



ZONING BOARD OF APPEALS REGULAR MEETING

DATE: Wednesday, October 21, 2026
TIME: 7:00 PM
PLACE: Council Chambers, City Hall, 400 South Vine Street, Urbana, IL 61801

AGENDA

A. Roll Call and Declaration of Quorum

B. Changes to the Agenda

C. Approval of Minutes of the Previous Meeting

Minutes of September 16, 2026 Regular Meeting

D. Written Communications

Email from Rachael Menke dated October 10, 2026

E. Continued Public Hearings

F. New Public Hearings

ZBA-2026-MAJ-02 - A request by Anne Lukeman, on behalf of CU Adventures, for a Major Variance to reduce the minimum required setback for a freestanding sign from eight feet to one foot from the right-of-way, a reduction of seven feet, to allow the installation of a freestanding sign at 302 North Broadway Avenue in the B-4 (Central Business) Zoning District. *{Continued to November 18, 2026 Regular Meeting of the Zoning Board of Appeals}*

G. Old Business

Rules of Procedure Revisions

H. New Business

I. Audience Participation

J. Staff Report

K. Study Session

L. Adjournment

PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner.

Public Input will be taken in the following ways:

Email Input

In order to be incorporated into the record, emailed public comments must be received prior to 5:00 pm on the day preceding the meeting and sent to the following email address: Planning@urbanail.gov. The subject line of the email must include the words **“ZONING BOARD OF APPEALS - PUBLIC INPUT”** and the meeting date. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted.

Written Input

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should state so. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

Public Hearing

Any person desiring to appear at the public hearing and present testimony may speak during each public hearing at the time they appear on the agenda. This shall not count towards regular Public Input for the meeting. The Public Hearing is an opportunity for comments and questions to be addressed specifically to each case. Board or Commission members are permitted to respond and engage during this time and/or the Chairperson may direct the applicant to respond during rebuttal. Comments unrelated to any of the public hearings listed on an agenda should be shared during the Public Input portion of the meeting where Verbal Input guidelines shall apply.

Verbal Input

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than five (5) minutes per person. The Public Input portion of the meeting shall total no more than one (1) hour, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person or split their time if Public Input is held at two (2) or more different times during a meeting.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time

for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to a speaker who engages in the conduct or behavior proscribed under “Verbal Input”. Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker’s microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the meeting record.

Accommodation

If any accommodation is needed to participate in a City meeting, please contact the City at least 48 hours in advance using one of the following methods:

Phone: 217.384.2440

Email: Planning@urbanail.gov

Watching the Meeting via Streaming Services

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at **<https://www.urbanail.gov/executive-department/page/urbana-public-television>**.



**MINUTES OF REGULAR MEETING
URBANA ZONING BOARD OF APPEALS**

DRAFT

DATE: September 16, 2026

TIME: 7:00 P.M.

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

MEMBERS ATTENDING: Zainab Calcuttawala, Joanne Chester, Ashlee McLaughlin, Adam Rusch, Nancy Uchtmann, Harvey Welch, Mark Wenneborg

STAFF PRESENT: Evan Alvarez, Principal Planner; Aimirou Sy, Planner II; Teri Andel, Administrative Assistant II

OTHERS PRESENT: None

A. CALL TO ORDER and ROLL CALL

Chair Welch called the meeting to order at 7:01 p.m. Roll call was taken, and a quorum was declared present with all members present.

B. CHANGES TO THE AGENDA

There were none.

C. APPROVAL OF PREVIOUS MINUTES

Minutes of July 15, 2026 Regular Meeting

Ms. McLaughlin moved that the Zoning Board of Appeals approve the minutes of the July 15, 2026 regular meeting as written. Mr. Rusch seconded the motion. The motion to approve the minutes as written was passed by unanimous voice vote.

D. WRITTEN COMMUNICATIONS

There were none.

E. CONTINUED PUBLIC HEARINGS

There were none.

F. NEW PUBLIC HEARINGS

There were none.

G. OLD BUSINESS

There was none.

H. NEW BUSINESS

Revisions to the Rules of Procedure for the Zoning Board of Appeals

Chair Welch opened this item on the agenda. Aimirou Sy, Planner II, presented the staff report. He began by stating that some of the revisions come from a request by the members of the Zoning Board of Appeals to update regulations for member attendance. The current Rules of Procedure do not establish attendance expectations and a procedure for addressing non-attendance. He presented a comparative review of the bylaws to other cities with regards to attendance standards. He reviewed the proposed amendments to Sections 5 and 6 of the Rules of Procedure. He talked about the next steps in the process. He discussed an additional rule that staff are proposing regarding setting a 2-hour meeting limit with the ability of the Board members to extend the meeting time by 1 hour via vote.

Chair Welch asked if any members of the Zoning Board of Appeals had questions for staff.

Mr. Rusch asked what the Board's responsibility is to the citizens of Urbana for having their voices heard in terms of the meeting length. He stated that it is important to be able to hear all sides of an issue but to also maintain a judicious setting for the agenda. Mr. Sy said that staff are proposing a two (2) hour time limit. The Board will be able to extend the meeting by one (1) additional hour via vote of the board members. The Board also has the ability to continue an item to the next regularly scheduled meeting or to a special meeting.

Mr. Wenneborg asked if the Board would be allowed to extend a meeting more than once. Mr. Sy replied no. However, this is not final, and the Board is welcome to provide input.

Mr. Rusch stated that while he wants to be sensitive to staff's time, if there is an issue that staff feels it would be wise for the Board to be able to have a hard cutoff at three (3) hours, then he would likely defer on this. However, his initial thought is that he would like to have the option for the Zoning Board of Appeals to continue to have indefinite continuances during a meeting but to have a point of order every hour to decide if the Board wishes to continue business to the next scheduled meeting or to schedule a special meeting or to extend the meeting for another hour. He can see including these options for when there is a large group in the audience that wants to talk. Ms. Chester recalled a case where the meeting continued until midnight.

Chair Welch asked if all the various City boards and commissions will be operating under the same time limit rule. Mr. Sy said yes.

Ms. McLaughlin stated that as long as the expectations are set in advance and everyone understands what the expectations are, she does not have a problem with setting a meeting time limit. She thinks it protects people's time as well as staff time. People can always submit written comments as well.

Ms. Calcuttawala agreed as long as the expectations are clear. She asked if the Zoning Board of Appeals have had long meetings in the past few years. Ms. Uchtmann recalled one long meeting involving Berringer Commons that may have gone on past two hours. Mr. Rusch added that it is rare, but it does happen when people feel like they need to give a lot of input. He stated that this could be an opportunity to make sure that the Zoning Board of Appeals members follow the Rules of Procedure with regard to one comment per person or limited time to speak per person.

Evan Alvarez, Principal Planner, said that he completely agrees. In general, we definitely want to make sure that people are given the opportunity to be heard. He explained that there was recently a long meeting at a different commission, and part of it is just that by the end no one was bringing their best self past the 10:00 p.m. mark. So, he feels it is an opportunity to reassess and have the ability to push the meeting to a time that is better. Also, for more contentious meetings where normally we have a default public input of five (5) minutes per person, through the Open Meetings Act we are allowed to set that time limit at three (3) minutes per person to be more mindful of time.

Mr. Rusch agreed. He said that in the situation where a business needs to get their request potentially approved by a certain date, the Zoning Board does not have the ability to extend a meeting past three (3) hours. There should be language included in the rules that allow for extraordinary circumstances.

Ms. Chester stated that if people know ahead of time that meetings are to be two hours and that the meeting can be extended for another hour, it will help people to control themselves and not ramble on when they could stop.

Ms. McLaughlin stated that she appreciates the research and comparables. It sounds very logical, and she has no problem with it. It seems like a good idea.

Mr. Rusch offered a friendly amendment to the language in Article III, Section 6 to read as such, *“A member’s failure to attend three consecutive meetings of the Board or at least 50% of the meetings held in a 12-month period may constitute cause for removal pursuant to Section XI of the Urbana Zoning Ordinance. Any removal shall be conducted in accordance with the procedures established therein and applicable law.”* He thinks adding this one provision would be judicious. It is seen in one of the comparables, and he thinks it is a good idea.

Ms. Uchtmann asked if excused absences would be included in the 50%. Mr. Rusch said no, excused absences would not count towards the 50% rule.

Mr. Wenneborg expressed concern about three consecutive absences because it could occur over a relatively short period of time when a member cannot or does not have much time to respond. For example, if they are in the hospital or for some other reason.

Ms. Calcuttawala said that she was okay with it in general because even if you have three (3) consecutive misses, it is just an initiation of the possibility of removal; it is not automatic. In a scenario in which we need to have three special meetings back-to-back, that would be taken into consideration in terms of trying to remove someone from the board. Mr. Sy replied that the City Council has the authority to remove a member and it has to be for cause. So, the three consecutive meetings may constitute a cause, so it is not automatic. Ms. McLaughlin stated that she is comfortable with this. It feels like an appropriate time to at least check in with someone and make sure they are still engaged in the process and willing to participate.

Mr. Rusch understood the possibility of abuse of scheduling meetings at times when members cannot attend, which would be a bigger problem than a member being removed. When looking at the trade-offs of having an attendance policy versus how it might be unfairly enforced, we know that we need to have a better attendance policy.

Mr. Rusch moved to add language in Article III, Section 6 to read as such, “A member’s failure to attend three consecutive meetings of the Board or at least 50% of the meetings held in a 12-month period may constitute cause for removal ...”.

Chair Welch said that he did not have a problem with the motion. He asked if the attendance requirements were going to be consistent across all the City boards and commissions. Mr. Sy replied that the attendance is going to be for the Zoning Board of Appeals only for now; however, he believes the Plan Commission has a similar rule. Mr. Alvarez confirmed that the Plan Commission has the three (3) consecutive absences requirement as well. However, the Plan Commission does not have the 50% rule within a 12-month period rule. Chair Welch stated that he believes the 50% rule is a sound policy proposal, and he urged that it be presented to the City Council to have consistency with all the City's governing bodies.

Ms. Uchtmann seconded the motion. Roll call on the motion was as follows:

Ms. Chester	-	Yes	Ms. McLaughlin	-	Yes
Mr. Rusch	-	Yes	Ms. Uchtmann	-	Yes
Mr. Welch	-	Yes	Mr. Wenneborg	-	Yes
Ms. Calcuttawala	-	Yes			

The motion was approved by unanimous vote.

Mr. Alvarez pointed out that the Zoning Board of Appeals are not able to introduce and approve the Rules of Procedure at the same meeting. Staff will make the changes and present them to the Legal staff to ensure that they meet legal requirements. Then, staff will bring the Rules of Procedure back to the Zoning Board of Appeals on October 21st for approval.

I. AUDIENCE PARTICIPATION

There was none.

J. STAFF REPORT

There was none.

K. STUDY SESSION

There was none.

L. ADJOURNMENT

The meeting was adjourned at 7:29 p.m.

Respectfully submitted,

Aimirou Sy
Aimirou Sy, Secretary
Zoning Board of Appeals

Aimirou Sy

From: Rachael Menke [REDACTED]
Sent: Saturday, October 10, 2026 11:53 AM
To: Planning
Subject: Concerns regarding zoning, redevelopment, and small business preservation on Oregon St.

Categories: Kate, In Progress

You don't often get email from [REDACTED]. [Learn why this is important](#)

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

To the Members of the Urbana Plan Commission,

My name is Rachael Menke, and I am writing to you today as a UIUC alum and a deeply concerned community member. I am writing to submit an official public comment expressing my strong disapproval of the ongoing, aggressive redevelopment of the Goodwin Avenue and Oregon Street block.

The recent real estate acquisitions by Hartman Properties / JSM have triggered a devastating domino effect for our campus. Seeing iconic cultural institutions and essential community spaces like 710 Mart, Timpone's, and The Canopy Club forced into permanent closure is heartbreaking and unacceptable. Urbana's Comprehensive Plan emphasizes community vibrancy and neighborhood diversity. We cannot continue to demolish every unique social hub where people actually gather. Replacing long-standing, independent, street-level community hubs with potential student housing leaves campus without character-defining spaces.

I strongly urge the Plan Commission and the Zoning Board of Appeals to enforce stricter historical preservation guidelines, establish local small-business protections, and reject any zoning variances or special use permits that allow corporate developers to overwrite our local commercial landmarks. Please include this statement in the official public record packet for the upcoming board sessions. Respectfully,

Rachael Menke



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Zoning Board of Appeals
FROM: Aimirou Sy, Planner II
DATE: October 14, 2026
SUBJECT: **Proposed Amendments to the Zoning Board of Appeals Rules of Procedure Regarding Member Attendance and Notification**

Recommendation

Staff recommends that the Zoning Board of Appeals approve the proposed amendments to Article III of the Rules of procedure, as presented in the attached documents. The amendments would establish attendance and notification expectations for members and identify thresholds for addressing repeated absences.

Background

At its July 15 meeting, the Zoning Board of Appeals requested that staff review existing Rules of Procedure and identify potential amendments addressing repeated member absences and their effect on the Board's ability to establish a quorum and conduct business.

In response, staff reviewed existing rules and attendance provisions used by selected Illinois jurisdictions. The review identified three consecutive meeting absences as a threshold used in several of the examples examined. Based on these findings, staff developed proposed amendments to Article III establishing member attendance expectations, notification procedures, and a threshold for repeated absences.

At its September 16 meeting, the Board discussed the proposed amendments and requested that Article III also includes an additional threshold for members who miss at least 50 percent of meetings held within a 12-month period. Staff incorporated the Board's requested revision and submitted the proposed amendments to the City Attorney for review.

Proposed Amendments

The proposed amendments would add two sections to Article III of the Rules of Procedure.

Section 5: Member Attendance and Notification of Absence

This section would establish an expectation that Board members attend regular and special meetings and notify the Secretary as soon as practicable when they are unable to attend.

Section 6: Repeated Absences

This section would establish two thresholds for repeated absences

1. Three consecutive meetings absences

2. Absences from at least 50 percent of meetings held within a 12-month period.

Under the proposed language, meeting either threshold may constitute cause for removal pursuant to Section XI-3 of the Urbana Zoning Ordinance. The proposed amendment would not result in automatic removal or change the City's existing removal authority and procedures. The proposed amendments are intended to establish clear attendance expectations and objective thresholds for repeated absences while maintaining consistency with the Zoning Ordinance and applicable law.

Legal Review

The proposed amendments have been submitted to the City Attorney for review. Due to scheduling constraints, the review is not expected to be completed before October 21, 2026 meeting. The Board has been given authorization to move forward with the proposed amendment.

Following the meeting, staff will coordinate with the City Attorney to review the amendments for consistency with Section XI-3 of the Urbana Zoning Ordinance and applicable law. If the City Attorney recommends substantive revisions, staff will bring those revisions back to the Board for consideration in accordance with Article VIII of the Rules of Procedures.

Amendment Procedure

Article VIII, Section 1 of the Rules of Procedure provides that the Rules may be amended by majority vote of the Board. Section 2 requires that a proposed amendment be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

Staff presented the proposed attendance amendments at the September 16, 2026 meeting. During its discussion, the Board requested that Section 6 include an additional threshold for absences from at least 50 percent of meetings held within a 12-month period. Staff subsequently incorporated this revision into the proposed amendments for the Board's consideration its October 21, 2026 meeting.

Attachments

Attachment A: Proposed Zoning Board of Appeals Rules of Procedure (Clean Version)

Attachment B: Proposed Amendments to Zoning Board of Appeals Rules of Procedure (Redline).

CITY OF URBANA
RULES OF PROCEDURE FOR THE ZONING BOARD OF APPEALS

ARTICLE I - General Provisions

Section 1:

It is the purpose of these rules to establish a guide for the operation of the Urbana Zoning Board of Appeals. These rules are supplemental to the provisions of Section XI-3 of the Zoning Ordinance, which state that the Board shall adopt rules necessary to conduct its affairs, and that are consistent with the provisions of the Urbana Zoning Ordinance.

Section 2:

Any member who has any pecuniary or personal interest in a matter before the Board shall remove himself or herself from any consideration of that matter.

Section 3:

The Board's attorney shall be consulted in cases where the powers of the Board are not clearly defined, or where legal questions are at issue.

ARTICLE II - Officers and Duties

Section 1:

The officers shall be a Chair and an Acting Chair. The Mayor shall designate the Chair, with the consent of the City Council. An Acting Chair will be elected from among the members of the board at those meetings when the Chair is absent. The Director of the Department of Community Development Services or his/her representative shall serve as Secretary to the Board.

Section 2:

The Chair shall supervise the affairs of the Board. He/She shall preside at all meetings of the Board; shall appoint such committees and sub-committees as may be necessary to carry out the duties of the Board; and shall provide that an oath be administered to all witnesses in cases before the Board. The Chair shall be an ex-officio member of all committees and sub-committees so appointed.

Section 3:

The Acting Chair, in the absence or disability of the Chair, shall perform all the duties and exercise all the powers of the Chair.

Section 4:

The Secretary of the Board or his/her designee shall:

1. Record and maintain permanent minutes of the Board's proceedings, in accordance with the regulations of the Open Meetings Act, showing the vote of each member upon every question, or if absent or failing to vote, indicating that fact.
2. Keep records of its hearings and other official actions.

3. Record the names and addresses of all persons appearing before the Board, and provide accurate summaries of their testimony.
4. Have published in local newspaper public notices of meetings or hearings as required by law.
5. File the minutes and records in the office of the Board, which minutes and records shall be a public record.
6. Be the custodian of the files of this Board and keep all records.
7. Notify the media in accordance with the Open Meetings Act.

ARTICLE III - Meetings

Section 1:

Regular meetings shall be held at a time and day to be agreed upon from time-to-time by the Board.

Section 2:

All meetings shall be open to the public, except for those meetings that may be closed in compliance with the Open Meetings Act.

Section 3:

Members may attend meetings by video or telephone conference in accordance with Illinois Statute 5 ILCS120/7(c) which states in part:

If a quorum of the members of the public body is physically present, then a majority of the public body may allow a member to attend by video or telephone conference if the member is prevented from physically attending because of the following:

- (1) personal illness or disability;
- (2) employment purposes or the business of the public body;
- (3) a family or other emergency;
- (4) unexpected childcare obligations; or
- (5) performance of active military duty as a service member.

If a member wants to attend the meeting by video or telephone conference, he or she must notify the recording secretary before the meeting, unless advance notice is impractical.

A member attending a meeting by video or telephone may cast votes.

Section 4:

No decision shall be made without a quorum present. A quorum of any regular or special meetings shall consist of a majority of the appointed members.

Section 5:

Members are expected to attend all regular and special meetings of the board. A member who knows that they will be unable to attend a meeting shall notify the Secretary as soon as

practicable. When advance notice is impractical because of unforeseen circumstances, the member shall notify the secretary as soon as reasonably possible.

Section 6:

A member's failure to attend three consecutive meetings or absence from at least 50 percent of the meetings of the Board held in a 12-month period may constitute cause for removal pursuant to Section XI of the Urbana Zoning Ordinance. Any removal shall be conducted in accordance with the procedures established therein and applicable law.

Section 7:

Special meetings may be called by the Chair at his/her discretion, or upon the request of two (2) or more members, provided that public notice is given in accordance with the Open Meeting Act.

Section 8:

Authorizations.

1. All decisions shall be made by a roll call vote and shall require at least a majority of a quorum.
2. Conditional use requests may be granted by a simple majority (Section VII-2.D, Section VII-2.E, and Section VII-2.F).
3. Conditional use requests in which a valid written protest has been filed with the Secretary of the Board require a 2/3 vote (Section XI-11).
4. Minor Variance requests may be granted by a simple majority (Section XI-3.C.2.b).
5. Major Variance requests require a 2/3 vote and if so voted upon shall be forwarded to the Urbana City Council for final approval (Section XI-3.C.2.b).
6. Appeals may be granted by a simple majority (Section XI-3.D.)

Section 9:

Robert's Rules of Order shall be the official rules of the Zoning Board of Appeals except when they conflict with the officially adopted Rules of Procedure, in which case, the Rules of Procedure shall govern.

Section 10:

The Zoning Board of Appeals shall review the Rules of Procedure at least once every two years at a regular meeting the Chair designates.

ARTICLE IV - Order of Business

Section 1:

Meetings of the Board shall ordinarily proceed as follows:

1. Roll call and declaration of quorum

2. Changes to the Agenda
3. Approval of Minutes of the previous meeting
4. Written Communications
5. Continued Public Hearings
6. New Public Hearings
7. Old Business
8. New Business
9. Audience Participation
10. Staff Report
11. Study Session
12. Adjournment

Section 2:

Continuances. Continuances may be granted to a specific time and date, at the discretion of and with the approval of a simple majority of the Zoning Board, for good cause shown. Continuances may be considered at the request of staff, a Zoning Board member, or any interested party who has entered his/her appearance. Continuances may be considered as follows:

1. A case may be continued by the Chair in the event of the lack of a quorum (does not require a vote).
2. New cases appearing for the first time on the agenda - continuances may be granted upon request.
3. Continued cases – All cases which have previously appeared on the agenda of the Board, constitute continued cases. A request for further continuance will be considered upon application by the applicant and/or his/her representative at the time the case is called, and upon showing:
 - a) That he/she has given reasonable notice in writing to all persons who have filed an appearance in the matter of his/her intent to request a continuance; and
 - b) That he/she will be unable to proceed with his/her evidence at the scheduled meeting.

Section 3:

Failure of Applicant to Appear.

The Zoning Board may or may not act upon a case in the event that an applicant fails to appear. This shall be at the discretion of the Zoning Board and may include consideration of factors such as extenuating circumstances associated with the absence, complexity of the case,

and level of public interest in the case. Procedures for dismissal due to failure of an applicant to appear are as follows:

1. The Chair may entertain a motion from a Zoning Board member to dismiss a case for failure of the applicant to appear if no request for a continuance is made prior to the hearing. Dismissal shall require a simple majority vote of the Zoning Board.
2. In cases that are dismissed when the applicant does not appear, the applicant will be furnished with written notice by the Secretary of the Board, or his/her designee.
3. The applicant shall have seven (7) days from date of notice of dismissal to apply for reinstatement of the case. In such cases, applicant must file written request with the Secretary for reinstatement. Reinstatement shall be at the discretion of the Chair for good cause shown, and upon payment of a fee in the same amount as that required for initial filing.
4. In all cases reinstated, the case will be docketed and re-advertised in the usual manner prescribed for new cases.

Section 4:

Audience Participation.

1. Any person addressing the Zoning Board during "Audience Participation" shall be allowed five (5) minutes to speak.
2. It shall be the prerogative of the Chair to extend the five (5) minute time limit or if the Chair does not enforce or extend the time limit, the extension shall be decided without debate by a motion approved by the majority vote of the members of the Board present. The Chairperson shall also have the authority to reduce the time limit to three (3) minutes or a shorter time agreed upon by the Zoning Board members.

ARTICLE V - Procedures at Hearings

Section 1:

Unless otherwise determined by the Chair, the procedure at a hearing shall be as specified herein.

Section 2:

All witnesses shall testify under oath.

Section 3:

The applicant may appear in his/her own behalf, and/or be represented by counsel or agent. The applicant or his/her representative may make a statement outlining the nature of his/her request prior to introducing evidence.

Section 4:

Evidence shall be presented in the following order:

1. Staff presents brief summary of cases

2. Board questions staff
3. Applicant makes statement and presents evidence
4. Board examines applicant
5. Proponents make statements
6. Board questions proponents
7. Opponents make statements.
8. Board questions opponent. Opponents shall be allowed a reasonable opportunity for relevant questioning (i.e. “cross-examination”) of the applicant. If the applicant is unable or unwilling to respond to the relevant questions, the Chair shall direct the Recording Secretary to take note of such in the minutes of the Zoning Board of Appeals.
9. Rebuttal by applicant
10. Rebuttal by objector
11. Applicant makes final statement

ARTICLE VI - Decisions

Section 1:

The Board shall conduct its vote in public session at the meeting in which evidence is concluded, unless the Board considers additional time for deliberation is necessary.

Section 2:

All decisions of the Board shall be made at a public meeting by motion made, seconded, and the Secretary polling the membership by a roll call vote. The motion, which decides the issue, shall be in the form of fact and shall state the reason(s) for the findings of the Board. If conditions are imposed in the granting of a variance or conditional use, such conditions shall be included in the motion.

ARTICLE VII – Conflict of Interest

Section 1:

Any member of the Zoning Board of Appeals who has a conflict of interest in a matter before the Board shall not participate in the discussion or vote thereon. Conflicts of interest may arise from various scenarios including, but not limited to, financial, ownership or property interests, conflicts with employment or appointments, or conflicts with a publicly stated opinion on a pending application.

Section 2:

If it is determined that a Board member has a conflict of interest, they must state so and remove themselves from the discussion and from the table while the matter is resolved. Such action shall not affect the quorum established to conduct the meeting. The Board member’s recusal

will be considered an abstention and shall not be counted as either an aye or a nay vote. Further, the abstaining member shall not be counted in determining the total number of votes required for approval of a matter before the commission, any statute, ordinance or rule of parliamentary procedure to the contrary notwithstanding.

Section 3:

A Board member that has publicly stated a position in the press, in a public forum or on a public petition in regards to a case prior to that case being voted on by the Board shall be deemed a conflict of interest. In this event, the Board member shall indicate a conflict of interest as described herein and shall recuse themselves from participating in that case.

Section 4:

The Chair, after consulting with the City Planner and the City Attorney, shall determine if a Rule of Procedure has been violated for the purposes of determining a conflict of interest. The determination of the Chair is subject to being over-ruled by the Board.

ARTICLE VIII - Amendment of Rules

Section 1:

These rules may be amended by majority vote of the Board.

Section 2:

A proposed amendment must be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

THE FOREGOING RULES AND REGULATIONS ARE HEREBY ADOPTED AS AMENDED BY THE ZONING BOARD OF APPEALS OF THE CITY OF URBANA, ILLINOIS ON THE 21st DAY OF OCTOBER, 2026.

CHAIR

SECRETARY

Attachment B: Proposed Amendment (Redline)

CITY OF URBANA
RULES OF PROCEDURE FOR THE ZONING BOARD OF APPEALS

ARTICLE I - General Provisions

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Section 2:

Any member who has any pecuniary or personal interest in a matter before the Board shall remove himself or herself from any consideration of that matter.

Section 3:

The Board's attorney shall be consulted in cases where the powers of the Board are not clearly defined, or where legal questions are at issue.

ARTICLE II - Officers and Duties

Section 1:

The officers shall be a Chair and an Acting Chair. The Mayor shall designate the Chair, with the consent of the City Council. An Acting Chair will be elected from among the members of the board at those meetings when the Chair is absent. The Director of the Department of Community Development Services or his/her representative shall serve as Secretary to the Board.

Section 2:

The Chair shall supervise the affairs of the Board. He/She shall preside at all meetings of the Board; shall appoint such committees and sub-committees as may be necessary to carry out the duties of the Board; and shall provide that an oath be administered to all witnesses in cases before the Board. The Chair shall be an ex-officio member of all committees and sub-committees so appointed.

Section 3:

The Acting Chair, in the absence or disability of the Chair, shall perform all the duties and exercise all the powers of the Chair.

Section 4:

The Secretary of the Board or his/her designee shall:

1. Record and maintain permanent minutes of the Board's proceedings, in accordance with the regulations of the Open Meetings Act, showing the vote of each member upon every question, or if absent or failing to vote, indicating that fact.

2. Keep records of its hearings and other official actions.
3. Record the names and addresses of all persons appearing before the Board, and provide accurate summaries of their testimony.
4. Have published in local newspaper public notices of meetings or hearings as required by law.
5. File the minutes and records in the office of the Board, which minutes and records shall be a public record.
6. Be the custodian of the files of this Board and keep all records.
7. Notify the media in accordance with the Open Meetings Act.

ARTICLE III - Meetings

Section 1:

Regular meetings shall be held at a time and day to be agreed upon from time-to-time by the Board.

Section 2:

All meetings shall be open to the public, except for those meetings that may be closed in compliance with the Open Meetings Act.

Section 3:

Members may attend meetings by video or telephone conference in accordance with Illinois Statute 5 ILCS120/7(c) which states in part:

If a quorum of the members of the public body is physically present, then a majority of the public body may allow a member to attend by video or telephone conference if the member is prevented from physically attending because of the following:

- (1) personal illness or disability;
- (2) employment purposes or the business of the public body; ~~or~~
- (3) a family or other emergency;~~;~~
- (4) unexpected childcare obligations; or
- (5) performance of active military duty as a service member.

If a member wants to attend the meeting by video or telephone conference, he or she must notify the recording secretary before the meeting, unless advance notice is impractical.

A member attending a meeting by video or telephone may cast votes.

Section 4:

No decision shall be made without a quorum present. A quorum of any regular or special meetings shall consist of a majority of the appointed members.

Section 5:

Members are expected to attend all regular and special meetings of the board. A member who knows that they will be unable to attend a meeting shall notify the Secretary as soon as practicable. When advance notice is impractical because of unforeseen circumstances, the member shall notify the secretary as soon as reasonably possible.

Section 6:

A member's failure to attend three consecutive meetings of the Board or absence from at least 50 percent of the meetings held in a 12-month period may constitute cause for removal pursuant to Section XI of the Urbana Zoning Ordinance. Any removal shall be conducted in accordance with the procedures established therein and applicable law.

Section 7:

Special meetings may be called by the Chair at his/her discretion, or upon the request of two (2) or more members, provided that public notice is given in accordance with the Open Meeting Act.

Section 86:

Authorizations.

1. All decisions shall be made by a roll call vote and shall require at least a majority of a quorum.
2. Conditional use requests may be granted by a simple majority (Section VII-2.D, Section VII-2.E, and Section VII-2.F).
3. Conditional use requests in which a valid written protest has been filed with the Secretary of the Board require a 2/3 vote (Section XI-11).
4. Minor Variance requests may be granted by a simple majority (Section XI-3.C.2.b).
5. Major Variance requests require a 2/3 vote and if so voted upon shall be forwarded to the Urbana City Council for final approval (Section XI-3.C.2.b).
6. Appeals may be granted by a simple majority (Section XI-3.D.)

Section 97:

Robert's Rules of Order shall be the official rules of the Zoning Board of Appeals except when they conflict with the officially adopted Rules of Procedure, in which case, the Rules of Procedure shall govern.

Section 108:

The Zoning Board of Appeals shall review the Rules of Procedure at least once every two years at a regular meeting the Chair designates.

ARTICLE IV - Order of Business

Section 1:

Meetings of the Board shall ordinarily proceed as follows:

BYLAWS APPROVED 12-16-2020

1. Roll call and declaration of quorum
2. Changes to the Agenda
3. Approval of Minutes of the previous meeting
4. Written Communications
5. Continued Public Hearings
6. New Public Hearings
7. Old Business
8. New Business
9. Audience Participation
10. Staff Report
11. Study Session
12. Adjournment

Section 2:

Continuances. Continuances may be granted to a specific time and date, at the discretion of and with the approval of a simple majority of the Zoning Board, for good cause shown. Continuances may be considered at the request of staff, a Zoning Board member, or any interested party who has entered his/her appearance. Continuances may be considered as follows:

1. A case may be continued by the Chair in the event of the lack of a quorum (does not require a vote).
2. New cases appearing for the first time on the agenda - continuances may be granted upon request.
3. Continued cases – All cases which have previously appeared on the agenda of the Board, constitute continued cases. A request for further continuance will be considered upon application by the applicant and/or his/her representative at the time the case is called, and upon showing:
 - a) That he/she has given reasonable notice in writing to all persons who have filed an appearance in the matter of his/her intent to request a continuance; and
 - b) That he/she will be unable to proceed with his/her evidence at the scheduled meeting.

Section 3:

Failure of Applicant to Appear.

The Zoning Board may or may not act upon a case in the event that an applicant fails to appear. This shall be at the discretion of the Zoning Board and may include consideration of factors such as extenuating circumstances associated with the absence, complexity of the case, and level of public interest in the case. Procedures for dismissal due to failure of an applicant to appear are as follows:

1. The Chair may entertain a motion from a Zoning Board member to dismiss a case for failure of the applicant to appear if no request for a continuance is made prior to the hearing. Dismissal shall require a simple majority vote of the Zoning Board.
2. In cases that are dismissed when the applicant does not appear, the applicant will be furnished with written notice by the Secretary of the Board, or his/her designee.
3. The applicant shall have seven (7) days from date of notice of dismissal to apply for reinstatement of the case. In such cases, applicant must file written request with the Secretary for reinstatement. Reinstatement shall be at the discretion of the Chair for good cause shown, and upon payment of a fee in the same amount as that required for initial filing.
4. In all cases reinstated, the case will be docketed and re-advertised in the usual manner prescribed for new cases.

Section 4:
Audience Participation.

1. Any person addressing the Zoning Board during "Audience Participation" shall be allowed five (5) minutes to speak.
2. It shall be the prerogative of the Chair to extend the five (5) minute time limit or if the Chair does not enforce or extend the time limit, the extension shall be decided without debate by a motion approved by the majority vote of the members of the Board present. The Chairperson shall also have the authority to reduce the time limit to three (3) minutes or a shorter time agreed upon by the Zoning Board members.

ARTICLE V - Procedures at Hearings

Section 1:
Unless otherwise determined by the Chair, the procedure at a hearing shall be as specified herein.

Section 2:
All witnesses shall testify under oath.

Section 3:
The applicant may appear in his/her own behalf, and/or be represented by counsel or agent. The applicant or his/her representative may make a statement outlining the nature of his/her request prior to introducing evidence.

Section 4:
Evidence shall be presented in the following order:

1. Staff presents brief summary of cases
2. Board questions staff
3. Applicant makes statement and presents evidence
4. Board examines applicant
5. Proponents make statements
6. Board questions proponents
7. Opponents make statements.
8. Board questions opponent. Opponents shall be allowed a reasonable opportunity for relevant questioning (i.e. “cross-examination”) of the applicant. If the applicant is unable or unwilling to respond to the relevant questions, the Chair shall direct the Recording Secretary to take note of such in the minutes of the Zoning Board of Appeals.
9. Rebuttal by applicant
10. Rebuttal by objector
11. Applicant makes final statement

ARTICLE VI - Decisions

Section 1:

The Board shall conduct its vote in public session at the meeting in which evidence is concluded, unless the Board considers additional time for deliberation is necessary.

Section 2:

All decisions of the Board shall be made at a public meeting by motion made, seconded, and the Secretary polling the membership by a roll call vote. The motion, which decides the issue, shall be in the form of fact and shall state the reason(s) for the findings of the Board. If conditions are imposed in the granting of a variance or conditional use, such conditions shall be included in the motion.

ARTICLE VII – Conflict of Interest

Section 1:

Any member of the Zoning Board of Appeals who has a conflict of interest in a matter before the Board shall not participate in the discussion or vote thereon. Conflicts of interest may arise from various scenarios including, but not limited to, financial, ownership or property interests, conflicts with employment or appointments, or conflicts with a publicly stated opinion on a pending application.

Section 2:

If it is determined that a Board member has a conflict of interest, they must state so and remove themselves from the discussion and from the table while the matter is resolved. Such action shall not affect the quorum established to conduct the meeting. The Board member's recusal will be considered an abstention and shall not be counted as either an aye or a nay vote. Further, the abstaining member shall not be counted in determining the total number of votes required for approval of a matter before the commission, any statute, ordinance or rule of parliamentary procedure to the contrary notwithstanding.

Section 3:

A Board member that has publicly stated a position in the press, in a public forum or on a public petition in regards to a case prior to that case being voted on by the Board shall be deemed a conflict of interest. In this event, the Board member shall indicate a conflict of interest as described herein and shall recuse themselves from participating in that case.

Section 4:

The Chair, after consulting with the City Planner and the City Attorney, shall determine if a Rule of Procedure has been violated for the purposes of determining a conflict of interest. The determination of the Chair is subject to being over-ruled by the Board.

ARTICLE VIII - Amendment of Rules

Section 1:

These rules may be amended by majority vote of the Board.

Section 2:

A proposed amendment must be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

THE FOREGOING RULES AND REGULATIONS ARE HEREBY ADOPTED AS AMENDED BY THE ZONING BOARD OF APPEALS OF THE CITY OF URBANA, ILLINOIS ON THE 21st DAY OF OCTOBER, 2026.

CHAIR

SECRETARY