



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### **m e m o r a n d u m**

**TO:** Mayor Laurel Lunt Prussing

**FROM:** Elizabeth H. Tyler, Ph.D., FAICP, Community Development Director

**DATE:** September 18, 2014

**SUBJECT:** **Plan Case 2239-M-14:** A request by the Urbana Zoning Administrator to adjust the boundaries of the Boneyard Creek District based on recently adopted FEMA flood maps.

---

#### **Introduction**

At the September 15, 2014 City Council Meeting, Council considered the recommendation by the staff and the Plan Commission's to approve a zoning map amendment to change the boundaries of the Boneyard Creek District to reflect recent changes in FEMA flood insurance maps. The revisions to the flood maps were adopted by the City in November of 2013 and reflect the benefits of several drainage improvement projects that have been implemented by the Cities of Urbana and Champaign and by the University of Illinois at Urbana-Champaign. The map amendment would result in the removal of 50 parcels from the Boneyard Creek District which are no longer in the floodplain and the addition of 21 parcels that are partly or wholly within the newly calculated floodplain.

#### **Discussion**

Based on feedback received at the meeting, staff has prepared a proposed revision to the zoning map amendment to remove some parcels which would be minimally affected by the new flood zone. This adjustment is being proposed in response to concerns expressed by residential property owners about the impact of being in the Boneyard Creek District. Previously, staff had proposed to add parcels to the Boneyard Creek District if any portion of the parcel was touched by the 100-year floodplain. Staff has now revised the proposed district to include only those parcels that would have any potentially buildable area overlapping with the 100-year floodplain. By excluding required yards (setbacks), seven residential lots can be removed from the list of parcels proposed to be added to the district:

711 W. Elm (92-21-17-106-017)  
611 W. Stoughton (91-21-08-364-002)  
103 N. Coler (92-21-17-104-006)  
505 W. Springfield (92-21-17-110-026)  
511 W. Main (91-21-08-363-004)  
404 W. Main (91-21-08-380-015)

304 W. Locust (91-21-08-383-008)

The attached map and revised ordinance have been amended to reflect this change. It should be noted that the City Council may not add to or remove any parcels from the district which were not included in the original legal notice for the public hearing on this case, without starting a new plan case and hearing process. However, Council may choose not to rezone properties listed in the legal notice, such as proposed in this revision.

The proposed revision would reduce some of the regulatory impacts of the remapping without compromising the goals of the Boneyard Creek District to “protect and enhance the drainage ways as a means of watershed management, and as a recreational and open space resource.”

Also at the City Council meeting, a number of questions and concerns were raised about the regulations pertaining to the Boneyard Creek District. While the District has served an important purpose and has performed very well since it was established in 1979, there are a number of areas where it can be updated and improved. Revision of the Boneyard Creek District would involve a fairly detailed text amendment with the need for historic research, background research, analysis, and public outreach. City staff can begin to work on an update to this District as a new Council goal. This can be presented as a subsequent text amendment at a future date.

The need to also update the Boneyard Creek Master Plan was also raised. Updating of this plan would involve an extensive process and would likely require both civil engineering and landscape architectural expertise that is not currently available on City staff. Funding for such a plan could come from the stormwater utility fees that are collected by the City, but a higher priority would be to complete an updated Stormwater Management Plan for the city as a whole.

### **Recommendation**

Staff believes that it is important to update the Boneyard Creek District to more closely reflect the new FEMA flood maps at this time in order to best protect the creek and to have equitable regulations and mitigating incentives for all properties along the floodway. Failure to adjust the boundaries of this district in a timely manner can create technical and legal problems for the city in that developments that should be reviewed under these regulations will not be and those properties that no longer need the additional review will continue to be subject to them. Improvements and updates to the regulations themselves can then follow as a part of a comprehensive evaluation and modification of the District in coming months. A revised Ordinance is attached to this Memorandum.

Attachments: Revised Ordinance

Exhibit A: Map – Properties Proposed for Addition to the Boneyard Creek District

Exhibit B: Map – Proposed New Boneyard Creek District Boundary

CC: Clark Bullard, Boneyard Creek Commissioner

Property owners of: 711 W. Elm (92-21-17-106-017)

611 W. Stoughton (91-21-08-364-002)

505 W. Springfield (92-21-17-110-026)

404 W. Main (91-21-08-380-015)

103 N. Coler (92-21-17-104-006)

511 W. Main (91-21-08-363-004)

304 W. Locust (91-21-08-383-008)

**ORDINANCE NO. 2014-09-090**

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

**(Adjusting the boundaries of the Boneyard Creek Overlay District -  
Plan Case 2239-M-14)**

**WHEREAS**, the City Council heretofore did on June 25, 1979, pursuant to Ordinance No. 7879-106, establish the Boneyard Creek Overlay District ("District"); and

**WHEREAS**, the District's boundaries are based on proximity to the Boneyard Creek and the surrounding floodplain; and

**WHEREAS**, changes in federal floodplain maps have prompted the City of Urbana ("City") to adjust the District's boundaries based on a new 100-year floodplain; and

**WHEREAS**, after due publication, a public hearing was held by the Urbana Plan Commission on September 4, 2014, concerning the petition filed by the Urbana Zoning Administrator in Plan Case 2239-M-14 to adjust the District's boundaries; and

**WHEREAS**, the Urbana Plan Commission voted 3 ayes to 1 nay to forward the case to the Urbana City Council with a recommendation to approve the District boundary adjustment as herein provided; and

**WHEREAS**, the findings of the Plan Commission indicate that approval of the District boundary adjustment will promote the general health, safety, and welfare of the public; and

**WHEREAS**, the proposed District boundary adjustment is consistent with the City of Urbana 2005 Comprehensive Plan, the Boneyard Creek Master Plan, and the Urbana City Council and Mayor Goals 2014-2017; and

**WHEREAS**, after due consideration, the City Council finds that the best interests of the City are served by approving new District boundaries.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

**Section 1.**

The Official Zoning Map of the City of Urbana, Illinois, is herewith and hereby amended to adjust the boundaries of the Boneyard Creek Overlay District as follows:

The following real property shall be added to the Boneyard Creek Overlay District:

<u>PIN</u>	<u>ADDRESS</u>
912108363005	509 W MAIN ST
912108363006	507 W MAIN ST
912108363007	505 W MAIN ST
912108363008	503 W MAIN ST
912108363009	501 W MAIN ST
912108383005	301 W GRIGGS ST
912108383009	302 W LOCUST ST
912108364005	609 W STOUGHTON ST
912108363025	604 W STOUGHTON ST
912108461009	203 N VINE ST
922117104005	705 W SPRINGFIELD AV
922117104007	101 N COLER AV
922117104009	704 W WESTERN AV
922117104010	702 W WESTERN AV

The following real property shall be removed from the Boneyard Creek Overlay District:

<u>PIN</u>	<u>ADDRESS</u>
912108384012	300 W MAIN ST
912108453007	117 N RACE ST
912108453008	115 N RACE ST
912108453009	113 N RACE ST
912108453010	111 N RACE ST
922117102007	810 W GREEN ST
922117102017	201 S BUSEY AV
922117102018	205 S BUSEY AV
922117102019	802 W GREEN ST
922117110008	3 BUENA VISTA CT
922117110012	6 BUENA VISTA CT
922117110025	508 W ELM ST
922117130017	302 W SPRINGFIELD AV
922117139001	224 W MAIN ST
922117139002	222 W MAIN ST
922117139003	220 W MAIN ST
912108480011	601 E UNIVERSITY AV

912108456004 221 N BROADWAY AV  
 912108457019 221 N BROADWAY AV  
 912108457020 217 N BROADWAY AV  
 912108457021 208 N RACE ST  
 912108480016 501 E UNIVERSITY AV  
 912108480017 402 N MAPLE ST  
 912108461012 108 E WATER ST  
 932118226022 UNIVERSITY OF ILLINOIS - WESTERN AV AND GREGORY ST  
 932118226015 UNIVERSITY OF ILLINOIS - MATHEWS AV AND GOODWIN AV  
 932118226015 UNIVERSITY OF ILLINOIS - WESTERN AV AND GOODWIN AV  
 932118226025 UNIVERSITY OF ILLINOIS - WESTERN AV AND GREGORY ST  
 932118401001 UNIVERSITY OF ILLINOIS - SPRINGFIELD AV AND WRIGHT ST  
 (AREA NORTH OF WESTERN AVENUE ONLY)  
 932118226023 UNIVERSITY OF ILLINOIS - WESTERN AV AND GREGORY ST  
 932118203003 UNIVERSITY OF ILLINOIS - GREEN ST AND GOODWIN AV  
 932118226016 WESTERN AV AND HARVEY ST  
 932118226039 UNIVERSITY OF ILLINOIS - WESTERN AV AND GOODWIN AV  
 932118226009 UNIVERSITY OF ILLINOIS - SPRINGFIELD AV AND HARVEY ST  
 932118226038 UNIVERSITY OF ILLINOIS - SPRINGFIELD AV AND GOODWIN AV  
 932118226024 WESTERN AV AND GREGORY ST  
 932118203004 UNIVERSITY OF ILLINOIS - WESTERN AV AND MATHEWS AV  
 932118203004 UNIVERSITY OF ILLINOIS - SPRINGFIELD AV AND MATHEWS AV  
 932118226010 SPRINGFIELD AV AND HARVEY ST  
 932118203001 UNIVERSITY OF ILLINOIS - WESTERN AV AND WRIGHT ST  
 932118203004 UNIVERSITY OF ILLINOIS - SPRINGFIELD AV AND MATHEWS AV  
 932118203001 UNIVERSITY OF ILLINOIS - WESTERN AV AND MATHEWS AV  
 932118203001 UNIVERSITY OF ILLINOIS - SPRINGFIELD AV AND GOODWIN AV  
 932118203004 UNIVERSITY OF ILLINOIS - SPRINGFIELD AV AND GOODWIN AV  
 932118203004 UNIVERSITY OF ILLINOIS - GREEN ST AND GOODWIN AV  
 912108452015 GRIGGS ST AND WOOD ST  
 912108456005 BROADWAY AV AND RAILROAD TRACKS NORTH OF WATER ST  
 912108457025 GRIGGS ST AND RACE ST  
 912108456008 GRIGGS ST AND RACE ST  
 932118203002 UNIVERSITY OF ILLINOIS - GREEN ST AND MATHEWS AV

**Section 2.**

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full

force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

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

**PASSED BY THE CITY COUNCIL** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

AYES:

NAYS:

ABSENT:

ABSTAINED:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor

# Properties Proposed for Addition to the Boneyard Creek District

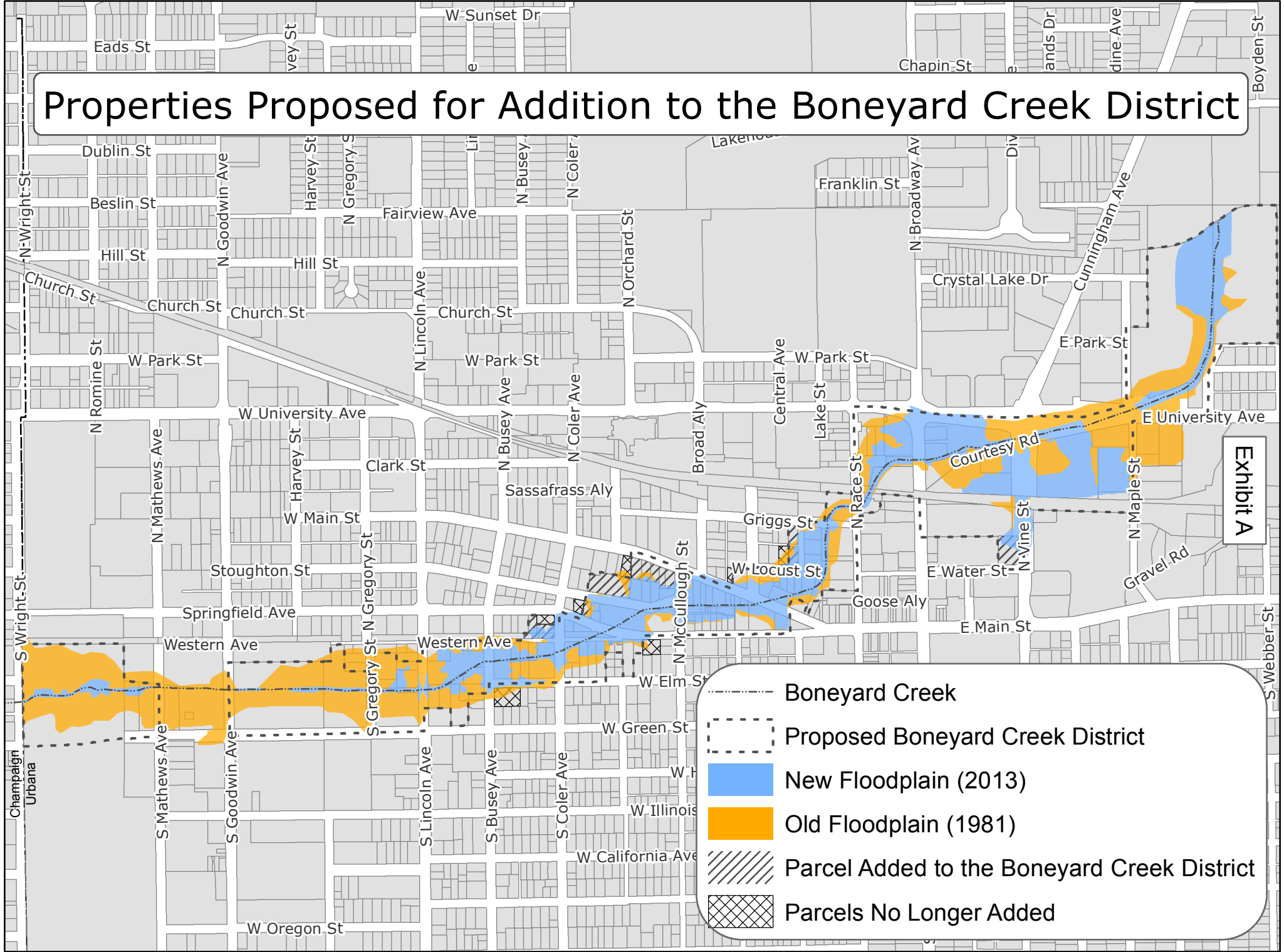


Exhibit A

- Boneyard Creek
- Proposed Boneyard Creek District
- New Floodplain (2013)
- Old Floodplain (1981)
- Parcel Added to the Boneyard Creek District
- Parcels No Longer Added

