



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Plan Commission

FROM: Kevin Garcia, AICP, Planner II

DATE: July 17, 2015

SUBJECT: Plan Case 2254-T-15: 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 VII (Conditional and Special Uses), Article VIII (Parking and Access), Article XI (Administration), Article XII (Historic Preservation), and Article XIII (Special Development Provisions).

Introduction

The Zoning Administrator requests a multipart amendment to the Zoning Ordinance, to include changes such as updating definitions, reorganizing sections, revising allowed uses and parking requirements, and a variety of other minor changes. The changes are requested to assist the daily administration of the Zoning Ordinance by reducing inconsistencies and updating regulations to meet current professional practices. This set of changes is also proposed to correct typographical errors and inconsistencies that have been identified since the ordinance was last updated. On their own, many of these changes would not warrant a separate text amendment, and are therefore combined into one “omnibus” amendment. In addition to text changes, staff proposes minor changes to make illustrations in Articles II, VI, and VIII more clear.

Background

The latest series of omnibus Zoning Ordinance amendments were approved in 2013. Since then there have been three text amendments to the ordinance, which require incorporation into a republished document. Republishing the Zoning Ordinance creates an opportunity for staff to make any necessary minor updates in the form of an omnibus text amendment. In addition, some minor typographical errors can be corrected through this process.

Future and pending amendments to the Zoning Ordinance in addition to those proposed as part of this case include the development of downtown design guidelines pursuant to the Downtown

Plan, new digital billboard regulations, updates to Home Occupation regulations, the zoning enforcement section, and bicycle parking regulations, and the creation of a University District distinct from the existing CRE – Conservation-Recreation-Education District.

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.

Upon adoption of this multipart amendment, staff will republish the Zoning Ordinance, including the three text amendments that were adopted over the past two years. These adopted amendments will be summarized in the table which precedes the text of the Zoning Ordinance upon republication. The following is a list of text amendments that have been adopted since the last Zoning Ordinance was published in 2013, followed by plan case number and adopting ordinance number:

- Medical Cannabis Use Regulations (2234-T-14, 2014-08-076);
- Electronic Message Boards in the CRE Zoning District (2244-T-14, 2014-11-106);
- Gaming Hall Use Regulations (2250-T-15, 2015-03-029);

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.

Text Changes

Article II. Definitions

- Add definitions for “Awning”, “Banquet Facility”, “Catering Service”, “Deli”, “Microbrewery”, “Principal Use”, “Principal Structure”, and “Self-Storage Facility”.

“Awning”, “Catering Service”, “Deli”, “Principal Use”, and “Principal Structure” are terms that are used in the ordinance but are never defined. “Microbrewery” is a new principal use proposed for Table V-1. Microbreweries are small-scale brewing facilities that often include tasting rooms and small retail operations. “Banquet Facility” is a use that has been allowed in Urbana but has not yet been defined. A “Deli” is very similar to a “Café”, so a reference has been added to guide readers to the definition of “Café”. “Self-Storage Facility” is defined under “Warehouse, Self-Storage”; a reference has been added to guide readers to the existing definition.

- Move part of the definition for “Floor Area Ratio” to Section VI-4.

The definition for Floor Area Ratio is being amended to remove regulatory language from the definitions section. Those regulations are being moved to Article VI.

- Revise Figure 1. Floor Area Ratio.

This graphic is being revised to illustrate FAR more clearly and accurately.

Article V. Use Regulations

- Update Section V-12 to clean up references, to change the phrase “immediate family” to “household” in the Home Occupation section.

References in this section incorrectly said “Section V-13” instead of “Section V-12”. The section currently limits persons engaged in a home-based business to “members of the immediate family”. The Zoning Administrator proposes changing this to “members of the household”.

Table V-1. Table of Uses

- Add “Banquet Facility” as a use to be permitted by right in the B-3, B-3U, B-4, B-4E, CCD, MOR, and IN-1 districts, and with a Conditional Use Permit in the B-1 and B-2 districts.

This proposed change would recognize Banquet Facilities as a use to be allowed by right in higher business zoning districts, in the MOR and IN-1 districts, and as a Conditional Use in lower business districts.

- Add “Catering Service” as a use to be permitted by right in the B-2, B-3, B-3U, B-4, B-4E, CCD, MOR, and IN-1 districts, and with a Conditional Use Permit in the B-1 district.

This proposed change would recognize Catering Services as a use to be allowed by right in the B-2 and higher business zoning districts, in the MOR and IN-1 districts, and as a Conditional Use in the B-1 district.

- Amend the table to allow “Contractor Shop and Showroom” and “Lawn Care and Landscaping Service” as uses to be permitted via Conditional Use in the B-2 district.

Currently, these uses are allowed in the B-1 district with a Conditional Use Permit. The proposed changes would allow these uses in the higher-intensity B-2 district as well with a Conditional Use Permit.

- Amend the table to allow “Dwelling, Duplex” as a permitted use and “Dwelling, Duplex (Extended Occupancy)” as a use to be permitted via Conditional Use in the R-7 district.

Currently, these uses are allowed in the R-2 district with a Conditional Use Permit, and in all higher residential districts, except R-7, by right. In addition, the R-7 district allows more intense uses such as Dormitories and Rooming Houses by right. The proposed changes would allow Duplex uses by right in the R-7 district, and Duplex (Extended Occupancy) uses with a Conditional Use Permit in the R-7 District.

- Add “Microbrewery” as a use to be permitted by right in the B-3, B-4, B-4E, IN-1, and IN-2 districts, and with a Special Use Permit in the B-2 district.

This proposed change would recognize the growing popularity of microbreweries and would allow them by right in higher business zoning districts and in industrial zoning districts.

- Amend the table to allow “Vocational, Trade, or Business School” as a use to be permitted by right in CRE district.

This proposed change would recognize that this use is allowed by right in the CRE, Conservation-Recreation-Education district.

- Amend references in Table V-1.

This would clean up missing and incorrect references in Table V-1.

Article VI. Development Regulations

- Add Floor Area Ratio regulations to Section VI-4.A.

Floor Area Ratio regulations which are now in the Definitions Section will be moved to Article VI.

- Edit illustrations in Section VI-5.B.
- Add “planting beds” to Section VI-5.B(10).

Currently the Zoning Ordinance is silent on whether planting beds are allowed in required yards. This proposed change would make it clear that planting beds are allowed in required yards.

Table VI-3. Development Regulations by District

- Reduce yard requirements in the B-2 zoning district from 10 to 7 feet in side yards and from 15 to 10 feet in rear yards.

Currently, the yard requirements in the B-2 district are more restrictive than in the less intense B-1 district. The Zoning Administrator proposes this change to bring the B-2 district yard requirements into parity with the B-1 district.

- Add footnote to rear yard requirements in the B-4, B-4E, and IN-2 districts to address the requirement for a buffer yard if adjacent to residential uses.

In the B-4, B-4E, and IN-2 districts, a 10 foot rear yard buffer is required if a property is adjacent to a residential property. Currently, Table VI-3 does not reference this requirement, which could lead to confusion. The proposed change would add a footnote as a reference.

Article VII. Conditional and Special Uses

- Replace “Home for the Aged” with “Assisted Living Facility”.

Reference is made to the outdated term “Home for the Aged”, which was replaced in a previous omnibus amendment with “Assisted Living Facility” in other sections of the Zoning Ordinance. This would correct an oversight and update the term in Article VII.

Table VIII-7. Parking Requirements by Use

- Remove duplicate entries.

Some uses were listed twice. Duplicate entries will be removed from the table.

- Add “Gaming Hall” parking requirements.

This would add a requirement of 1 space per 250 square feet of floor area for Gaming Halls, a parking requirement that is equal to the parking requirements for similar uses, such as general food sales and service, and general retail trade uses.

- Amend Figure VIII-2.

This would remove an unnecessary dimension from the figure.

Article XI. Notification Requirements

- Add procedures for Continued Hearings or Meetings.

Currently, there are no procedures for administering continued public hearings or meetings. This proposed change would add such procedures.

Article XII. Historic Preservation Ordinance

- Amend Paragraph XII-5.C(1)(d) to indicate that notable work of a master builder,

designer, architect or artist can be a collaborative effort.

Currently, the criteria for designating a local historic landmark is unclear as to whether the work or a master builder, designer, architect, or artist must be an individual work or the work of a firm or group of people. Since architecture is a collaborative profession, and a building is rarely the product of a lone individual, this proposed change would clarify that work done by firms or groups can qualify under the “notable work” criterion.

Article XIII. Special Development Provisions

- Add references to Urbana Bicycle Master Plan, Urbana Comprehensive Plan to Table XIII-2.

References to these documents are currently missing from Table XIII-2. This change will add them in the appropriate place.

- Make minor editorial changes.

This section has several minor editorial changes to be made. (See Exhibit A).

Summary of Staff Findings

1. The proposed amendment will assist the 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, including recent text amendments to the Zoning Ordinance.
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 Plan Commission may choose to forward the amendment in whole or with specific suggested changes. If the Plan Commission feels that a certain change requires additional analysis and discussion, a separate Plan Case can be created and discussed at a later meeting.

The Plan Commission has the following options for recommendation to the Urbana City Council regarding Plan Case 2254-T-15. The Plan Commission may:

- a. forward this case to City Council with a recommendation for approval as presented herein;
- b. forward this case to City Council with a recommendation for approval as modified by specific suggested changes; or
- c. forward this case to City Council with a recommendation for denial.

Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission recommend **APPROVAL** of the proposed multipart text amendment to the Zoning Ordinance in its entirety, as presented herein.

Attachments:

Exhibit A: Zoning Ordinance Proposed Changes

Section II-3. Definitions

APPENDIX A

...
Awning: See “Canopy or Entrance Structure”.

...

Banquet Facility: A facility or hall available for lease by private parties for events such as dinners and banquets.

...

Catering Service: An establishment that prepares and supplies food to be served and consumed off premises.

...

Deli: See “Food Service Establishments, Café”.

...

Floor Area Ratio: The quotient of gross floor area of all buildings on the lot divided by the lot area (See Figure 1). ~~When an encroachment over a right-of-way has been approved by the City for a habitable structure, the gross floor area of the structure shall be increased by the gross floor area of the encroachment. (Ord. No. 8485-51, § 4(c), 1-21-85)~~

...

Hotel or Motel: ~~Hotel or Motel~~—A building providing transient lodging accommodations to the general public for compensation and which may include ancillary facilities and services such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities. See Section V-11 for occupancy limits for hotel or motel units. (Ord. No. 2012-02-019, 1-16-2012; Ord. No. 1999-06-045, 06-11-99)

...

Landfill: See “Sanitary Landfill”.

...

Microbrewery: A facility for brewing beer that produces less than 15,000 barrels per year. A microbrewery may include a tasting room and retail space to sell beer and related products to patrons on site.

...

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

Principal Use: The primary use on a lot.

...

Self-Storage Facility: See “Warehouse, Self-Storage”.

...

[Ed. Note: The following shows the reordering of “Structural Alteration” and “Structure” to put them in alphabetical order. No changes to the definitions of either are being proposed.]

Structural Alteration: See “Alteration, Structural”.

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.

~~Structural Alteration~~: See “Alteration, Structural”.

...

Townhouse: See “Rowhouse or Townhouse”.

Figure 1. Floor Area Ratio

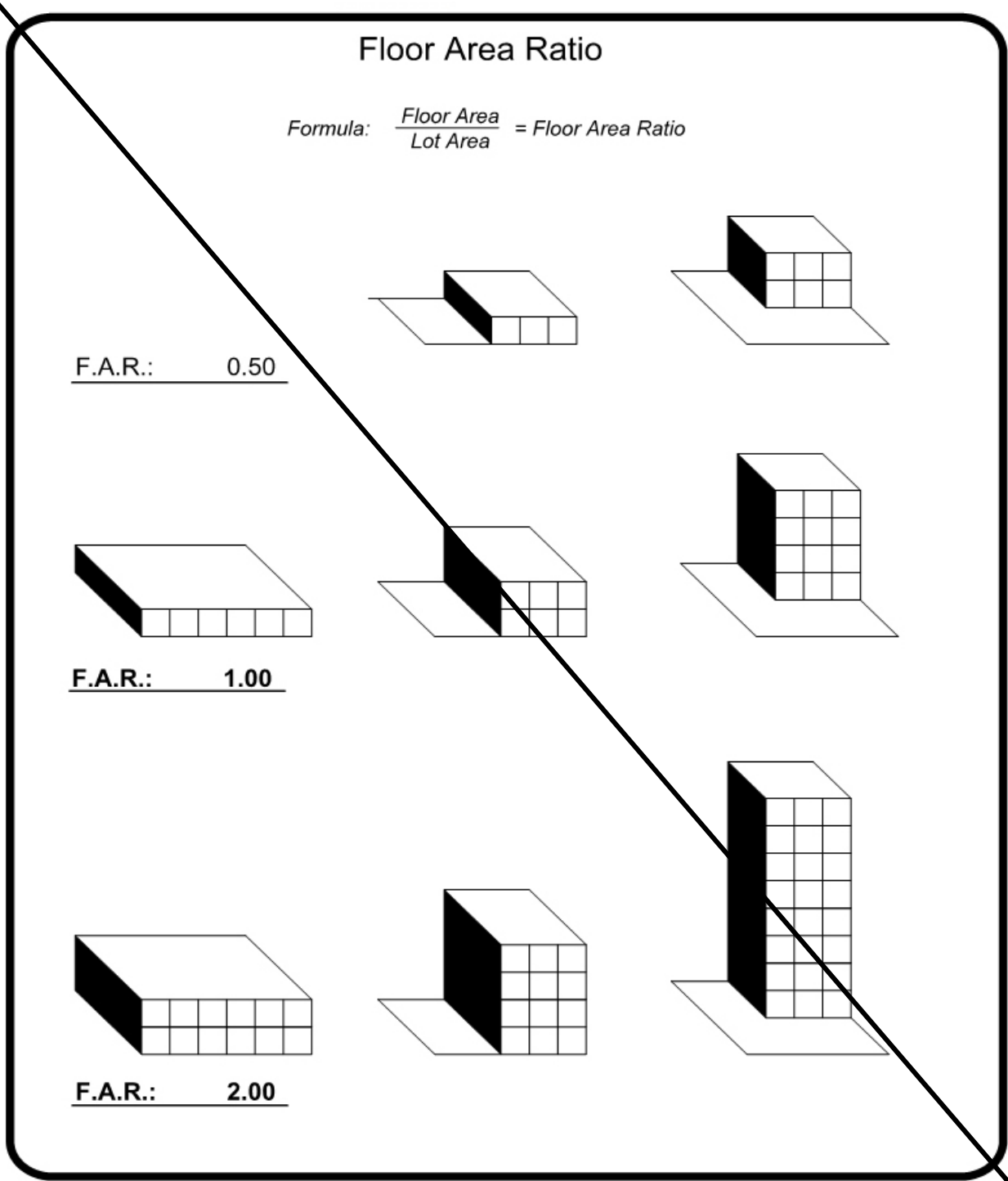


Figure 1. Floor Area Ratio

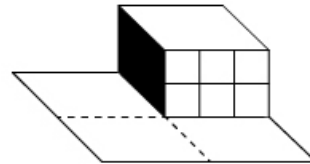
Floor Area Ratio

Formula: $\frac{\text{Floor Area}}{\text{Lot Area}} = \text{Floor Area Ratio}$

F.A.R.: 0.50

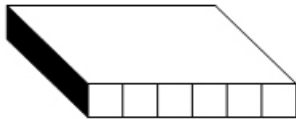


1 story on 1/2 of the lot area

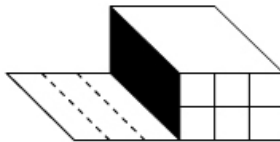


2 stories on 1/4 of the lot area

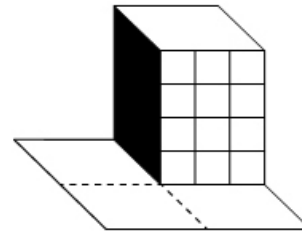
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1 story on the full area of the lot

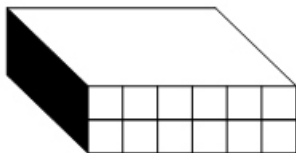


2 stories on 1/2 of the lot area

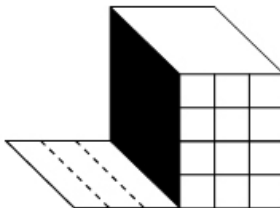


4 stories on 1/4 of the lot area

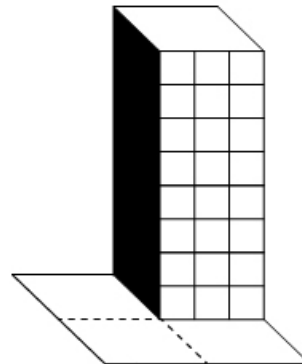
F.A.R.: 2.00



2 stories on the full area of the lot



4 stories on 1/2 of the lot area



8 stories on 1/4 of the lot area

Section V-12. Regulation of Home Occupation.

...

A. Without a Certificate of Occupancy, any activity that meets (but does not exceed) the following criteria:

1. There are no persons, other than members of the ~~immediate family~~ household residing in the dwelling unit, engaged in the home occupation; and

...

B. Any activity which exceeds any of the criteria set forth under Section V-4312.A, above, shall require approval by the Zoning Administrator and require the issuance of a Certificate of Occupancy, and furthermore shall be limited to the following restrictions and conditions:

1. No more than one person, other than members of the ~~immediate family~~ household residing in the dwelling unit, is engaged in the home occupation; and

...

4. There is no activity, construction, or display which would indicate from the exterior of the building or dwelling unit that the building or dwelling unit is being used for any purpose other than residential, except as provided in Section V-4312.A.5; and

C. Any activity which exceeds the criteria under Section V-4312.B shall be prohibited as a home occupation as herein defined. Furthermore, since it is the intent of this subsection to prohibit any activity as a home occupation which may use hazardous materials, any activity which the Zoning Administrator classifies as exterminator, lawn care (except lawn manicuring), dry cleaning, or medical diagnostic laboratory shall be prohibited as a home occupation as herein defined.

...

G. Certificates of Occupancy for home occupations issued prior to the effective date of this amendment not meeting the conditions of Section V-4312.B shall be considered legally nonconforming. (Ord. No. 1999-06-045, 06-11-99)

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	CCD	CRE	MOR	IN-1	IN-2
Business																				
<i>Food Sales and Service</i>																				
Banquet Facility										C	C	P	P	P	P	P		P	P	
Catering Service										C	P	P	P	P	P	P		P	P	
<i>Professional and Financial Services</i>																				
Vocational, Trade or Business School									C			P	P	P	P		P	P	P	C
<i>Miscellaneous Business</i>																				
Contractor Shop and Showroom (Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops)										C	C	P	P	P	P				P	P
Lawn Care and Landscaping Service										C	C	P	P	P	P				P	P
Residential																				
Dwelling, Duplex***		C	P	P	P	P	P	P		C	P		P					P		
Dwelling, Duplex (Extended Occupancy)***		C	P	P	P	P	P	C		C	P		P					P		
Mobile Home Park (See Section XIII-2 VII-4)									S											
Residential Planned Unit Development (See Section XIII-3)		D	D	D	D	D	D	D								D		D		
<i>Industrial (continued)</i>																				
Microbrewery											S	P		P	P				P	P

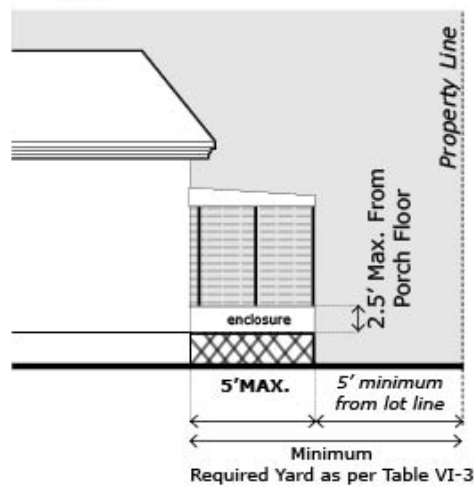
Section VI-4. Floor Area and Open Space

A. Floor Area shall be regulated as follows:

Gross floor area will be measured to the outer face of the exterior wall, or in the absence of an exterior wall, to the furthest extension of the edge of the floor surface. When an encroachment over a right-of-way has been approved by the City for a habitable structure, the gross floor area of the structure shall be increased by the gross floor area of the encroachment. (Ord. No. 8485-51, § 4(c), 1-21-85)

Section VI-5. Yards

Section VI-5 Yards B. 5



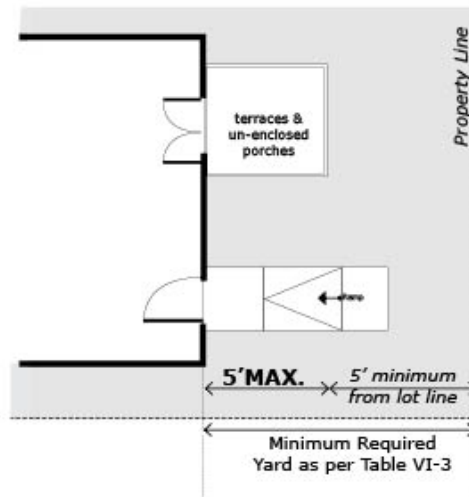
Maximum Projection Allowed into a Required Yard by:

Terraces & Open Un-enclosed Porches

which may have roofs and mesh screening but which are not glassed in or enclosed above 2-5 feet 2 feet, 6 inches from porch floor

5 FEET

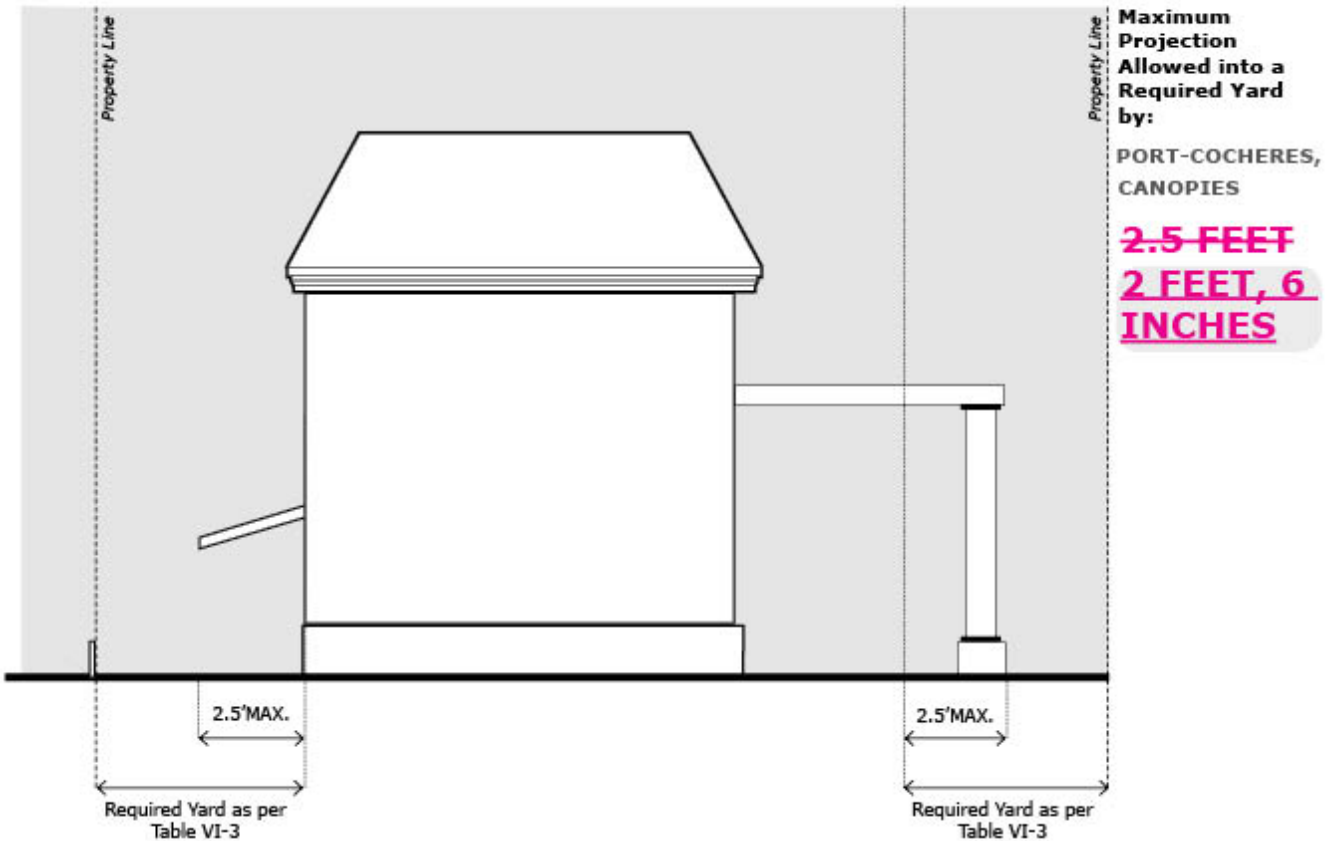
Regardless of average setback, but not within 5 feet of lot line



Exception:

Ramps & Structures for Handicapped Accessibility may encroach into a required side yard

Section VI-5 Yards
B. 6



B. Except as otherwise provided, required yards shall be kept unobstructed and open to the sky for their entire depth and area. No building, structure, or portion thereof, mechanical equipment, or swimming pool shall be erected in, occupy, or obstruct a required yard, except as follows (see Section VIII-4 for regulations regarding parking in required yards):

...

10. Flagpoles, decorative lights, lattices, bird baths, bird houses, planting beds, and other landscape features.

...

E. Outdoor Storage Screening

1. The requirements of this section apply to outdoor storage areas (as defined in Article II) existing on any parcel in use as a construction yard, warehouse, automobile salvage yard, automobile-truck repair, towing service, electrical substation, or any other industrial use as listed in Table V-31. Outdoor storage in these areas shall be screened from view of all public rights-of-way and adjacent properties that are in residential use or are zoned R-1, R-2, R-3, R-4, R-5, R-6, R-7, or MOR.

TABLE VI-3. DEVELOPMENT REGULATIONS BY DISTRICT

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
B-1	6,000	60	35 ³	0.30	none	15	7	10
B-2	6,000	60	35 ³	1.50 ⁴	0.15	15	40 7	15 10
B-4	2,000	20	none ³	9.00	none	none	none	None ¹⁸
B-4E	4,000	40	none	6.00	none	6	5	5 ¹⁸
IN-2	10,000	90	none	1.00	none	25	none	none ¹⁸

Footnotes

...

18. In the B-4, B-4E, and IN-2 Districts, if the property is adjacent to a residential district, a ten foot rear buffer yard is required, in accordance with Table VI-3.

Section VII-7. Special Use Procedures for Utility or Public Buildings and Adaptive Re-use of School Buildings and Church Buildings

...

3. *Special Uses that May be Authorized.* The City Council may authorize by ordinance in accordance with the provisions of this Article any or all of the following special uses:

...

- h) *Residential:*
 - Assisted Living Facility
 - Bed and Breakfast Inn
 - Bed and Breakfast, Owner Occupied
 - Boarding or Rooming House
 - Dwelling, Duplex
 - Dwelling, Duplex (Extended Occupancy)
 - Dwelling, Multiple-Family
 - Dwelling, Community Living Facility, Category I
 - Dwelling, Community Living Facility, Category II
 - Dwelling, Community Living Facility, Category III
 - Dwelling, Home for Adjustment
 - Dormitory
 - ~~Home for the Aged~~
 - Nursing Home

Section VIII-5. Amount of Parking Required

...

- G. Drive-through facilities shall provide a lane(s) for the stacking of motor vehicles waiting to use the drive-through thru facility. The minimum length of each stacking lane for drive-in-through facilities other than fast-food restaurants (such as automobile washes, banks) shall be 60 feet per drive-up facility or window. The minimum total capacity of ~~each~~ all stacking lanes for fast-food restaurants shall be 90 feet ~~per drive-up facility or window~~, measured from the front of the space(s) where orders are given. Each stacking lane shall have a minimum width of seven and one-half feet. Such stacking lane(s) shall not include any portion of any access aisles for off-street parking lots. This subsection shall not apply to gas stations.

...

Section VIII-7. Bicycle Parking

...

- A. Provisions for the convenient and accessible parking of bicycles shall be made in accordance with Table VIII-6. In addition the following provisions shall also apply:

...

2. *Type and Location of Bicycle Parking Racks*

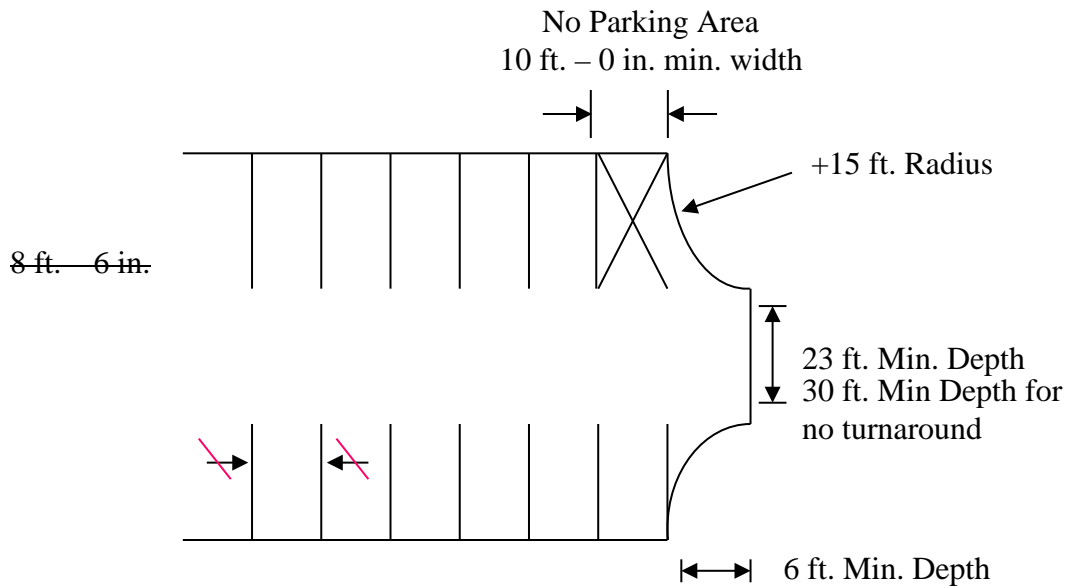
...

- b) Bicycle parking rack types and placement shall be designed so as to accommodate standard bicycle models and lock types and shall be subject to the approval of the Zoning Administrator as part of the building permit review process. Examples of acceptable and unacceptable bicycle rack types are provided in Figure VIII-7.

Table VIII-7. Parking Requirements by Use

Use	Number of Spaces Required
Retail Trade	
Furniture or Appliance Sales and Service (Home or Office)	1 for every 400 sq. ft. of floor area
Art and Craft Store and/or Studio	1 for every 500 sq. ft. of floor area
Bicycle Sales and Service	1 for every 300 sq. ft. of floor area
Building Material, Hardware and Garden Sales or Similar Uses	1 for every 300 sq. ft. of floor area
Shopping Center (excluding Restaurants)	1 for every 250 sq. ft. of floor area
All Other Retail Trade Uses	1 for every 250 sq. ft. of floor area
Furniture or Appliance Sales and Service (Home or Office)	1 for every 400 sq. ft. of floor area
Art and Craft Store and/or Studio	1 for every 500 sq. ft. of floor area
Recreation	
Gaming Hall	1 for every 250 sq. ft. of floor area

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



(Not Drawn to Scale)

Section XI-10. Notification Requirements

...

D. *Continued Hearings or Meetings*

In the instance a hearing or meeting is continued to a date certain, the date and time of the continued hearing or meeting shall be announced at the time and place of the hearing being continued, and the continued hearing's notice requirements shall be deemed satisfied. If for any reason the continued hearing or meeting date or time needs to be changed, the Zoning Administrator shall, in his or her best effort, provide the public with the new date and time of the continued hearing by:

1. Posting the continued meeting or hearing notice at the City Building; and
2. Posting the continued meeting or hearing notice on the City's website.

E. In the event a quorum is not present for the initial meeting or a continued meeting, a majority of the board or commission members present may reschedule the meeting to a new date and time. In the event a meeting is canceled prior to the scheduled meeting, any agenda items will be continued to the next regular meeting or to a posted special meeting. No additional mailed or published notices shall be required for continued or canceled meetings.

Section XII-5. Historic Landmarks

C. *Criteria for Designation of a Landmark.*

- Landmark Criteria.* A proposed landmark must meet one or more of the following criteria for designation:

...

- d) Notable work of a master builder, designer, architect or artist whose individual genius has influenced an area, or notable work of a firm or group whose collective genius has influenced an area.

Section XIII-1. Telecommunications Facilities, Towers and Antennas

- ...
 5. *Setbacks...*
 ...
 b) Towers in residential districts must be set back a distance equal to at least 200% of the height of the tower from any residential lot front, side and rear yard setback line unless there here are unusual geographic or public health, safety, and welfare or other public policy considerations.

TABLE XIII-2. PLANNED UNIT DEVELOPMENT RECOMMENDED DESIGN FEATURES

Pedestrian Connectivity		
Connectivity	All pedestrian facilities should connect to on-street and off-street bicycle facilities, existing and planned bicycle and shared-use paths identified in the <u>Urbana Bicycle Master Plan, Champaign County Greenways and Trails Plan, the Urbana Capital Improvements Plan, and the Urbana Comprehensive Plan.</u>	All
Parking Areas		
Maximum Parking	The amount of parking provided should be reduced to the minimum amount required by the use, as identified in Table VIII-37, or by additional data related to parking demand.	All

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

- ...
 E. *Standards of Construction...*
 ...
 1. *Access.* In addition to frontage on a public street, additional requirements may include easements for the construction of public sidewalks, bike paths, and drainage facilities consistent with the Boneyard Creek Master Plan ~~and any amendments thereto or subsequent plans that specifically define such elements, and any amendments thereto or subsequent plans that specifically define such elements,~~ and, when necessary, shall include easements for construction, maintenance, and police and fire access to the riparian properties of the Boneyard Creek.

[Ed. Note: No change is being proposed to the text above. The text currently is underlined; this change would remove the underline.]