

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on February 20, 2024. Mayor Hall presided and called the meeting to order at 6:30 p.m.

Mayor Hall led the Pledge of Allegiance.

The following members of the Council answered roll call physically present in person: YEA Commissioner Jim Closson, YEA Commissioner Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner David Phipps and YEA Mayor Rick Hall.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Daniel C. Jones, Finance Director/Treasurer Beth Wright, Public Works Director Dave Clark, Arts & Tourism Director Angelia Burgett, Fire Chief Jeff Hilligoss, Deputy Police Chief Ryan Hurst, Code Enforcement Alex Benishek and City Clerk Susan O'Brien.

CONSENT AGENDA

Mayor Hall seconded by Commissioner Closson moved to approve the consent agenda consisting of Regular Meeting minutes of February 6, 2024; bills and payroll for the first half of February 2024.

<u>Bills and payroll for the first half of February, 2024</u>			
<u>General Fund</u>			
Payroll		\$	272,929.97
Bills		\$	<u>80,154.04</u>
	Total	\$	353,084.01
<u>Hotel Tax Administration</u>			
Payroll		\$	3,973.12
Bills		\$	<u>615.90</u>
	Total	\$	4,589.02
<u>Mobile Equipment Fund</u>			
Bills		\$	<u>73,963.90</u>
	Total	\$	73,963.90
<u>Insurance and Tort Jdgmnt</u>			
Bills		\$	<u>25.00</u>
	Total	\$	25.00
<u>Capital Project Fund</u>			
Bills		\$	<u>30,894.90</u>
	Total	\$	30,894.90
<u>Broadway East Bus. Dist.</u>			
Bills		\$	<u>2,542.37</u>
	Total	\$	2,542.37
<u>Water Fund</u>			
Payroll		\$	44,998.75
Bills		\$	<u>48,572.37</u>
	Total	\$	93,571.12

	<u>Sewer Fund</u>		
Payroll		\$	44,829.91
Bills		\$	<u>64,500.41</u>
	Total	\$	109,330.32
	<u>Health Insurance Fund</u>		
Bills		\$	<u>33,194.56</u>
	Total	\$	33,194.56
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	<u>3,084.32</u>
	Total	\$	3,084.32

Mayor Hall declared the motion carried by the following omnibus vote: YEA Commissioner Closson, YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Phipps, YEA Mayor Hall.

PRESENTATIONS, PETITIONS AND COMMUNICATIONS

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meetings Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments. We would also ask you to state your name and address for the record as well as stand when speaking.

Mayor Hall opened the floor for comments from the Public. Ms. Melissa McDaniel of the Mattoon In Motion Housing Committee voiced the Mattoon In Motion’s support of the housing ordinances. Mr. Toby Farris, a local realtor, also voiced his support of the housing ordinances.

There were no other comments from the floor.

NEW BUSINESS

Commissioner Closson seconded by Commissioner Graven moved to approve Council Decision Request 2024-2450, awarding the bid of \$539,990 from Curry Construction for the Wastewater Treatment Plant Primary Pump Replacement Project.

Mayor Hall opened the floor for discussion/comments. Commissioner Closson noted the estimate was \$125,000 less than budgeted and would finish off the replacement pumps at the Wastewater Treatment Plant. Commissioner Phipps inquired as to the number of bidders with Administrator Gill stating one bidder.

Mayor Hall declared the motion carried by the following vote: YEA Commissioner Closson, YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Phipps, YEA Mayor Hall.

Commissioner Phipps seconded by Commissioner Cox moved to approve Council Decision Request 2024-2451, approving the Amended Agreement between the City of Mattoon and the Illinois Department of Transportation for the City’s anticipated participation in the resurfacing of Illinois 16 from Swords Drive to Lake Land Boulevard; authorizing the mayor to sign the agreement. 20-00319-00-RS

Mayor Hall opened the floor for discussion/comments. Commissioner Phipps noted the savings was a direct result of the new public works director. Director Clark noted there was a savings of \$78,000 from the original agreement and would be watching closely on the next one.

Mayor Hall declared the motion carried by the following vote: YEA Commissioner Closson, YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Phipps, YEA Mayor Hall.

Mayor Hall explained the next three motions were on housing issues. Manager Alex Benishek acknowledged the work of the Housing Committee which was one of the top six priorities of the community; explained the incentivizing of new development with the three ordinances involving 1) Compact Homes in certain areas of town including a special use that allows for community input and consideration by Council, 2) Planned Unit Development (PUD) update to allow for more flexibility for developers while adhering to current code, 3) Additional Parking which was not related to housing; and was unanimously approved by the Housing Committee. Mr. Ed Dowd of the Mattoon Chamber of Commerce noted the compact homes would be \$100,000 and of high quality. Manager Benishek added the homes would have a foundation. Administrator Gill added this would help with the infill of the City limits, the High School's building/trades and Habitat for Humanity requested these homes and would fit in the neighborhoods. Manager Benishek added out of the 560 people who answered the housing survey, 27% were interested in tiny homes. Mayor Hall noted the open opportunities for the High School trade group and allow more land to be developed.

Mayor Hall seconded by Commissioner Phipps moved to adopt Ordinance No. 2024-5474, amending Chapter 159 Zoning Code to establish and to regulate a new zoning designation RIC (Single-Family Residence Compact Home District), special use and reducing the square footage requirements for Compact Homes under Sections 159.04, 159.20, 159.24 - 159.33, 159.49, 159.46, and 159.50 of the municipal code.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2024-5474

AN ORDINANCE ESTABLISHING A NEW ZONING DESIGNATION AND SPECIAL USE FOR COMPACT HOMES AND REDUCING SQUARE FOOTAGE REQUIREMENTS WITHIN THE ZONING ORDINANCE OF THE CITY OF MATTOON

WHEREAS, The City of Mattoon wishes to expand its current housing stock; and

WHEREAS, A number of developers have shown interest in creating a variety of quality single and multi-family homes with smaller square footage than what is typically permitted; and

WHEREAS, The City of Mattoon currently restricts lots sizes and building sizes to specific criteria; and

WHEREAS, The restrictions may create barriers for developers; and

WHEREAS, The City of Mattoon desires to encourage the development of a variety of unique and quality housing types within our community pursuant to the abilities of City Council enshrined in Section 32.05 of the Mattoon Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to

be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendments. Chapter 159 ZONING of Section 159.04 of the Code of Ordinances of the City of Mattoon is hereby amended with the addition as follows:

§ 159.04 DEFINITIONS.

Compact Home - “An independent residential structure no smaller than 500 square-feet, which is to be placed on a permanent and immovable foundation and adhere to all regular property maintenance and adopted codes established by the City of Mattoon. All parcels not Zoned RC granted this designation as a special use shall maintain their current zoning district lot requirements pertaining to lot size and setbacks and shall conditionally conform to the character of the community; The Planning and Zoning Commission shall require that any Special Use for a Compact Home shall be recorded with the deed for the property and shall run with the land. Within an RC Zoned District, this type of residential development is allowed by right without a Special Use or added conditions, so long as it is the principal building on the parcel. Any residential structure seeking classification under this definition shall not be readily available for purchase as a fully constructed accessory structure at a major retailer.”

Section 3. Amendments. Establishment of a new Zoning District, R1C SINGLE-FAMILY RESIDENCE COMPACT HOME DISTRICT. Chapter 159 ZONING, Section 159.20 DISTRICTS AND ZONE MAP of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

§ 159.20 DISTRICTS AND ZONE MAP.

(A) The city is hereby divided into eleven districts in order to carry out the purposes stated in § 159.02 Intent and Purpose of this chapter. These districts shall be known as:

RS Suburban District

R1 Single-Family Residence District

R1C Single-Family Residence Compact Home District

R2 Two-Family Residence District

R3 Multiple-Family Residence District

C1 Neighborhood Commercial District

C2 Accommodation Commercial District

C3 Service Commercial District

C4 General Commercial District

C5 Shopping Center District

I Industrial District

(B) The current zone map, which accompanies and is hereby declared to be a part of this chapter, shows the boundaries of the above districts. Notations, references, indications and other matters shown on the zone map are as much a part of this chapter as if they were fully described in the text of this chapter. In determining the boundaries of districts and establishing the regulations applicable to each district due and

careful consideration has been given to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted, and the conservation of property values throughout the city.

(C) Territory which may hereafter be annexed to the city shall immediately be zoned and shown in the zone map.

(D) The rules and regulations contained in this chapter shall apply as herein provided:

(1) No building shall be erected or altered, nor shall any building or premises be used for any purpose other than is permitted in the district in which such building or premises is located.

(2) No building shall be erected or altered to exceed in height the limit herein established for the district in which such building is located.

(3) No building shall be erected, nor shall any existing building be altered, enlarged or rebuilt, nor shall any open spaces be encroached upon or reduced in any manner, except in conformity with the area and yard regulations hereby established for the district in which such building is located.

(4) Every building hereafter erected shall be located on a lot, which fronts on a street, and in no case shall more than one building and its customary accessory buildings be erected on any lot.

(5) No building shall be erected, nor shall any existing building be altered or rebuilt to provide less ground floor area in residential structures than is required by this chapter.

(6) Every building hereafter erected or altered shall provide paved off-street parking space for motor vehicles and loading and unloading berths as specified hereinafter for the use to which such building is to be devoted.

(E) Whenever any street, alley, or public way or railroad right-of-way is vacated by proper authority, the districts adjoining each side of such street, alley or public way or railroad right-of-way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and thenceforth be subject to all appropriate regulations of the extended districts.

Section 4. Amendments. Chapter 159 ZONING of Sections 159.24 through Section 159.33 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

§ 159.24 R1C - SINGLE-FAMILY RESIDENCE COMPACT HOME DISTRICT

(A) Single-family dwelling.

(B) Accessory building, including only domestic storage sheds, and a private garage, provided that any detached accessory building shall be located in the rear yard, as defined in the chapter, and no closer to the side street line of a corner lot than the front yard line of the adjacent lot fronting on the side street.

(C) Special uses may be permitted in § 159.45 of this chapter.

a. Properties zoned R1C may be granted the same Special uses afforded to R1 Single-Family Residence Districts.

(D) Accessory building, including storage sheds and garages located within the setback standards of this chapter.

(E) No business is permitted, except as specifically provided herein.

(F) The Principal Building shall be placed on a continuous and permanent foundation.

(G) This Zoning District shall not be construed to include mobile homes or trailers.

§ 159.25 R2 Two-Family Residence District (remains the same)

§ 159.26 R3 Multiple-Family Residence District (remains the same)

§ 159.27 C1 Neighborhood Commercial District (remains the same)

§ 159.28 C2 Accommodation Commercial District (remains the same)

§ 159.29 C3 Service Commercial District (remains the same)

§ 159.30 C4 General Commercial District (remains the same)

§ 159.31 C5 Shopping Center District (remains the same)

§ 159.32 I Industrial District (remains the same)

§ 159.33 Table 1 Parking Standards (remains the same)

Section 5. Amendments. Chapter 159 ZONING of Section 159.49 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

§ 159.49 YARDS.

(A) *Front yards.* Front yards shall be provided in each respective district as follows:

(1) RS, RI, R2, R3, CI and C2, Residence and Commercial Districts: Minimum dimension 25 feet.

(a) Front yard lines established in recorded subdivisions, which equal at least 20% of the depth of the lots, shall apply to buildings erected in such subdivisions.

(b) Buildings on through lots shall provide a front yard on each street.

(c) A corner lot located at the intersection of the two streets, shall provide front yards, for any building constructed thereon, parallel to both streets and conforming to the front yard required on lots which front on each street, providing that the building area on the corner lot need not be reduced below 35 feet in width, measured perpendicularly to the side street.

(d) Provided further that no accessory building located at such lot shall project beyond the front yard line established for the lots fronting on the side street.

(2) R1C District Front Yards: minimum dimension is fifteen (15) feet

(3) C3 Service Commercial Districts: the regulations for the RI Single-Family Residence District shall apply to all types of buildings hereafter erected, except on corner lots.

(a) Residential buildings shall comply with division (A)(1)(c) above.

(b) Commercial buildings; the front yard requirement shall apply to both streets providing that the building area on the corner lot need not be reduced below 50 feet in width, measured perpendicularly to the side street.

(4) Where two or more lots, (see vision clearance on corner lots, § 159.51) comprising at least 33% of the frontage in a block are developed with buildings having front yards which do not conform to the above, the average front yard so established shall apply to buildings hereafter erected in the block.

(5) C4 General Commercial district: front yards for residential buildings shall comply with the regulations prescribed for the R2 Single-Family Residence District but front yards are not required for other structures.

(6) C5 Shopping Center District: per Requirement Standards.

(7) I Industrial District: front yards are not required for commercial or industrial buildings.

(8) All lots fronting on two or more streets shall have a front yard setback from each street.

(B) *Side yards.* Side yards shall be provided in each respective district as follows.

(1) RS Suburban and RI Single-Family Residence Districts: minimum width of side yard required is five feet measured from the foundation to the side lot line, and four feet from an eave overhang to the side lot line.

(2) R1C District: The regulations for the R1 Single-Family Residence District shall apply except for a dwelling contiguous to the lot line (zero-lot line dwelling). The minimum width of the side yard opposite

the zero-side yard shall be ten feet measured from the foundation to the side lot line, and nine feet from the eave overhand to the side lot line.

(3) R2 Two-Family Residence District: the regulations for the RI Single-Family Residence District shall apply except for a dwelling contiguous to the lot line (zero lot-line dwelling). The minimum width of the side yard opposite the zero side yard shall be ten feet measured from the foundation to the side lot line, and nine feet from the eave overhang to the side lot line.

(4) R3 Multiple-Family, Residence District: the minimum width of the side yard shall be ten feet measured from the foundation to the side lot lines. These standards shall apply to all buildings not exceeding 40 feet in height. Buildings higher than 40 feet in height shall provide a side yard on each side of the building equal to 25% of the height of the building.

(5) CI, C2, and C3 Commercial Districts: the regulations of the R3 Multiple-Family, Residence District shall apply to residential buildings. Commercial buildings need not provide side yards except where the boundary of the district adjoins a residence district in which case a side yard ten feet wide shall be provided on the side of the lot next to the residence district.

(6) C4 General Commercial District: the regulations of the C3 Service Commercial District shall apply.

(7) C5 Shopping Center District: side yards are not required for commercial buildings.

(8) I Industrial District: commercial and industrial buildings need not provide side yards.

(C) *Rear yards.* Rear yards shall be provided in each respective district as follows.

(1) RS Suburban and RI Single-Family Residence Districts: the minimum dimension shall be five feet.

(2) R1C District: minimum dimension is five feet.

(3) R2 Two-Family Residence District: the regulations for the RI Single-Family Residence District shall apply.

(4) R3 Multiple-Family Residence District: the minimum depth of the rear yard shall be ten feet measured from the foundation to the rear lot lines. These standards shall apply to all buildings not exceeding 40 feet in height. Buildings higher than 40 feet in height shall provide a rear yard equal to 25% of the height of the building.

(5) CI, C2, and C3 Commercial Districts: five Feet. When not adjacent to an alley, no rear yard is required.

(6) C4 General Commercial District: no rear yard required.

(7) C5 Shopping Center District: no rear yard required.

(8) I Industrial District: no rear yard required.

(D) *Yard regulation exceptions.* The following provisions shall apply to front, side and rear yards in all districts.

(1) Where dwelling quarters are erected above stores, the side yard requirements covering the commercial use shall apply to the entire structure.

(2) Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening on firepower projecting into a yard not more than five feet, and the ordinary projections of chimneys and flues shall be permitted.

(3) Rear yards abutting on alleys may use one-half the width of the alley in computing the required depth of the lot.

(4) No yard or open space provided about any building for the purpose of complying with these regulations shall again be used as a yard or open space for another building.

(5) Accessory building and/or structure which are not part of a main residential building may be built a minimum of three feet from the rear and side lot lines in all districts. The limitations provided in this section for accessory buildings shall include above-ground swimming pools. These limitations shall not include below-ground pools, which must be a minimum of six feet from the property lines, for which specific regulations are provided in the City of Mattoon Building Code, as adopted by the City Council in § 150.01 of this code of ordinances.

(6) For the purpose of side yard requirements, a two-family dwelling or group house/townhouse, shall be considered as one building occupying a single lot.

(7) Buildings on through lots may waive the requirements for a rear yard by furnishing an equivalent amount of open space in lieu of the rear yard.

Section 6. Amendments. Chapter 159 ZONING of Sections 159.46 of the Code of Ordinances of the City of Mattoon is hereby amended with the addition as follows:

§ 159.46 TABLE 2 SPECIAL USES, DISTRICTS AND PARKING REQUIREMENTS.

<i>Type of Use</i>	<i>Permitted In</i>	<i>Parking Identifiers</i>
Compact Home	<i>All Districts Excluding Industrial</i>	1 per dwelling unit

§ 159.47 MINIMUM REGULATIONS FOR OFF-STREET PARKING.

(A) In order to lessen or avoid congestion in the public streets and to promote convenience, safety, and welfare, the following standards shall be the minimum off-street parking space requirements for all additions and new uses unless higher standards are established elsewhere within this chapter:

R1C Single-Family Residential Compact Home District	1 per dwelling unit; and all non-dwelling units, not identified elsewhere, shall comply to C1 parking minimums
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Section 7. Amendments. Chapter 159 ZONING of Sections 159.50 of the Code of Ordinances of the City of Mattoon is hereby repealed and replaced as follows:

§ 159.50 INTENSITY OF USE.

No building shall be erected which will increase the percentage of occupancy of the lot above the regulations given below, and the intensity of the use of lots shall conform to the following regulations for the respective districts.

- (A) *RS Suburban District.* The principal building erected on the lot with its accessory buildings shall not occupy more than 40% of the area of an interior lot nor more than 45% of the area of a corner lot. No single-family dwelling shall be erected on any lot having an area of less than 8,400 square feet or a width less than 70 feet.
- (B) *RI Single-Family Residence District.* The principal building erected on the lot with its accessory buildings shall not occupy more than 35% of the area of an interior lot nor more than 40% of the area of a corner lot. No single-family dwelling shall be erected on any lot having an area of less than 7,500 square feet or a width of less than 50 feet.
- (C) *R1C Single Family Residence Compact Home.* The principal building erected on the lot with its accessory buildings shall not occupy more than 35% of the area of an interior lot nor more than 40% of the area of a corner lot. No single-family dwelling shall be erected on any lot having an area of less than 3,750 square feet or a width of less than 30 feet.

(D) *R2 Two-Family Residence District.* The principal building on the lot with its accessory building shall not occupy more than 45% of the area of an interior lot nor more than 55% of the area of a corner lot. No dwelling shall be erected or altered to accommodate or make provision for more than one family for each 7,500 square feet of lot area for single-family houses with a minimum lot width of 50 feet and for two-family dwellings 3,750 square feet of lot area per family with a minimum lot width of 50 feet.

(E) *R3 Multiple-Family Residence District.* The regulations applying to the percentage of occupancy of the lot shall be the same as the R2 Two-Family Residence District. Single and two-family dwellings shall be erected only on lots having a minimum area of 7,500 feet and a minimum width of 50 feet, in this district. Multiple dwellings, apartments or group houses/town-houses shall not be erected or altered hereafter to accommodate or make provisions for more than one family for each 500 square feet of the lot, with a minimum width of 50 feet and an area of not less than 7,500 square feet.

(F) *C1, C2 and C3 commercial districts and C4 general commercial districts.* The regulations for intensity of use prescribed for the R3 Multiple-Family Residence Districts shall apply to residential buildings erected or altered in these districts.

(G) A lot in any district, except the C5 and I districts, which was a lot of record or was in separate ownership at the time of passage of this chapter, may be used as a residential building lot if additional frontage on either side of the lot was not under the same ownership at the time of passage of this chapter and cannot be reasonably acquired, as determined by the Zoning Board of Appeals, so as to meet the minimum requirements for intensity of use for a single-family dwelling in the district in which the lot is located.

(H) A minimum ground area shall be required for each dwelling unit in all districts where permitted as follows:

	Table 3. Square Feet of Total Floor Area per Dwelling Unit in Districts Where Permitted						
	KEY:						
Use	RS	R1	R1C	R2	R3	C1 - C3	C4
Single-family	960	768	500	600	600	600	600
Two-family	--	--	--	600	504	504	--
Multiple-family	--	--	--	--	504	504	504

Section 8. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clause and phrases may be declared unconstitutional.

Section 9. The City Clerk is hereby directed to cause this ordinance to be published in pamphlet form.

Section 10. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 10 days after its publication in pamphlet form as herein provided.

Section 11. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder’s Office of Coles County, Illinois.

Upon motion by Mayor Hall, seconded by Commissioner Phipps, adopted this 20th day of February, 2024, by a roll call vote, as follows:

AYES (Names): Commissioner Closson, Commissioner Cox,
Commissioner Graven, Commissioner Phipps,
Mayor Hall
 NAYS (Names): None
 ABSENT (Names): None

Approved this 20th day of February, 2024.

/s/Rick Hall
Rick Hall, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/Daniel C. Jones
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on _____ 02-20 , 2024.

Mayor Hall opened the floor for comments with no response.

Mayor Hall declared the motion carried by the following vote: YEA Commissioner Closson, YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Phipps, YEA Mayor Hall.

Mayor Hall seconded by Commissioner Cox moved to adopt Ordinance No. 2024-5475, amending Chapter 159 Zoning Code to establish Non-Coterminous additional parking and special uses in Sections 159.04, 159.45(C)(3)(c), 159.46, and 159.47 of the municipal code.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2024-5475

AN ORDINANCE ESTABLISHING NON-COTERMINOUS ADDITIONAL PARKING AS A SPECIAL USE WITHIN THE ZONING ORDINANCE OF THE CITY OF MATTOON

WHEREAS, The City of Mattoon is experiencing a period of growth; and

WHEREAS, a parking lot expansion for a private entity can theoretically be constructed in a residentially zoned neighborhood without public input from adjacent residents who may be adversely affected by such a development; and

WHEREAS, The City of Mattoon has identified a need for public input to be considered for the establishment of additional parking lots for pre-established structures; and

WHEREAS, parking lots are an inferior source of municipal revenue when compared to property tax revenues derived from structures; and

WHEREAS, The Planning and Zoning Commission and the City Council pursuant to the abilities of City Council enshrined in Section 32.05 of the Mattoon Code of Ordinances wish to promote responsible development by preserving neighborhood character and controlling the impacts of development within our community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendments. Chapter 159 ZONING, Section 159.04 of the Code of Ordinances of the City of Mattoon is hereby amended with the addition as follows to include 'Non-Coterminous Additional Parking' as a new Special Use permitted in all zoning districts if it is deemed beneficial to the character of

the neighborhood:

§ 159.04 DEFINITIONS.

Non-Coterminous Additional Parking. An expansion of pre-existing parking facilities not required for the initial placement or development of the principal building. This shall not include garages or other similar accessory structures associated with residential uses.

Section 3. Amendments. Chapter 159 ZONING of Section 159.45 (C)(3)(c) of the Code of Ordinances of the City of Mattoon is hereby amended with the addition as follows:

(c) A church or temple requiring parking area at times when nearby uses do not need their parking facilities, may by agreement approved by the Board, utilize such facilities in lieu of providing their own parking facilities. The Special Use shall be applicable to additional parking lots not currently in existence intended to be established to satisfy the purposes of Section 159.45 (C)(3)(c).

Section 4. Amendments. Chapter 159 ZONING of Sections 159.46 of the Code of Ordinances of the City of Mattoon is hereby amended with the addition as follows:

§ 159.46 TABLE 2 SPECIAL USES, DISTRICTS AND PARKING REQUIREMENTS.

<i>Type of Use</i>	<i>Permitted In</i>	<i>Parking Identifiers</i>
Non-Coterminous Additional Parking	All Districts	§ 159.47 (H)

Section 5. Amendments. Chapter 159 ZONING of Section 159.47 of the Code of Ordinances of the City of Mattoon is hereby amended with the addition of Section 159.47 (H) as follows:

§ 159.47 MINIMUM REGULATIONS FOR OFF-STREET PARKING.

(H) The establishment of Non-Coterminous Additional Parking for any individual, business, or organization shall be of the same or higher intensity zoning designation as the Principal Building Lot as outlined in Parking Table 1.

Parking Table 1									
Permitted Zoning for Parking Expansion									
Principal Building Lot	R1 & R1C Zoned	R2 Zoned	R3 Zoned	C1 Zoned	C2 Zoned	C3 Zoned	C4 Zoned	C5 Zoned	Industrial
Where Non-Coterminous Additional Parking Expansion is Allowed	All Zoning Districts Allowed	R2 and Above Allowed	R3 and Above Allowed	C1 and Above Allowed	C2 and Above Allowed	C3 and Above Allowed	C4 and Above Allowed	C5 and Above Allowed	Industrial Only

Section 6. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clause and phrases may be declared unconstitutional.

Section 7. The City Clerk is hereby directed to cause this ordinance to be published in pamphlet form.

Section 8. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 10 days after its publication in pamphlet form as herein provided.

Section 9. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor Hall, seconded by Commissioner Cox, adopted this 20th day of February, 2024, by a roll call vote, as follows:

AYES (Names): Commissioner Closson, Commissioner Cox,
Commissioner Graven, Mayor Hall
NAYS (Names): None
ABSENT (Names): Commissioner Phipps

Approved this 20th day of February, 2024.

/s/Rick Hall
Rick Hall, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM

/s/Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/Daniel C. Jones
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on 02-20, 2024.

Mayor Hall opened the floor for comments. Manager Benishek noted the effective perception in the community with the expansion of parking lots and update to the parking use table allowing for building in higher zones. Administrator Gill noted the cleaning up of the zoning code.

Mayor Hall declared the motion carried by the following vote: YEA Commissioner Closson, YEA Commissioner Cox, YEA Commissioner Graven, ABSTAIN Commissioner Phipps, YEA Mayor Hall.

Mayor Hall seconded by Commissioner Phipps moved to adopt Ordinance No. 2024-5476, adopting an amended Planned Unit Development (PUD) Code for the City of Mattoon and amending Chapter 159 Zoning to update the PUD in Sections 159.04, 159.52, 159.30, 159.46 of the municipal code.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2024-5476

**AN ORDINANCE APPROVING AN AMENDED
PLANNED UNIT DEVELOPMENT CODE FOR THE CITY OF MATTOON
AND THE AMENDMENTS TO THE CODE OF ORDINANCES**

WHEREAS, the City of Mattoon’s (the “City”) Planned Unit Development Code was originally adopted in 1988 with Ordinance No. 1988-4581; and,

WHEREAS, many Illinois statutes and city policies have changed in 36 years; and,

WHEREAS, the City wishes to adopt an amended Planned Unit Development Code to reflect those changes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. The amended Planned Unit Development Code is attached hereto and by this reference incorporated herein and a part hereof, and is hereby adopted, authorized and approved in all respects.

Section 3. Amendments. Chapter 159 ZONING, Section 159.04 of the Code of Ordinances of the City of Mattoon is hereby amended with the addition as follows:

§ 159.04 DEFINITIONS.

UNIT DEVELOPMENT PLAN. A planned area for a self-contained residential or shopping center development, the design and layout of which is subject to the requirement standards of this chapter. (See Planned Unit Development Code).

Section 4. Amendments. Chapter 159 ZONING, Section 159.52 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

§ 159.52 PLANNED UNIT DEVELOPMENT.

See Planned Unit Development Code.

Section 5. Amendments. Chapter 159 ZONING, Section 159.30 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

§ 159.30 C5 SHOPPING CENTER DISTRICT.

Any use permitted in C1, C2, and C3 Commercial Districts and conforming to the performance standards set forth in Planned Unit Development Code.

Section 6. Amendments. Chapter 159 ZONING, Section 159.46 Table 2 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

§ 159.46 TABLE 2 SPECIAL USES, DISTRICTS AND PARKING REQUIREMENTS.

Amusement Park	See Planned Unit Development Code	
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Section 7. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clause and phrases may be declared unconstitutional.

Section 8. The City Clerk is hereby directed to cause this ordinance to be published in pamphlet form.

Section 9. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 10 days after its publication in pamphlet form as herein provided.

Section 10. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder’s Office of Coles County, Illinois.

Upon motion by Mayor Hall, seconded by Commissioner Phipps, adopted this 20th day of February, 2024, by a roll call vote, as follows:

AYES (Names): Commissioner Closson, Commissioner Cox,
Commissioner Graven, Commissioner Phipps,
Mayor Hall
NAYS (Names): None
ABSENT (Names): None

Approved this 20th day of February, 2024.

/s/Rick Hall
Rick Hall, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/Susan J. O’Brien
Susan J. O’Brien, City Clerk

/s/Daniel C. Jones
Daniel C. Jones, City Attorney

Recorded in the Municipality’s Records on _____ 02-20 , 2024.

Mayor Hall opened the floor for comments. Administrator Gill noted the update to the PUD code, which was outdated. Commissioner Phipps thanked the Housing Committee, Mattoon In Motion

and Manager Benishek for their work on the ordinances. Manager Benishek acknowledged the great teams and support from the Housing Committee.

Mayor Hall declared the motion carried by the following vote: YEA Commissioner Closson, YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Phipps, YEA Mayor Hall.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR commented on work on vacancies, Public Works – Marina’s liquor license, permitting through Canadian National railroad, budgets, proposed budget meeting on March 5th and requested Council’s decision on the budget meeting. Council discussed the timing of the budget meeting and decided on March 19th at 6:00 p.m. having a special meeting before the regular meeting for a review of the budget.

CITY ATTORNEY noted the upcoming former Brown Shoe factory hearing during the first part of March. Mayor Hall opened the floor for questions with no response.

CITY CLERK noted business as usual with personnel and insurance issues. Mayor Hall opened the floor for questions with no response.

FINANCE distributed and reviewed the January Financial Report’s revenues and expenditures, cash position, Revenue Tracking worksheet and unrestricted cash. Mayor Hall opened the floor for questions with no response.

PUBLIC WORKS updated Council on the lead water line survey to the EPA with potential grants for data collection, crews working on maintenance replacing water lines on Lake Land Boulevard and sewer lines, Riddle School sidewalk project hoping to receive good bids, Route 16 project waiting on IDOT to resolve a right-of-way issue, Kimley-Horn work on the roads, sewer and water for the sports complex, seal coat and concrete bids for advertising, and lighting for the trail crossing at 9th and 10th Streets by looking into solar lighting. Mayor Hall noted a ribbon cutting for the Riddle School sidewalk completion. Commissioner Closson inquired whether the Heritage and Wolfe Parks and Progress Square were going to Parks Department with Director Clark answering affirmatively.

FIRE reported on calls for service, inspections and follow-ups, training, an AFP grant, and hope of receiving the new truck this week. Mayor Hall opened the floor for questions with no response.

POLICE reported calls for service, 43 arrests including several gun arrests. Mayor Hall opened the floor for questions with no response.

ARTS AND TOURISM updated Council on the Mattoon Sign on Broadway and 19th Street, thanked Parks Assistant Superintendent TJ Hesse and Superintendent Kurt Stretch for their prep work for the sign, added Heritage Park upgrades, lights on Downtown buildings, Bagel Bites, Bagelfest entertainment signed but not disclosed, Lightworks purchases and an upcoming bid anniversary for Lightworks. Mayor Hall inquired as to issues addressed with 4th of July followed by Director Burgett stating affirmatively.

COMMUNITY DEVELOPMENT updated Council on the 609 Marion and Old State Village with compliance issues and townhome duplex area, OSLAD, Carter Lane nuisance, 816 Prairie designated uninhabitable, Chicago Regions Tree Grant of \$75,000 for a GIS Tree Inventory and Urban Forestry Plan, and 35th Rural Community Economic Development conference; and thanked the Council for the trust in the Housing Committee. Mayor Hall added the inventory of trees would be with the schools too. Mayor Hall opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioner Closson announced Mr. Wurtsbaugh was preparing the campgrounds for 103 campsites which was to be opened April 15th through October 15th generating \$200,000 annually; and Parks Superintendent Stretch and Assistant Parks Superintendent TJ Hesse were preparing to have a sidewalk placed around the equipment and removal of the old playgroup equipment. Commissioner Cox had a meeting with the Fire Department shifts and appreciated their feedback; and thanked the Housing Committee for their attendance and time. Commissioner Graven had no further comments. Commissioner Phipps learned about “coterminous” with Manager Benishek explaining the difference between coterminous and contiguous. Mayor Hall reported on meetings with the sports complex, Bimbo and Agri-Fab, and a new restaurant.

Commissioner Cox seconded by Commissioner Phipps moved to adjourn at 7:14 p.m.

Mayor Hall declared the motion carried by the following vote: YEA Commissioner Closson, YEA Commissioner Cox, NAY Commissioner Graven, YEA Commissioner Phipps, YEA Mayor Hall.

/s/Susan J. O'Brien
City Clerk