located.
 21. The proposed change **WILL NOT** significantly alter the population density pattern.
 22. The value of adjacent property **WILL NOT** be diminished by the proposed zoning.
 23. The proposed zoning **WILL** enhance the value of the petitioner's property.
 24. The proposed zoning **WILL NOT** constitute an entering wedge affecting the use or development of adjacent property.
 25. If denied, the petitioner **WILL** suffer deterioration to his or her property value.
 26. The proposed zoning **DOES NOT** correct an error in the original zoning of this site.
 27. If the property is currently vacant, the length of time the property has remained vacant as zoned **HAS NOT** been considered in the context of land development in the area and in the vicinity of the subject property.
 28. The proposed change in zoning **WILL NOT** result in private investment that would be beneficial to the development or redevelopment of a vacant property or deteriorated neighborhood.
 29. There **IS** a need in the community for additional land within the requested zoning district.
 30. The proposed zoning **WILL NOT** adversely impact agricultural farming operations in the vicinity of this site.
 31. The proposed rezoning **IS** consistent with Village Comprehensive Plan policies concerning the protection of prime farmland when appropriate.

32. The proposed rezoning **WILL NOT** result in long term adverse environmental consequences to natural areas and wildlife habitat.
 33. The LaSalle Factors for evaluation of zoning decisions **HAVE** been considered during the review of this proposed rezoning request.
 34. PZC concerns / notes – Preservation of the alley easement and follow through by the property owner of the Certificate of Exemption subdivision procedure
- B. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet **GRANT** the requested zoning map amendment for the subject property from R-2 Two-Family Residential to C-2 General Commercial and R-1C Single-Family Residential districts.

2020 OFFICIAL ZONING MAP

A RESOLUTION CONCERNING APPROVAL AND PUBLICATION OF THE 2020 OFFICIAL ZONING

Abby Heckman stated we have until March 31 of every year to adopt an official zoning map. She stated the map is updated as of December 31, 2019. The zoning map on the online GIS is updated every time we have a zoning change and the public has access to the map.

Mr. DeAtley asked about property north of Briarcliff.

Abby Heckman stated the property is still zoned ag because a subdivision proposed there at one time never happened.

Mr. DeAtley stated he appreciated the road labels on the map.

Buchanan moved to recommend approval and adoption of the 2020 Official Zoning Map as presented. DeAtley seconded the motion. ROLL CALL. 5-0. Motion Passed.

COMMISSIONER / STAFF COMMENTS:

Abby Heckman stated the next PZC meeting is scheduled for April 7, 2020. She stated the filing deadline is this week but there hasn't been anything filed so far. She stated that the Certificate of Exemption subdivision is a staff approval so it shouldn't be on a future agenda.

ADJOURN:

Briney moved to adjourn the meeting. Buchanan seconded the motion. ROLL CALL. 5-0. The meeting was adjourned at 7:41pm.

Respectfully,

Abby Heckman, Planner



Village of Mahomet

503 E. Main Street - P.O. Box 259 - Mahomet, IL 61853-0259
phone (217) 586-4456 fax (217) 586-5696



REPORT TO PLAN AND ZONING COMMISSION Meeting June 2, 2020

FROM: Abby Heckman, Planner
Kelly Pfeifer, Community Development Director and Village Planner

PROJECT: TEXT AMENDMENT – ZONING REGULATIONS – MULTIPLE-FAMILY RESIDENTIAL
DEVELOPMENT AND PARKING LOT STANDARDS

REQUESTED ACTION: Public Hearing – Adjourn and Continue to July PZC meeting

PUBLIC HEARING / PROCEDURAL ISSUES: The Zoning Ordinance requires the Plan and Zoning Commission (PZC) hold a public hearing upon request for a text amendment. The public hearing is scheduled for the June 2, 2020 PZC meeting. Public notice was published in the Mahomet Citizen on May 15, 2020. The PZC acts in an advisory role to the Board of Trustees regarding text amendments.

The PZC is asked to open the public hearing to gain feedback from the community on the proposed text amendment and then adjourn (not close) and continue the public hearing until the July PZC meeting.

OVERVIEW: Village staff has prepared a draft Zoning Ordinance text amendment to update standards related to multiple-family residential development and parking lot requirements. Until recently, the Village had not had significant multiple-family residential development since the adoption of the current Zoning Ordinance in July 2002. Village staff feel it is appropriate to update the Zoning Ordinance to be more in line with community desires.

SUMMARY OF PROPOSED ZONING ORDINANCE AMENDMENT DATED JUNE 2, 2020:

- Staff evaluated the permitted and conditional uses allowed within the existing 152.026 R-3 Multiple-Family Residential District. A reference to a new multiple-family residential development section (New 152.055) has been added after the multiple-family dwelling and the townhouse permitted use. Two (2) additional conditional uses for a multiple-family dwelling and a townhouse that do not meet the standards in the new section 152.055 have been added. Either multiple-family dwellings or townhouse dwellings that do not meet the new multiple-family residential development standards would require approval of a Conditional Use Permit to establish the use.
- Staff created a new section 152.055 Standards for Multiple-Family Residential Development. The new section limits multiple-family dwelling buildings to four (4) dwelling units and limits total units on a property to 16. Minimum lot area required per family still applies. The new section also addresses maximum building height, building setbacks, visibility of HVAC equipment and dumpsters, perimeter landscaping and Conditional Use Permit guidelines and application requirements.
- Staff reviewed the existing development standards in 152.090 Requirements (Area, Height, and Yard Regulations) and made applicable changes. A reference to the new section 154.055 Standards for Multiple-

Family Residential Development has been added, other standards that are no longer applicable have been changed and updated references have been added based on changes that were made in a previous text amendment.

- A reference to the new section 152.055 Standards for Multiple-Family Residential Development has been added to the existing section 152.107 Location of Required Parking Spaces.
- New language was added to the existing section 152.108 Minimum Improvement and Maintenance Standards to address parking lot setbacks, landscaping, and screening. Section 152.108 (E)(1) and (2) apply to all parking lots within the Village. Section 152.108 (E)(3) applies to parking lots located in any residential zoning district.

Attachment : Draft ZO Text Amendment 06/02/2020 (with text changes and additions shown)
Draft 152.090 Requirements Chart 06/02/2020 – Large View
Draft Ordinance ZO Text Amendment

Change/remove the following text under §152.026 R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT (add underlined text, remove stricken text):

§ 152.026 R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT.

The purpose of the R-3 Multiple-Family Residential District is to provide for low density multiple-family dwellings along with related residential uses. The R-3 District may serve as transitional uses between commercial or industrial uses and less intensive residential uses.

A. Permissive uses:

- (1) Duplex;
- (2) Common lot line dwelling;
- (3) Multiple-family dwelling, meeting the standards set forth in §152.055;
- (4) Townhouse, meeting the standards set forth in §152.055;
- (5) Row house dwelling;
- (6) Community Living Facility Dwelling, Category I;
- (7) Community Living Facility Dwelling, Category II;
- (8) Community Living Facility Dwelling, Category III;
- (9) Assisted living retirement community
- (10) Public park or playground;
- (11) Church;
- (12) Public school, elementary and high, or private school having a curriculum equivalent to a public elementary or public high school and having no rooms regularly used for housing or sleeping purposes;
- (13) Golf course; and
- (14) Large-scale residential development.

B. Conditional uses:

- (1) Multiple-family dwelling, which does not meet standards set forth in §152.055;
- (2) Townhouse, which does not meet standards set forth in §152.055;
- (3) ~~(1)~~ Nursing, rest or convalescent home;
- (4) ~~(2)~~ Public building erected by any governmental agency;
- (5) ~~(3)~~ Religious, educational and eleemosynary institution of a philanthropic nature;
- (6) ~~(4)~~ Private club or lodge, excepting when the chief activity of which is service customarily carried on as a business;
- (7) ~~(5)~~ Mobile home or trailer court;
- (8) ~~(6)~~ Nursery, pre-kindergarten, kindergarten, play, special and other private school or day care center; and
- (9) ~~(7)~~ Public utility substations.

Create the following new section §152.055 STANDARDS FOR MULTIPLE-FAMILY DEVELOPMENTS (add underlined text):

§ 152.055 STANDARDS FOR MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENT

Any multiple-family residential dwelling development on a property of 20,000 square feet or larger and/or which contains a principle building with more than 4 dwelling units must comply with the following standards and all other applicable standards in this chapter, unless the use is approved by issuance of a Conditional Use permit in which alternative standards are determined. Multiple-family residential dwelling developments that exceeds 16 dwelling units must obtain a Conditional Use Permit to establish the use.

(A) Development Standards:

- (1) Maximum Building Height: 2 stories and 30 feet
- (2) Minimum Building Setback: Front 25 feet, Side 25 feet, and Rear 25 feet
- (3) HVAC Equipment: No HVAC equipment shall be visible from adjacent property lines. Landscaping or fence screening may be provided but only when approved by the Village Planner.
- (4) Dumpsters shall be screened via a privacy fence.

(B) Perimeter Landscaping Requirements:

- (1) Minimum Landscaping: One (1) Shade Tree and three (3) shrubs must be planted and maintained within the building setback for every 40 linear feet along the length of the property lines.

(C) Conditional Use Permit.

- (1) Guidelines. In making a legislative determination to issue a Conditional Use Permit for a multiple-family residential dwelling development, the following guidelines may be considered:
 - (a) The availability of permanent open spaces, including public parks, golf courses, schools and similar such uses in proximity to the subject property.
 - (b) The availability of permanent open spaces and recreational facilities located on the site.
 - (c) The relationship of the site to all aspects of the Village transportation system, including sidewalks, bike paths and streets.
 - (d) The extent to which the multiple-family residential use of the site will promote balanced growth in the community, provide an opportunity for equal housing opportunities, provide a variety of housing types and meet a need for the type(s) of housing proposed.
 - (e) The suitability of the site plan presented for the proposed multiple-family residential use.
- (2) Site Plan. An application for a Conditional Use Permit to establish a multiple-family residential use shall be accompanied by a site plan which shall be review and approved by the Board of Trustees.

Change/remove the following text under §152.090 REQUIREMENTS (add underlined text, remove stricken text):

District	Maximum Height (f)		Minimum Yard Depth/Width in Feet			Minimum Lot Width in Feet (d)	Minimum Lot Area per Family (d) in Square Feet			Minimum Lot Area (d)
	Stories	Feet	Front	Side	Rear		Single	Two	Multiple	
AG	2.5	35	50	25	50	150	43,560	NA	NA	43,560
AC	2.5	35	50	25	50	150	(c)	(c)	(c)	43,560
R-1A	2.5	35	30	10	30	100	20,000	NA	NA	20,000
R-1B	2.5	35	25	10	25	80	10,000	NA	NA	10,000
R-1C	2	30	25	7	25	65	8,000	NA	NA	8,000
R-2	2.5	35	25	8	25	(b)	10,000	5,000	5,000	10,000
R-3	3 (h)	45 (h)	25	8 (h)	25	(b)	10,000 NA	5,000	3000 (h)	10,000
C-1	2.5	35	25	(a)	25	None	(e) NA	(e) NA	(e) NA	6,000
C-2	3	45	15	(a)	25	None	(e) (e)	(e) (e)	(e) (e)	6,000
C-3	3	45	25	25	25	None	NA	NA	NA	7,000
I-1	3	45	40	25	25	200	(c)	(c)	(c)	7,000
I-2	3	45	25	(a)	25	None	(c)	(c)	(c)	7,000
FP	NA	NA	NA	NA	NA	NA	NA	NA	NA	43,560

(a) None unless adjacent to a residential district in which case a minimum side yard of ten feet is required.

(b) 80 feet for single-family use, and 65 feet for two-family and multiple-family uses. 40 feet for interior and exterior rowhouse lots.

(c) Dwellings prohibited.

(d) See §152.091(A) for lot area and width exceptions.

(e) Dwellings prohibited except by conditional use.

(f) See §152.091(F) for height exceptions.

(g) NA means the appropriate requirement is "not applicable".

(h) See §152.055 for additional multiple-family residential development standards.

Change/remove the following text under §152.107 LOCATION OF REQUIRED PARKING SPACES (add underlined text, remove stricken text):

§ 152.107 LOCATION OF REQUIRED PARKING SPACES.

All parking spaces required herein shall be located as follows.

(A) The parking space required for residential buildings or uses shall be located on the same lot with the building or use served. The parking spaces required for any other building or use may be located on an area within 300 feet of the building and two or more owners of buildings may join together in providing the required parking spaces. Where the required parking spaces are not located on the same lot with building or use served, the usage of the lot or tract upon which the parking spaces are provided shall be restricted by an instrument of record describing the premises for which the parking is provided and assuring the retention of the parking so long as required by this chapter.

(B) No parking spaces may be located in a front yard in any residential district; except as permitted in §152.055.

Change/remove the following text under §152.108 MINIMUM IMPROVEMENT AND MAINTENANCE STANDARDS (add underlined text, remove stricken text):

§ 152.108 MINIMUM IMPROVEMENT AND MAINTENANCE STANDARDS.

- (A) All open parking areas provided in compliance with this chapter shall be surfaced with a durable, dust-proof surface consisting of concrete, bituminous concrete or compacted gravel or crushed stone properly sealed and surface treated as approved by designated engineering personnel of the village.
- (B) The parking areas shall be maintained in a usable, dust-proof condition and graded and drained to dispose of all surface water. Whenever lighting is provided, it shall be so hooded or shielded as to reflect the light away from abutting or neighboring property, including public right-of-way.
- (C) ~~One standard tree of at least three-inch diameter shall be planted on the lot for each ten parking spaces.~~ The location of each parking space and the direction of movement along the access driveways shall be indicated by painting upon the surface of the lot.
- (D) A structurally sound wall or other abutment shall be installed and so placed around each side of the parking lot to ensure that no part of an automobile either extends over or is capable of accidentally rolling across the property line of the parking lot.

(E) Parking Lot Setback, Landscaping and Screening Requirements.

- (1) Minimum Parking Lot Setback: All Yards = 10 feet
- (2) Interior Parking Lot Landscaping. One standard tree of at least three-inch diameter shall be planted within the lot for each ten parking spaces. Interior parking lot landscaping must be provided in an island or peninsula within the parking lot.
- (3) Perimeter Parking Lot Landscaping / Screening. Any parking lot that contains more than four (4) parking spaces and is located in a residential zoning district must provide perimeter parking lot landscaping to screen the visibility of the parking lot from adjacent property lines. Around the perimeter of the parking area, one (1) tree and three (3) shrubs per 25 linear feet of the parking area perimeter shall be planted.

District	Maximum Height (f)		Minimum Yard Depth/Width in Feet			Minimum Lot Width in Feet (d)	Minimum Lot Area per Family (d) in Square Feet			Minimum Lot Area (d)
	Stories	Feet	Front	Side	Rear		Single	Two	Multiple	
AG	2.5	35	50	25	50	150	43,560	NA	NA	43,560
AC	2.5	35	50	25	50	150	(c)	(c)	(c)	43,560
R-1A	2.5	35	30	10	30	100	20,000	NA	NA	20,000
R-1B	2.5	35	25	10	25	80	10,000	NA	NA	10,000
R-1C	2	30	25	7	25	65	8,000	NA	NA	8,000
R-2	2.5	35	25	8	25	(b)	10,000	5,000	5,000	10,000
R-3	3 <u>(h)</u>	45 <u>(h)</u>	25	8 <u>(h)</u>	25	(b)	10,000 NA	5,000	3000 <u>(h)</u>	10,000
C-1	2.5	35	25	(a)	25	None	(e) NA	(e) NA	(e) NA	6,000
C-2	3	45	15	(a)	25	None	(e) <u>(e)</u>	(e) <u>(e)</u>	(e) <u>(e)</u>	6,000
C-3	3	45	25	25	25	None	NA	NA	NA	7,000
I-1	3	45	40	25	25	200	(c)	(c)	(c)	7,000
I-2	3	45	25	(a)	25	None	(c)	(c)	(c)	7,000
FP	NA	NA	NA	NA	NA	NA	NA	NA	NA	43,560

- (a) None unless adjacent to a residential district in which case a minimum side yard of ten feet is required.
- (b) 80 feet for single-family use, and 65 feet for two-family and multiple-family uses. 40 feet for interior and exterior rowhouse lots.
- (c) Dwellings prohibited.
- (d) See §152.091(A) for lot area and width exceptions.
- (e) Dwellings prohibited except by conditional use.
- (f) See §152.091(F) for height exceptions.
- (g) NA means the appropriate requirement is “not applicable”.
- (h) See §152.055 for additional multiple-family residential development standards.

PAMPHLET PUBLICATION

ORDINANCE NO. 20-_____

ORDINANCE AMENDING THE ZONING CODE

PRESENTED: _____

PASSED: _____

APPROVED: _____

RECORDED: _____

PUBLISHED: _____

The undersigned being the duly qualified and acting Village Clerk of the Village of Mahomet does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

Village Clerk

(Seal)

Dated: _____

ORDINANCE NO. 20-_____

ORDINANCE AMENDING THE ZONING CODE

WHEREAS, the Village of Mahomet, Champaign County, Illinois (the "**Village**") is an Illinois municipal corporation organized and operating pursuant to authority granted by the Constitution and Laws of the State of Illinois;

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, that protect the public health, safety and welfare of its citizens;

WHEREAS, Chapter 152 of the Village Code (the "Zoning Code") comprehensively divides the Village into districts and classifies, regulates and restricts the location of land uses by reference to such districts;

WHEREAS, the Village recently approved a significant number of multiple-family residential housing units. During the review and public comment of recent multiple-family residential developments, certain deficiencies in the Zoning Code were identified. Prior to the most recent multiple-family developments, the last significant addition of multiple-family housing units was done at least 20 years ago. The Plan and Zoning Commission and Village staff reviewed the existing multiple-family residential development standards and requirements in the Zoning Code and developed updated development standards that are more in line with community desires vocalized during the course of the last few years related to the developments.

WHEREAS, the Village President and Board of Trustees (the "**Corporate Authorities**") of the Village desire to carefully review and consider the externalities associated with multiple-family residential development and their impact on the public health, safety, comfort, morals and welfare in order to protect the vitality and character of development in the Village and the impact on other units of local government;

WHEREAS, the Village commenced a process of evaluation with the use of its planning and zoning staff and consultants to determine whether there should be any additional, different, or relaxed limitations on multiple-family residential development;

WHEREAS, following due publication of notice on May 15, 2020 in the Mahomet Citizen, a public hearing concerning the proposed moratorium was commenced by the Plan and Zoning Commission on June 2, 2020 and continued to July 7, 2020 wherein public input was solicited and provided; and

WHEREAS, following deliberation on the evidence and testimony elicited during the public hearing the Board has considered the proposed amendments.

WHEREAS, the Corporate Authorities have determined that the Zoning Code requires amendment for proper regulation of multiple-family residential development after the study of the possible effects of such uses of property and that such amendments will promote and enhance the public health, safety, and welfare of the Village and its residents;

WHEREAS, the President and Board of Trustees (the “Corporate Authorities”) of the Village now find it necessary, desirable and appropriate to amend certain provisions of the Zoning Code within the Village under and pursuant to its power and authority as a Unit of Local Government and the Illinois Municipal Code (65 ILCS 5/1-1-1 et seq.), as supplemented and amended; and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAHOMET, CHAMPAIGN COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The recitals listed above are incorporated in this Ordinance as the findings of the President and Board of Trustees.

SECTION 2. Amendment of Section 152.026. Section 152.026 entitled “R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT” of Chapter 152 entitled “Zoning Code” of the Village Code, is hereby amended to read as follows:

§ 152.026 R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT.

The purpose of the R-3 Multiple-Family Residential District is to provide for low density multiple-family dwellings along with related residential uses. The R-3 District may serve as transitional uses between commercial or industrial uses and less intensive residential uses.

A. Permissive uses:

- (1) Duplex;
- (2) Common lot line dwelling;
- (3) Multiple-family dwelling, meeting the standards set forth in §152.055;
- (4) Townhouse, meeting the standards set forth in §152.055;
- (5) Row house dwelling;
- (6) Community Living Facility Dwelling, Category I;
- (7) Community Living Facility Dwelling, Category II;
- (8) Community Living Facility Dwelling, Category III;
- (9) Assisted living retirement community
- (10) Public park or playground;
- (11) Church;
- (12) Public school, elementary and high, or private school having a curriculum equivalent to a public elementary or public high school and having no rooms regularly used for housing or sleeping purposes;
- (13) Golf course; and
- (14) Large-scale residential development.

B. Conditional uses:

- (1) Multiple-family dwelling, which does not meet standards set forth in §152.055;
- (2) Townhouse, which does not meet standards set forth in §152.055;
- (3) Nursing, rest or convalescent home;
- (4) Public building erected by any governmental agency;
- (5) Religious, educational and eleemosynary institution of a philanthropic nature;
- (6) Private club or lodge, excepting when the chief activity of which is service customarily carried on as a business;
- (7) Mobile home or trailer court;
- (8) Nursery, pre-kindergarten, kindergarten, play, special and other private school or day care center; and
- (9) Public utility substations.

SECTION 3. Addition of Section 152.055. Section 152.055 entitled “STANDARDS FOR MULTIPLE-FAMILY DEVELOPMENTS” is added to Chapter 152 entitled “Zoning Code” of the Village Code, to read as follows:

§ 152.055 STANDARDS FOR MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENT

Any multiple-family residential dwelling development on a property of 20,000 square feet or larger and/or which contains a principle building with more than 4 dwelling units must comply with the following standards and all other applicable standards in this chapter, unless the use is approved by issuance of a Conditional Use permit in which alternative standards are determined. Multiple-family residential dwelling developments that exceeds 16 dwelling units must obtain a Conditional Use Permit to establish the use.

(A) Development Standards:

- (1) Maximum Building Height: 2 stories and 30 feet
- (2) Minimum Building Setback: Front 25 feet, Side 25 feet, and Rear 25 feet
- (3) HVAC Equipment: No HVAC equipment shall be visible from adjacent property lines. Landscaping or fence screening may be provided but only when approved by the Village Planner.
- (4) Dumpsters shall be screened via a privacy fence.

(B) Perimeter Landscaping Requirements:

- (1) Minimum Landscaping: One (1) Shade Tree and three (3) shrubs must be planted and maintained within the building setback for every 40 linear feet along the length of the property lines.

(C) Conditional Use Permit.

- (1) Guidelines. In making a legislative determination to issue a Conditional Use Permit for a multiple-family residential dwelling development, the following guidelines may be considered:
 - (a) The availability of permanent open spaces, including public parks, golf courses, schools and similar such uses in proximity to the subject property.
 - (b) The availability of permanent open spaces and recreational facilities located on the site.
 - (c) The relationship of the site to all aspects of the Village transportation system, including sidewalks, bike paths and streets.
 - (d) The extent to which the multiple-family residential use of the site will promote balanced growth in the community, provide an opportunity for equal housing opportunities, provide a variety of housing types and meet a need for the type(s) of housing proposed.
 - (e) The suitability of the site plan presented for the proposed multiple-family residential use.
- (2) Site Plan. An application for a Conditional Use Permit to establish a multiple-family residential use shall be accompanied by a site plan which shall be review and approved by the Board of Trustees.

SECTION 4. Amendment of Section 152.090. Section 152.090 entitled “REQUIREMENTS” of Chapter 152 entitled “Zoning Code” of the Village Code, is hereby amended to read as follows:

Except as provided elsewhere in this chapter, the area, height and yard regulations shall be shown as in the following table:

District	Maximum Height (f)		Minimum Yard Depth/Width in Feet			Minimum Lot Width in Feet (d)	Minimum Lot Area per Family (d) in Square Feet			Minimum Lot Area (d)
	Stories	Feet	Front	Side	Rear		Single	Two	Multiple	
AG	2.5	35	50	25	50	150	43,560	NA	NA	43,560
AC	2.5	35	50	25	50	150	(c)	(c)	(c)	43,560
R-1A	2.5	35	30	10	30	100	20,000	NA	NA	20,000
R-1B	2.5	35	25	10	25	80	10,000	NA	NA	10,000
R-1C	2	30	25	7	25	65	8,000	NA	NA	8,000
R-2	2.5	35	25	8	25	(b)	10,000	5,000	5,000	10,000
R-3	3 (h)	45 (h)	25	8 (h)	25	(b)	NA	5,000	3000 (h)	10,000
C-1	2.5	35	25	(a)	25	None	NA	NA	NA	6,000
C-2	3	45	15	(a)	25	None	(e)	(e)	(e)	6,000
C-3	3	45	25	25	25	None	NA	NA	NA	7,000
I-1	3	45	40	25	25	200	(c)	(c)	(c)	7,000
I-2	3	45	25	(a)	25	None	(c)	(c)	(c)	7,000
FP	NA	NA	NA	NA	NA	NA	NA	NA	NA	43,560

(a) None unless adjacent to a residential district in which case a minimum side yard of ten feet is required.

(b) 80 feet for single-family use, and 65 feet for two-family and multiple-family uses. 40 feet for interior and exterior rowhouse lots.

(c) Dwellings prohibited.

(d) See §152.091(A) for lot area and width exceptions.

(e) Dwellings prohibited except by conditional use.

(f) See §152.091(F) for height exceptions.

(g) NA means the appropriate requirement is “not applicable”.

(h) See §152.055 for additional multiple-family residential development standards.

SECTION 5. Amendment of Section 152.107. Section 152.107 entitled “LOCATION OF REQUIRED PARKING SPACES” of Chapter 152 entitled “Zoning Code” of the Village Code, is hereby amended to read as follows:

§ 152.107 LOCATION OF REQUIRED PARKING SPACES.

All parking spaces required herein shall be located as follows.

(A) The parking space required for residential buildings or uses shall be located on the same lot with the building or use served. The parking spaces required for any other building or use may be located on an area within 300 feet of the building and two or more owners of buildings may join together in providing the required parking spaces. Where the required parking spaces are not located on the same lot with building or use served, the usage of the lot or tract upon which the parking spaces are provided shall be restricted by an instrument of record describing the premises for which the parking is provided and assuring the retention of the parking so long as required by this chapter.

(B) No parking spaces may be located in a front yard in any residential district; except as permitted in §152.055.

SECTION 6. Amendment of Section 152.108. Section 152.108 entitled “MINIMUM IMPROVEMENT AND MAINTENANCE STANDARDS” of Chapter 152 entitled “Zoning Code” of the Village Code, is hereby amended to read as follows:

§ 152.108 MINIMUM IMPROVEMENT AND MAINTENANCE STANDARDS.

(A) All open parking areas provided in compliance with this chapter shall be surfaced with a durable, dust-proof surface consisting of concrete, bituminous concrete or compacted gravel or crushed stone properly sealed and surface treated as approved by designated engineering personnel of the village.

(B) The parking areas shall be maintained in a usable, dust-proof condition and graded and drained to dispose of all surface water. Whenever lighting is provided, it shall be so hooded or shielded as to reflect the light away from abutting or neighboring property, including public right-of-way.

(C) The location of each parking space and the direction of movement along the access driveways shall be indicated by painting upon the surface of the lot.

(D) A structurally sound wall or other abutment shall be installed and so placed around each side of the parking lot to ensure that no part of an automobile either extends over or is capable of accidentally rolling across the property line of the parking lot.

(E) Parking Lot Setback, Landscaping and Screening Requirements.

(1) Minimum Parking Lot Setback: All Yards = 10 feet

(2) Interior Parking Lot Landscaping. One standard tree of at least three-inch diameter shall be planted within the lot for each ten parking spaces. Interior parking lot landscaping must be provided in an island or peninsula within the parking lot.

(3) Perimeter Parking Lot Landscaping / Screening. Any parking lot that contains more than four (4) parking spaces and is located in a residential zoning district must provide perimeter parking lot landscaping to screen the visibility of the parking lot from adjacent property lines. Around the perimeter of the parking area, one (1) tree and three (3) shrubs per 25 linear feet of the parking area perimeter shall be planted.

SECTION 7. RESOLUTION OF CONFLICTS.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8. SAVING CLAUSE.

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

SECTION 10. PAMPHLET PUBLICATION.

That the Village Clerk be authorized and directed to publish in pamphlet form this Ordinance.

ADOPTED by the Board of Trustees of the Village of Mahomet, Champaign County, Illinois, at a regular meeting of said Board on , 2020.

Voting “aye” (names):

Voting “nay” (names):

Abstained (names):

Absent (names):

ATTEST:

VILLAGE CLERK

PRESIDENT
VILLAGE OF MAHOMET

SEAL

STATE OF ILLINOIS)
COUNTY OF CHAMPAIGN) SS
VILLAGE OF MAHOMET)

CERTIFICATION OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly selected, qualified and acting Village Clerk of the Village of Mahomet, Champaign County, Illinois (the “**Municipality**”), and as such official I am the keeper of the records and files of the Municipality and of the President and Board of Trustees (the “**Corporate Authorities**”).

I do further certify that the foregoing constitutes a full, true and complete excerpt from the proceedings of the meeting of the Corporate Authorities held on , 2020, insofar as same relates to the adoption of **Ordinance No. 20**, entitled:

ORDINANCE AMENDING THE ZONING CODE

a true, correct and complete copy of which ordinance (the “**Ordinance**”) as adopted at such meeting appears in the proceedings of the minutes of such meeting and is hereto attached. The Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify that the deliberations of the Corporate Authorities on the adoption of such Ordinance were taken openly, that the adoption of such Ordinance was duly moved and seconded, that the vote on the adoption of such Ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that the agenda for the meeting was duly posted continuously on the Municipality’s website and at the Village Hall at least 48 hours prior to the meeting; that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the open meeting laws of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such open meeting laws and such Code and their procedural rules in the adoption of such Ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the Village of Mahomet, Champaign County, Illinois, on , 2020.

(SEAL)

Village Clerk