



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Laurel Lunt Prussing

FROM: Elizabeth H. Tyler, FAICP, Director

DATE: August 12, 2010

SUBJECT: Plan Case 2122-T-10: Multipart Text Amendment to the Urbana Zoning Ordinance

Introduction

The Zoning Administrator is requesting a multipart amendment to the Zoning Ordinance. The amendment includes such changes as updating definitions, reorganizing sections, revising allowed uses and parking requirements, and a variety of 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 meant to fix typographical errors and inconsistencies that have been identified since the ordinance was last updated. On their own, many of these changes would not otherwise warrant a separate text amendment. Additionally, staff is proposing more substantive amendments involving:

- Regulations to reduce the impacts of loading areas on adjacent residences
- Changes to the fence code to improve safety and visibility.

Background

The last series of omnibus Zoning Ordinance amendments were approved in 2008. Since that time additional typographical errors and inconsistencies in the Zoning Ordinance have been identified. In addition, current professional practice and policies and the City's adopted plans and policies may lead to desired amendments to the Zoning Ordinance for consistency and effective implementation. Some of the proposed changes are the result of difficulties in administering the Zoning Ordinance. Some changes are in response to new development patterns, professional practices, City policies, or specific requests by policy makers.

Future and pending amendments to the Zoning Ordinance include separating light and heavy industrial zoning districts, establishing wind turbine standards, establishing pedestrian access standards and creation of a University District.

The Urbana Plan Commission held a public hearing on July 22, 2010 to consider the proposed text amendments. At that meeting, commissioners asked for revisions to Figure VIII-4, which is now proposed to be revised and moved to Article VI. Plan Commission also asked if a reference to Chapter 7, “Fences”, of the City Code in Section VI-6.B.1 was needed, upon review staff has determined it is not needed and has removed this reference. Staff has also changed the definition and references to Loading Spaces and Loading Docks to better differentiate between the two and to clarify which regulations apply to each. At the close of the public hearing, Plan Commission voted six ayes to zero nays to forward the proposed text amendment to City Council with a recommendation for approval subject to the changes discussed at the meeting. Staff has incorporated these changes.

Discussion

This memorandum discusses more significant Zoning Ordinance changes, but summarizes all minor changes. The attached Zoning Ordinance (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 is suggesting a number of grammatical corrections and organizational changes.

Upon adoption of this multipart amendment, staff will republish the Zoning Ordinance, including several text amendments adopted over the past two years. The following is a list of adopted text amendments, followed by plan case number and adopting ordinance number:

- New Outdoor Lighting Design Standards (2081-T-08, 2009-03-018);
- A renewed Article IX Sign Regulations (2104-T-09, 2009-05-053);
- Changes regarding driveway widths (2113-T-09, 2009-09-103);
- Additional use regulations in the MOR District (2098-T-09, 2009-03-015);
- A new allowance to rebuild garages close to the property line (2097-T-09, 2009-03-019);
- Design Review Board and Lincoln-Busey Corridor Guidelines (2074-T-08, 2009-01-004 & 2009-01-005);
- Design Review Guidelines for Historic East Urbana (2130-T-10 ,2010-06-044); and
- Sign Illumination limits (2110-T-09, 2009-09-106).

Many of the adopted amendments are directly related to Goals and Objectives or Implementation Strategies from the 2005 Urbana Comprehensive Plan. These adopted amendments will be summarized in the table which precedes the text of the Zoning Ordinance upon republishing.

Below is a brief summary of the miscellaneous proposed changes organized by Zoning Ordinance article. Changes are listed in bullet points, followed by analysis in italics. Following the miscellaneous text changes are discussions of the more significant changes.

Part A: Miscellaneous Text Changes

Article II. Definitions

- Remove the definition of *Area, Building*.

The term “Building Area” is used only in Section V-2.D.7, and is separate from “Floor Area”. The maximum size of an accessory structure is based on “building area” of the home. The definition of “building area” contains the area of both principal buildings and all accessory structures. This conflicts with its use in Article V, where it is meant to refer to either the footprint of the house or the area of the accessory structure, but not both. Section V-2.D.7 is proposed to be amended so that the term is not used and confusion can be avoided.

Article V. Use Regulations

- Amend V-2.D.7 to refer to footprint instead of building area.

“Footprint” is a standard term to describe the area a building takes as viewed from above.

Table V-1. Table of Uses

- Allow “Mobile Home in approved Mobile Home Park” to be permitted by right in the AG District.

Mobile Home Parks require a detailed site plan and Special Use Permit approval, as detailed in Section XIII-2. As currently written, each individual mobile home in a mobile home park would also require a separate Special Use Permit. Once the initial mobile home park is approved through a Special Use Permit, individual mobile homes should be allowed to be installed without further action by City Council.

- Allow Self-Storage Facility as a Conditional Use in the B-3 District.

Currently, these uses are only permitted in the Industrial District. Many of the existing self-storage facilities in the city are located in the B-3 District. Allowing them with a CUP will allow for these existing non-conforming uses to be rebuilt if destroyed.

Article VI. Development Regulations

- Rearrange Section VI-6 so that the general provisions (F and G) are at the beginning of the section.

Changing the order of regulations to go from general to specific improves the readability of the Zoning Ordinance.

- Move Screening Requirements for parking lots from Section VIII-3.F to Section VI-6.B and rename the section to “Screening of Off-Street Parking and Storage Areas”. Figure VIII-4, “Required Screening Between Uses”, is proposed to be moved to Article VI as Figure VI-1.

It will aid use and administration of the ordinance to have all screening regulations in one section. Note that Shade Tree requirements will stay in Article VIII.

- Amend Paragraph VI-6.B.2 so that it does not state the required front yard setback is 15 feet and remove CCD.

This paragraph allows vehicles to encroach 10 feet into the required front yard setback if properly screened. Since this provision applies to the IN District, which has a required front yard setback of 25 feet it is contradictory to state the required yard is 15 feet. Also, the CCD District has a required front yard of six feet. A ten-foot encroachment in this district would allow vehicles to park on the right-of-way, which is not allowed. Therefore the CCD District should be removed from this provision.

- Add headings to Paragraph VI-6.C and D.

This will improve readability of the Zoning Ordinance.

- Amend Table VI-3 to increase allowed FAR in the CRE District to 0.40.

All of the Urbana School District properties are zoned CRE, Conservation/Recreation/Education District. Three of the eight District properties exceed the current maximum FAR for CRE, at 0.25. In order to allow these older schools to remodel or expand, the Zoning Administrator proposes increasing the maximum FAR to 0.40. This matches the FAR for R-2 and R-3 districts which most often surround public schools.

Article VIII. Parking and Access

- Amend Section VIII-3.E to reference the proposed Figure VIII-8 regarding standards for circular access drives. Insert Figure VIII-8, Standards for Circular Access Drives.

The Zoning Ordinance does not currently address circular access drives. The proposed graphic

includes minimum turning radii and setbacks to protect safety and visibility requirements.

- Amend and rename Section VIII-3.F so that it only addresses shade tree requirements.

Screening requirements for parking lots are proposed to be moved to Section VI-6.B.

- Amend Paragraph VIII-4.F.6 so that it does not state the required front yard setback is 15 feet and remove CCD.

This paragraph involves the same amendment as VI-6.B.2 discussed above.

- Restore language mistakenly removed from Paragraph VIII-5.A.

This language regarding when new off-street parking is required was unintentionally deleted from the Zoning Ordinance during a previous republication.

- Amend Table VIII-7, Parking Requirements by Use.

Uses such as grocery and appliance stores are not currently on this list, and parking space requirements based on modern standards are proposed to be added. Comparable cities such as Champaign, Madison, and East Lansing require one parking space per 300 square feet at grocery stores, and this is what staff recommends for Urbana, instead of the current one space per 250 square feet. A requirement for Copy/Printer Service has been added.

Part B: Loading Area Standards

Loading docks located next to residences present potential land use conflicts. Trucks idling and backing, as well as refrigeration units, can cause disruptive noise. Moving trucks in and out of position can cause headlight beams to intrude into residences. These impacts are especially disturbing late at night and very early in the morning. Other communities handle these impacts in a variety of ways. Some require that loading docks be set back a minimum distance from residential properties, usually between 50 and 100 feet. Most cities, including Champaign, require that loading docks be screened from residences with an opaque fence, usually at least six feet high. Some cities have additional requirements, including limiting hours of operation, requiring loading spaces to be inside buildings, or requiring noise-reduction measures.

The current Zoning Ordinance standards in Section VIII-6 do not adequately address the effects of loading docks. Currently, loading docks must be screened to the standard of off-street parking lots, which require a landscape screen no less than three feet in height. Article VI does require a six-foot solid fence between single-family zoning districts and business districts, but this does not provide protection for the R-4, R-5, R-6, R-6B, R-7 or MOR districts. In order to provide improved protection for all residences from the impacts of loading docks, the following changes are proposed.

First, the Zoning Ordinance is proposed to be amended to distinguish between loading spaces and loading docks. Loading spaces are essentially large parking spaces where trucks can park to load or unload to and from a building, generally with a hand truck. Loading docks are a specific type of loading space that are connected to the building and usually have an overhead door that allows for direct loading to and from the truck with pallets. Loading spaces involve a less intensive use associated with many businesses, and are used primarily during daytime business hours.

All loading areas, including docks and spaces, will be required to be screened from adjacent residences with a solid fence at least six feet tall. Loading docks will be subject to further limitations: They must be set back at least 75 feet from adjacent residences. This is consistent with existing loading docks in Urbana, which are on average 67 feet away from residential properties. The smallest set back is at the former Jerry's IGA, which is only 44 feet from the property line. The farthest is Aldi, at 135 feet. Meijer's loading dock is 65 feet away from the property line.

In addition to a minimum setback, staff is suggesting the following additional requirements to protect residences from the impacts of nearby loading docks. The following regulations reflect the permissible ranges that several other cities have in place in order to reduce conflicts between residences and loading docks.

Loading docks within 150 feet of residential properties will be required to meet at least one of the following:

- 1) The loading dock shall be screened from adjacent residences by use of a wing wall of sufficient height and length to effectively screen any vehicles and trailers parked in said space; or
- 2) The loading dock shall be fully enclosed within a building; or
- 3) The loading dock shall not be utilized between the hours of 10:00 PM and 7:00 AM; or
- 4) The loading dock shall implement alternative measures sufficient to mitigate noise, such as a noise wall, shield, or baffle, with such measures to be approved by the Zoning Administrator and City Engineer.

Specific changes regarding loading spaces include:

- Add the definitions for *Loading Dock* and *Loading Space* to Article II.
- Change language in Paragraph VI-6.B.5 so that it does not refer to loading areas. Loading areas are to be addressed in the proposed Section VI-6.F.
- Add a new Paragraph VI-6.F, Screening of Loading Docks and cross-reference new requirements for loading docks in Section VIII-6.
- Amend Section VIII-6 regarding Off-Street Loading Regulations. Proposed changes include:
 - Revise language in paragraph VIII-6.C to reference screening requirements for loading docks specified in Section VI-6.F.

- Specify that loading docks must be paved with a hard surface.
- Add requirements for the location and design of loading docks in Section VIII-6.G as described above.

Part C: Fence Code Changes

In addition to the Zoning Ordinance changes, the Zoning Administrator is proposing changes to the Urbana Fence Code in order to improve safety and visibility. It may be difficult for drivers backing on driveways to see pedestrians on the sidewalk if there is a solid six foot fence along the property line. The Fence Code only regulates fences within the required front, side, or rear yard. Fences may be up to six feet high in the required front yard, and up to eight feet high in required side and rear yards. Currently there are no restrictions on opacity or requirements for visibility. The Fence Code is included in Chapter Seven of the City Code of Ordinances, and is not in the Zoning Ordinance. In order to amend the Fence Code, City Council must make a separate motion and pass a separate ordinance.

The Fence Code was adopted in 1977. Since that time, the required height and/or opacity of fences in the required front yard has been changed five times. From 1988 until 1998 fences in the front yard were required to be at least 30% transparent, and up to 70% transparent depending on height. The most recent transparency requirement, repealed in 1998, was that any portion of a fence over four feet high be no more than 50% solid. The Building Inspector responsible for fence permits noted that the previous transparency requirements were complex and difficult to enforce. The proposed changes are simplified to assist with administration, while providing for better visibility and safety:

- Fences in the required front yard shall be no more than 50% opaque, and shall be no taller than four feet. To be considered at least 50% opaque, the fence should allow the direct passage of light through at least half of the fence area. Most chain link and picket fences are less than 50% opaque. This requirement is consistent with the vast majority of existing fencing within Urbana. Other cities such as Champaign, Bloomington and Normal also limit fence height to three or four feet in the required front yard setback or require them to be 50% transparent if taller.
- On a corner lot, fences behind the front face of the house will be allowed to be six feet tall and solid. This will allow for privacy fences on corner lots, which have two front yard setbacks. Privacy fences are usually 100% opaque.
- Within ten feet of the intersection of a driveway and sidewalk, fences must be at least 50% transparent. This ensures that driveways on corner lots will not be obstructed.
- The Building Official will be allowed to grant an administrative variance to the height limits if there is a demonstrated nuisance, hazard, or security concern. Currently, the Building Official may grant administrative variances to allow for barbed wire if there is a demonstrated security concern.

Additionally, Figure 1 is proposed to be added to the Fence Code to illustrate proposed height and

transparency limits.

Summary of 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).
5. The proposed amendment regarding loading space screening will reduce land use conflicts between businesses and residences.
6. The proposed amendment regarding Chapter 7, “Fences”, of the City Code will improve pedestrian visibility and safety.
7. The proposed amendment will help to reduce the number of non-conforming land uses in the City.

Options

Given the large number of changes in the proposed amendment, the City Council may choose to approve parts of the amendment in whole or with specific suggested changes. Council has the following options regarding Plan Case 2122-T-10. For Part A, Miscellaneous Text Changes, Part B, Loading Dock Regulations, and Part C, Fence Code Changes, City Council may:

- a. approve each proposed text amendment or ordinance change as presented herein;
- b. approve each proposed text amendment or ordinance change as modified by specific changes; or
- c. deny each proposed text amendment or ordinance change.

Recommendation

At their July 22nd meeting, Plan Commission voted six ayes to zero nays to forward Plan Case 2122-T-10 to City Council with a recommendation to **APPROVE** the proposed multipart text amendment to the Zoning Ordinance in its entirety, with specific revisions that have been incorporated. Plan Commission Also discussed the proposed changes to Chapter 7, “Fences”, of the City Code, which falls out of their jurisdiction. Plan Commission was generally supportive of the proposed changes.

Attachments:

Exhibit A: Zoning Ordinance Proposed Changes

Exhibit B: Fence Code Proposed Changes

Exhibit C: Approved Minutes from the July 22, 2010 Plan Commission Meeting

Exhibit A: Zoning Ordinance Proposed Changes

Article II: Definitions

~~*Area, Building:* The total area, taken on a horizontal plane at the largest floor level, and measured to the outside face of the outside walls, of the main or principal building and all accessory buildings on the same lot, exclusive of uncovered porches, terraces, steps, awnings, marquees, and nonpermanent canopies and planters.~~

Loading Dock: a platform, pier, or fixed hydraulic lift from which loading and unloading of trucks or tractor trailers takes place.

Loading Space: an area within a building or on the same lot, providing for trucks and tractor trailers to be temporarily parked while loading and unloading from or to a building.

Section V-2.D

7. If such accessory structures or buildings are to be located on a lot containing a single- or two-family dwelling, the maximum permitted ~~building~~ area of the accessory building, regardless of the zoning district, shall be determined as follows:
 - a) If the ~~building area~~ footprint of the single- or two-family dwelling on the lot does not exceed 1500 square feet, the aggregate area of all accessory structures shall not exceed 750 square feet.
 - b) If the ~~building area~~ footprint of the single- or two-family dwelling on the lot is greater than 1500 square feet, the ~~building~~ area of the accessory building(s) shall not exceed 50% of the ~~building area~~ footprint of that single- or two-family dwelling, or 1000 square feet, whichever is less.
 - c) The gross floor area of a shed, as defined herein, shall not exceed 100 square feet.

Table V-1

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	IN	MOR	OP
Residential																				
Mobile Home Park (See Section VII-4)									S											
Mobile Home in <u>approved</u> Mobile Home Park									S D I											
Miscellaneous Business																				
Self-Storage Facility												C							P	

Section VI-6. Screening

<FIRST TWO PARAGRAPHS MOVED FROM THE END OF VI-6 TO BEGINNING>

Screening required by the Zoning Ordinance shall be well maintained and shall be repaired or replaced to the original required state if damaged, destroyed, or in need of repair. Walls and

fences shall be maintained in an upright condition. Deteriorated or damaged masonry and wood fences shall be replaced within a period of thirty days, or as soon as weather permits. Plant material shall be maintained in accordance with Section VI-6.A.2.b.8. If the screen is destroyed by any force majeure, the replacement period may be extended by the Zoning Administrator upon written application.

Screening and landscaping, whether or not required by this Ordinance, shall not obstruct or interfere with the visibility triangle specified in ~~Section VI-5.E.4~~ Chapter 20 of the Urbana City Code. Within a ten foot radius of the point where driveways or alleys intersect sidewalks or property lines, no vegetation, landscape feature, or appurtenance shall obstruct views so as to create a hazardous condition for egress and ingress.

A. Buffer and Landscape Yards <NO CHANGES>

B. Screening of Off-Street Parking and ~~Loading~~ Storage Areas

- 1) ~~All off-street parking lots shall be screened with an adequate screen fence or screen planting as required in Section VIII-3.F.~~

< NEW PARAGRAPHS 1, a, b, c MOVED FROM VIII-3.F.>

Off-street parking that is located directly adjoining a residential zoning district or residential use shall be screened. No screening is required, however, between adjacent parking lots serving separate multi-family structures or when a parking lot is adjacent to a public alley except that screening is required when parking spaces are oriented towards a public alley (See Figure VIII-4 VI-1). On-site or off-site screening existing at the time when approval for construction of new parking is sought may satisfy this requirement subject to approval of the Zoning Administrator.

Design of Parking Screening, Materials, and Maintenance

- a) Landscaped screening shall be no less than three feet in height; except that in order to enhance visibility along the right-of-way, shrub planting adjacent to an access driveway shall not exceed three feet in height along the lot line adjacent to the right-of-way. The requirements of the visibility triangle set forth in Article VI of Chapter 20 of the Urbana City Code shall supersede the provisions of this Article. Species and planting size acceptable for such hedge plantings are shown in shall conform with Table VI-5. The Zoning Administrator may approve landscape berms or types of plant material other than those specified in Table VI-5 upon recommendation of the City Arborist.
 - b) Where off-street parking areas are to be screened by means of a shrub planting hedge, a minimum three-foot wide planting area is required at the end of the paving surface.
 - c) All parking screening shall be maintained to effectively function as a direct headlight screen. All plant materials shall be maintained as living plant material and promptly replaced within 90 days when any such foliage dies.
- 2) In the B-2, B-3, B-3U, ~~CCD~~ and IN Zoning Districts, parking or storage of vehicles for sale is permitted to encroach ten feet into the required ~~45-foot~~ front yard setback if the

encroachment conforms to the regulations set forth in Section VI-6.A.2.b.3, 4, 5, 6, 7 and 8.

3) <NO CHANGES>

4) <NO CHANGES>

5) ~~Loading areas and~~ Non-refuse storage areas which adjoin a residential district or use, or which are separated by a public right-of-way from a residential district or use, shall be screened to meet the requirements for the screening of off-street parking areas, as specified in Section ~~VIII-2.F~~ VI-6.B.1.

C. Screening of Trash Containers.

Trash containers and trash collection areas for all non-residential and multi-family uses shall be screened so that no portion of such container or area is visible from public rights-of-way or adjacent properties. Screening may consist of a wall, opaque fence, earthen berms, landscaping, or any combination thereof.

D. Screening of Mechanical Equipment.

Ground-mounted mechanical equipment for all non-residential uses shall be screened from view at ground level from public rights of way and adjacent residential districts. Screening may consist of a wall, opaque fence, earthen berms, landscaping, or any combination thereof.

E. Outdoor Storage Screening <NO CHANGES>

F. Screening of Loading Areas

Off-street loading docks and loading spaces which adjoin a residential district or use shall be screened by a solid fence at least six feet tall composed of wood, masonry, or other materials as approved by the Zoning Administrator. Loading docks and loading spaces shall meet the requirements of Section VIII-6.

~~F. Screening shall be well maintained and shall be repaired or replaced to the original required state if damaged, destroyed, or in need of repair; walls and fences shall be maintained in an upright condition; deteriorated or damaged masonry and wood fences shall be replaced within a period of thirty days, or as soon as weather permits; plant material shall be maintained in accordance with Section VI-6.A.2.b.8. If the screen is destroyed by any force majeure, the replacement period may be extended by the Zoning Administrator upon written application.~~

~~G. Screening and landscaping, whether or not required by this Ordinance, shall not obstruct or interfere with the visibility triangle specified in Section VI-5.E.4.~~

Figure VI-1: Required Screening Between Uses

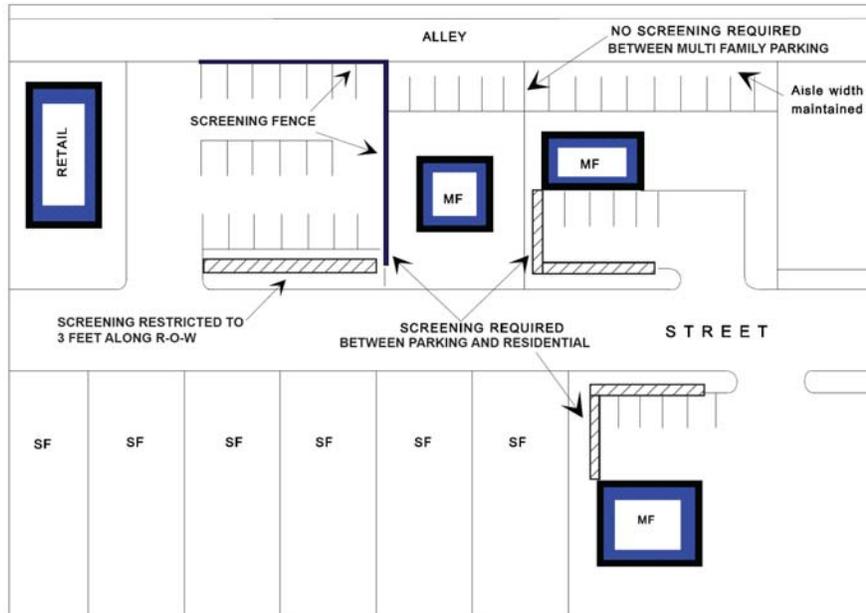


TABLE VI-3. DEVELOPMENT REGULATIONS BY DISTRICT

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
CRE	1 acre	150	35 ³	0.25-0.40	0.55	25	15	25

VIII-3.E

2. No zoning lot... Circular drives shall conform to minimum standards as shown in Figure VIII-8, or as approved by the Zoning Administrator.

VIII-3.F

<PARAGRAPHS 1 & 2 MOVED TO VI-6.B>

F. *Screening of Off-Street Parking and Shade Trees*

1. ~~Off-street parking that is located directly adjoining a residential zoning district or residential use shall be screened. No screening is required, however, between adjacent parking lots serving~~

~~separate multi-family structures or when a parking lot is adjacent to a public alley except that screening is required when parking faces a public alley (See Figure VIII-4). On-site or off-site screening existing at the time when approval for construction of new parking is sought may satisfy this requirement subject to approval of the Zoning Administrator.~~

~~2. Design of Parking Screening, Materials, and Maintenance~~

- ~~a) Landscaped screening will be no less than three feet in height; except that in order to enhance visibility along the right-of-way, shrub planting adjacent to an access driveway shall not exceed three feet in height along the lot line adjacent to the right-of-way. If screening for off-street parking is in the form of a wall or fence, the requirements of this Article shall supersede the requirements of Chapter 7 of the Urbana City Code. The requirements of the visibility triangle set forth in Article VI of Chapter 20 of the Urbana City Code shall supersede the provisions of this Article. Species and planting size acceptable for such hedge plantings are shown in Table VIII-4. The Zoning Administrator may approve landscape berms or types of plant material other than those specified in Table VIII-4 upon recommendation of the City Arborist.~~
- ~~b) Where off-street parking areas are to be screened by means of a shrub planting hedge, a three foot wide planting area is required at the end of the paving surface.~~
- ~~c) All parking screening shall be maintained to effectively function as a direct headlight screen. All plant materials shall be maintained as living plant material and promptly replaced within 90 days when any such foliage dies.~~

~~3. Special Conditions Requiring Shade Tree Planting~~

~~All off-street parking lots greater than 20 parking spaces ...~~

VIII-4 Location of Parking Facilities

F. Parking in a Required Yard is Prohibited Except as Follows:

- 6. Parking in the B-2, B-3, B-3U, CCD, and IN Zoning District shall be permitted to encroach ten feet into the required 45-foot front yard ~~but no closer than five feet from the property line~~ if the buffer yard requirements set forth in Section ~~VI-6.B-2~~ VI-6.A.2.b.3, 4, 5, 6, 7 and 8 are met.

Section VIII-5. Amount of Parking Required

- A. Except as otherwise provided herein whenever a use is established or a building or structure is erected or converted to any use listed in this Section or the use of a building is changed to a use listed in this section, off-street parking for the use shall be provided in the amount required by Table VIII-7, "Parking Requirements by Use." When a building or structure is enlarged, expanded, or structurally altered, and the existing parking is legally nonconforming, the total parking requirement shall be calculated by adding the number of existing off-street parking spaces to the number of newly required parking spaces for the additional floor area as determined by Table VIII-7.

Section VIII-6. Off-Street Loading Regulations

- A. All off-street loading spaces shall have a vertical clearance of at least 14 feet.
- B. All off-street loading spaces shall be designed with adequate means of vehicular access to a street or improved alley in a manner that will least interfere with traffic movement.
- C. All off-street loading spaces shall be screened in accordance with Section VI-6.F VIII-3.F of this Article.
- D. All off-street loading berths and spaces shall be improved paved with a hard surface in accordance with Section VIII-3.A of this Article.
- E. In no case shall an off-street loading space be considered as part of the area provided to satisfy off-street parking requirements as listed herein.
- F. Off-street loading spaces without loading docks may be located in a required rear yard.
- G. Off-street loading spaces with loading docks shall be set back at least 75 feet from residential districts. Loading spaces with loading docks located within 150 feet of residential districts shall also conform to one or more of the following:
 - 1) The loading space and dock shall be screened from adjacent residences by use of a wing wall of sufficient height and length to effectively screen any vehicles and trailers parked in said space; or
 - 2) The loading space and dock shall be fully enclosed within a building; or
 - 3) The loading space and dock shall not be occupied between the hours of 10:00 PM and 7:00 AM; or
 - 4) The loading space and dock shall implement alternative measures sufficient to mitigate noise, such as an engineered noise wall, shield, or baffle, with such measures to be approved by the Zoning Administrator and City Engineer.

Table VIII-7. Parking Requirements by Use

Use	Number of Spaces Required
Food Sales and Service	
Restaurant or Similar Uses	1 for every 100 sq. ft. of floor area, including outdoor seating areas
All Other Food Sales and Service Uses	1 for every 250 sq. ft. of floor area
<u>Grocery Store or Supermarket</u>	<u>1 for every 300 sq. ft. of floor area</u>
<u>Catering Service</u>	<u>1 for every 400 sq. ft. of floor area</u>
Personal Services	
Ambulance Service	0.75 per employee on maximum shift
Laundry and/or Dry Cleaning	1 for every 300 sq. ft. of floor area
Medical Carrier Service	0.75 per employee
Mortuary	1 for every 8 seats
All Other Personal Services Uses	1 for every 250 sq. ft. of floor area
Professional and Financial Services	
Bank/Savings and Loan Association	1 for every 250 sq. ft. of floor area
Copy and Printer Service or Similar Uses	<u>1 for every 350 sq. ft. of floor area</u>
Medical Clinic or Office	1 for every 250 sq. ft. of floor area
Professional and Business Office	1 for every 300 sq. ft. of floor area
Vocational, Trade or Business School	1 for every 400 sq. ft. of floor area
All Other Professional and Financial Services Uses	1 for every 250 sq. ft. of floor area
Retail Trade	
Antique or Used 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

Figure VIII-8 Standards for Circular Drives

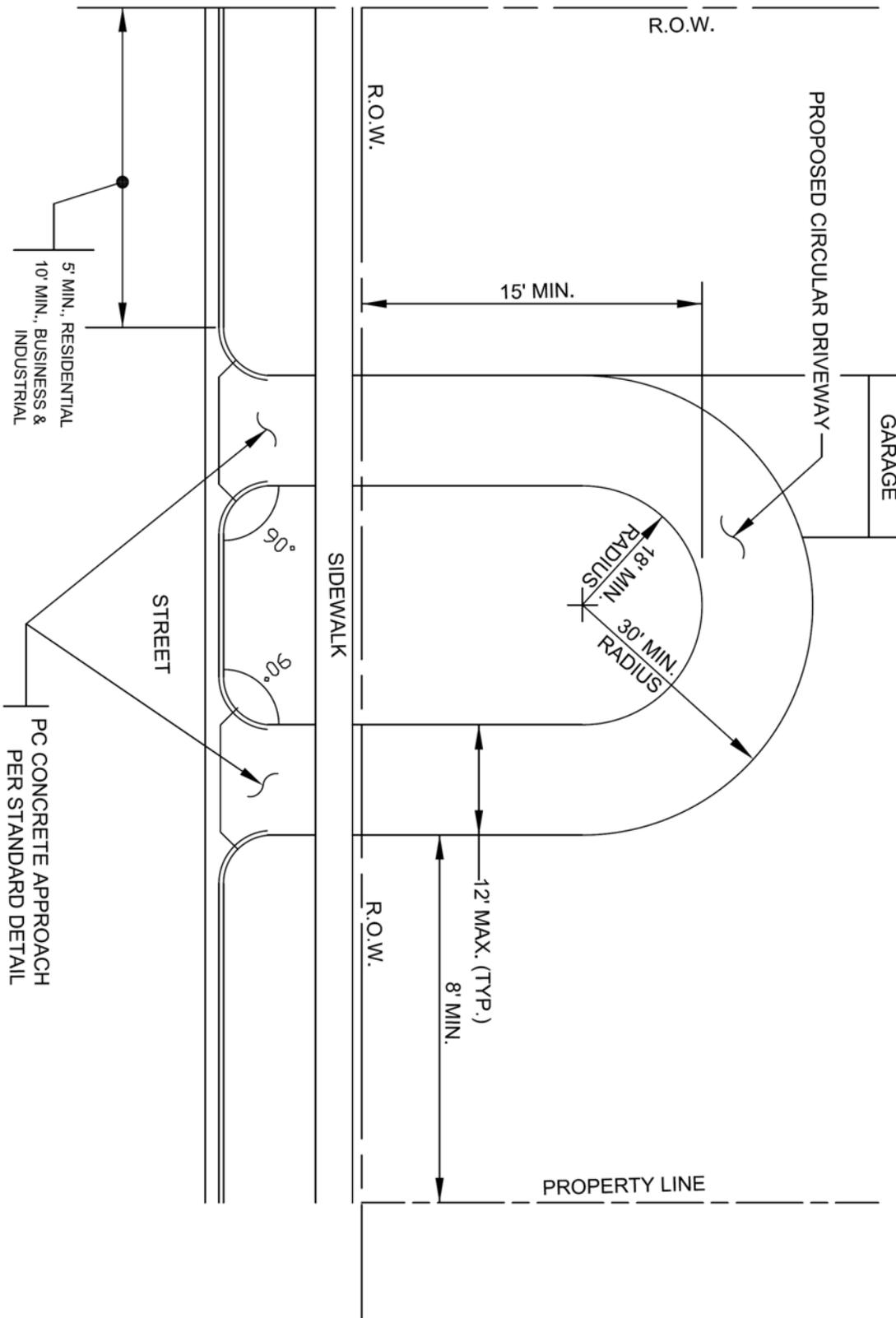


Exhibit B: Fence Code Proposed Changes**Chapter 7
FENCES***

 State law reference(s)--Fences generally, 765 ILCS.

Sec. 7-1. Reserved.

Editor's note--Former § 7-1, which defined "fence," and derived from § 21-22 of the 1975 Code, has been deleted pursuant to Ord. No. 7980-113, § 6(I), enacted June 16, 1980.

Sec. 7-2. Construction with sharp-pointed material--Prohibited.

It shall be unlawful for any person within the city to place, build or erect a fence, railing or guard of any kind constructed of barbed wire, iron spikes, or other sharp-pointed material provided, however, this section shall not prohibit the use of such material when:

- (1) Located in commercial or industrial zoning districts, or for government use;
- (2) Used to provide security for a bona-fide business operation; and
- (3) Approved by the building official, after a review of the documentation indicating the need for security and bona-fide operation of a business;

provided such barbed wire, iron spikes, or other sharp-pointed material is securely affixed to the top of a soundly constructed fence or structural barrier which is at least six (6) feet six (6) inches in height. Further, regardless of the zoning district, barbed wire, iron spikes, or other sharp-pointed material meeting the aforementioned height standards may be used for security around hazardous equipment or installations, such as but not limited to, high voltage equipment, electrical transformer, volatile fuel installation, etc.

(Code 1975, § 21.21; Ord. No. 7677-64, § 1, 12-6-76; Ord. No. 7677-87, § 1, 4-4-77)

Sec. 7-3. Same--Exception for existing fences.

Fences, railings or guards of any kind existing on May 3, 1977, regardless of the zoning district where located, which are at a minimum of five (5) feet ten (10) inches in height and have barbed wire, iron spikes or other sharp-pointed material securely affixed to the top, may continue to lawfully exist, provided such may not be substantially rebuilt without complying with section 7-2.

(Code 1975, § 21.21; Ord. No. 7677-64, § 2, 12-6-76; Ord. No. 7677-87, § 2, 4-4-77; Ord. No. 8889-5, § 1, 7-18-88)

Sec. 7-4. Electrification prohibited.

It shall be unlawful for any person within the city to maintain an electrified wire fence of any sort.

(Ord. No. 7677-87, § 4, 4-4-77)

Sec. 7-5. Height and opacity limitations.

(a) No fence ~~in or around~~ within a required front yard, as such required front yard is defined in the zoning ordinance of the city, as amended, may be taller than four (4) ~~six (6)~~ feet measured from the ground at a point directly beneath the fence. Fences within a required front yard shall be no more than 50% opaque, allowing for the passage of light directly through the fence, except that on corner lots, fences behind the front face of the principal structure may be up to six (6) feet tall and solid. Where such a required front yard abuts a principal or minor arterial street, as designated by the comprehensive plan of the city, as amended, fences may be constructed as a rear or side yard fence pursuant to subsection (b) of this section. However, any fence constructed within ten feet of the intersection of public right-of-way and a driveway, shall be no more than 50% opaque, as shown in Figure 1. Any fence existing on March 1, 1989, which is not in compliance with this subsection (a), may continue to lawfully exist, and normal repairs to such fences are permissible where such repairs do not constitute a total fence replacement.

(b) No fence ~~in or around~~ within a required side or rear yard, as such required side or rear yard is defined in the zoning ordinance of the City of Urbana, as amended, may be taller than eight (8) feet measured from the ground at a point directly beneath the fence.

(c) Where the ground at a point directly beneath the fence has been increased in elevation from its original elevation at the time of subdivision development through berming, retaining walls, fill or other measures and where such increased ground elevation has resulted in an increase in ground elevation above an adjoining lot anywhere within a required yard as defined by the Urbana Zoning Ordinance, the height of a fence shall be measured from the original ground elevation before installation of berming, retaining walls, fill or other measures as determined by the building official. The building official shall consult U.S. Geological Survey contour maps, city base map contours and recorded subdivision plat information in making such a determination. The building official's determination of original ground elevation at the time of subdivision development may be appealed to the building safety code board of appeals.

(d) The building official may grant a permit for the construction of a fence exceeding the height limits set forth in this section when:

(1) Demonstrated as necessary to secure property from trespass; or

(2) Used to protect adjacent residences and rights-of-way from a demonstrable hazard or nuisance; and

(3) Approved by the building official, after a review of the documentation indicating the need for security or protection from a demonstrable hazard or nuisance;

(Code 1975, § 21.22; Ord. No. 7677-64, § 3, 12-6-76; Ord. No. 7677-87, § 3, 4-4-77; Ord. No. 8687-24, 9-15-86; Ord. No. 8889-5, § 1, 7-18-88; Ord. No. 8889-57, § 1, 2-20-89; Ord. No. 8990-89, 3-5-90; Ord. No. 9091-15, 8-6-90; Ord. No. 9596-32, 10-2-95; Ord. No. 9798-95, § 1, 3-16-98)

Sec. 7-6. Chapter provisions no exemption to visibility triangle provisions.

Nothing in this chapter shall be construed to exempt any person from complying with the requirements of the visibility triangle provisions set forth in Article VI of Chapter 20.

(Ord. No. 7677-87, § 3, 4-4-77)

ORDINANCE NO. 2010-08-071

An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois
(Multipart Zoning Ordinance Text Amendment - Plan Case No. 2122-T-10)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #9293-124 on June 21, 1993 which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and,

WHEREAS, the Urbana Zoning Ordinance has periodically been recodified and republished by the City of Urbana to incorporate the numerous amendments that have been made since Ordinance #9293-124 was adopted on June 21, 1993; and,

WHEREAS, the Urbana Zoning Administrator proposes to enact an omnibus Zoning Ordinance amendment as part of the process of editing the Ordinance to recodify and republish it; and,

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend the Urbana Zoning Ordinance, which includes numerous miscellaneous editorial changes as part of the recodification and republishing of the Zoning Ordinance; and,

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #2122-T-10; and,

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing on the petition on July 22, 2010; and,

WHEREAS, the Urbana Plan Commission voted 6 ayes to 0 nays on July 22, 2010 to forward Plan Case #2122-T-10 to the Urbana City Council with a recommendation for approval of the proposed amendment; and,

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the amendments described herein conform to the goals, objectives and policies of the 2005 Urbana Comprehensive Plan as amended from time to time; and,

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interest of the City of Urbana to amend the text of the Urbana Zoning Ordinance as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that the Urbana Zoning Ordinance shall be amended as follows:

Section 1. Section II-3, Definitions, is hereby amended to delete the following terms and their definitions:

Area, Building

Section 2. Section II-3, Definitions, is hereby amended to include the following terms and their definitions:

Loading Dock: a platform, pier, or fixed hydraulic lift from which loading and unloading of trucks or tractor trailers takes place.

Loading Space: an area within a building or on the same lot, providing for trucks and tractor trailers to be temporarily parked while loading and unloading from or to a building.

Section 3. Paragraph V-2.D.7 is hereby amended as follows:

7. If such accessory structures or buildings are to be located on a lot containing a single- or two-family dwelling, the maximum permitted area of the accessory building, regardless of the zoning district, shall be determined as follows:
 - a) If the footprint of the single- or two-family dwelling on the lot does not exceed 1500 square feet, the aggregate area of all accessory structures shall not exceed 750 square feet.
 - b) If the footprint of the single- or two-family dwelling on the lot is greater than 1500 square feet, the area of the accessory building(s) shall not exceed 50% of the footprint of that single- or two-family dwelling, or 1000 square feet, whichever is less.
 - c) The gross floor area of a shed, as defined herein, shall not exceed 100 square feet.

Section 4. Table V-1, Table of Uses, is hereby amended to allow the following uses as follows:

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	IN	MOR	OP
Residential																				
Mobile Home in approved Mobile Home Park									P											
Miscellaneous Business																				
Self-Storage Facility												C							P	

Section 5. Section VI-6, Screening is hereby amended as follows:

Section VI-6. Screening

Screening required by the Zoning Ordinance shall be well maintained and shall be repaired or replaced to the original required state if damaged, destroyed, or in need of repair. Walls and fences shall be maintained in an upright condition. Deteriorated or damaged masonry and wood fences shall be replaced within a period of thirty days, or as soon as weather permits. Plant material shall be maintained in accordance with Section VI-6.A.2.b.8. If the screen is destroyed by any force majeure, the replacement period may be extended by the Zoning Administrator upon written application.

Screening and landscaping, whether or not required by this Ordinance, shall not obstruct or interfere with the visibility triangle specified in Chapter 20 of the Urbana City Code. Within a ten foot radius of the point where driveways or alleys intersect sidewalks or property lines, no vegetation, landscape feature, or appurtenance shall obstruct views so as to create a hazardous condition for egress and ingress.

A. Buffer and Landscape Yards

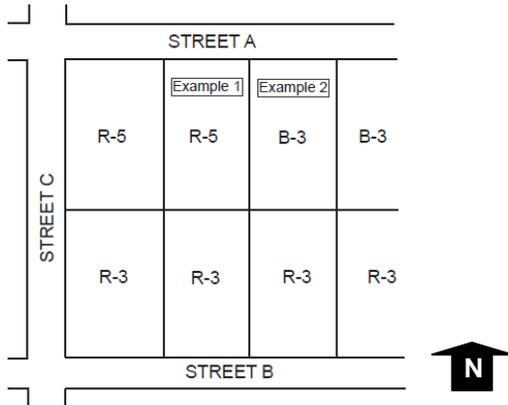
1. *Applicability.* This section shall be applicable when a building permit is required for new construction of a principal building or where the square footage of an addition to an existing building exceeds the existing square footage of the building on the zoning lot.

2. In order to minimize the impacts between uses of varying intensity, to create a more attractive community, and to provide a greener edge to our urban environment, the following requirements shall apply:

a) Buffer Yards

- 1) If Table VI-3 requires greater minimum yards than this subsection, the greater yard shall apply and a landscaping buffer will be required per Table VI-2.
- 2) Yards per Table VI-1 shall apply to the applicable side and/or rear yard of the subject property when the zoning designation of the subject property is different than the zoning designation of the property immediately adjacent. (See Following Example)

EXAMPLE



Example 1: Rear yard required to have a minimum depth of ten feet because the rear yard is adjacent to property zoned R-3. All other yards required to meet setback requirements in Table VI-3.

Example 2: West side yard required to have a minimum depth of ten feet because adjacent to property zoned R-5 to the west. Rear yard required to have a minimum depth of ten feet because the rear yard is adjacent to property zoned R-3. All other yards required to meet setback requirements in Table VI-3.

TABLE VI-1. BUFFER YARDS

		SUBJECT PROPERTY													
		R-4	R-5	R-6	R-6B	R-7	B-1	B-2	B-3	B-3U	B-4	B-4E	IN	OP	
ADJACENT PROPERTY	R-1	SIDE YARD: shall have a minimum depth of ten feet .*					SIDE YARD: as required by Table VI-3.					REAR YARD: shall have a minimum depth of ten feet .			
	R-2	REAR YARD: shall have a minimum depth of ten feet .					REAR YARD: shall have a minimum depth of ten feet .								
	R-3														
	R-4	See Table VI-3 for required setback.					SIDE YARD: shall have a minimum depth of ten feet .*								
	R-5														
	R-6														
	R-6B														
	R-7														
MOR	REAR YARD: shall have a minimum depth of ten feet .					REAR YARD: shall have a minimum depth of ten feet .									

* In these instances, no access drive may encroach into the required side yard unless the Zoning Administrator determines that there is no feasible alternative to access parking on the site.

b) Landscaping Buffer

- 1) A landscaping buffer per Table VI-2 shall apply to the applicable side and/or rear yard of the subject property when the zoning designation of the subject property is different than the zoning designation of the property immediately adjacent.

TABLE VI-2. LANDSCAPING BUFFER

		SUBJECT PROPERTY																	
		R-4	R-5	R-6	R-6B	R-7	B-1	B-2	B-3	B-3U	B-4	B-4E*	IN	OP					
ADJACENT PROPERTY	R-1	SIDE YARD: shall provide a landscape buffer with a minimum depth of five feet .					SIDE YARD: shall provide a solid six-foot high wood or masonry fence .	SIDE YARD: shall provide a solid six-foot high wood or masonry fence .			REAR YARD: shall provide a landscape buffer with a minimum depth of five feet .								
	R-2														REAR YARD: shall provide a landscape buffer with a minimum depth of five feet .				
	R-3																		
	R-4	No screening required.					REAR YARD: shall provide a solid six-foot high wood or masonry fence .	SIDE YARD: shall provide a landscape buffer with a minimum depth of five feet .											
	R-5																		
	R-6																		
	R-6B																		
	R-7																		
	MOR						REAR YARD: shall provide a landscape buffer with a minimum depth of five feet .												

* See Section VI-6.A.2.b.2 for additional requirements for the B-4E zoning district.

- 2) The following additional landscaping requirements apply to the B4-E zoning district:
 - a) In the B-4E District, the required front yard, except for allowed access for access drives and sidewalks, shall be landscaped with a combination of grass or other suitable ground cover, flowers, shrubs, and trees or decorative pavement, walls, or fences in conformance with this Section and other provisions of this ordinance.
 - b) In the B-4E District, a decorative wall no more than two feet in height may be located within the required front yard setback. It shall consist of landscaping timbers, stone, brick or finished masonry materials. Said wall may be provided as a supplement to the landscaping required herein but shall not be considered as a substitution for the type or amount of landscaping required herein.
- 3) Shrubs and trees shall be provided in the amount of one tree and three shrubs for every 40 linear feet or fraction thereof along the applicable required landscaped buffer yard of the zoning lot.
- 4) The shade trees and shrubs required shall be among the species listed in Table VI-4 and Table VI-5, except where alternative species may be approved by the Zoning Administrator upon the recommendation of the City Arborist and in conformance with the Urbana Arboricultural Specifications Manual.
- 5) All shrub species, except boxwood, shall be spaced at least three feet apart, as measured from center to center at planting grade, and have a minimum initial planting height of 18 inches. The boxwood species shall be spaced at least 30 inches apart and have a minimum initial planting height of 15 inches.
- 6) A ground cover with living grass or other ground cover type plant material shall be required on a minimum of 75% of the square footage in the applicable required landscaped yard excluding the access drives that may be allowed. The remaining 25% of the applicable required yard area may be non-living landscaping materials including bark or wood chips, rock, stone, decorative pavement, landscaping timbers, or other similar material.
- 7) A retaining wall to support a raised planting area for landscaping shall be no more than four feet in height and the width of such a raised planting area shall be greater than its height.
- 8) All plant materials required by this Section shall be maintained as living vegetation and shall be promptly replaced within a reasonable period of time, based on seasonal conditions, following notice that such vegetation needs to be replaced. Such notice shall be provided in writing to the owner of the property by the Zoning Administrator upon the recommendation of the City Arborist.

B. Screening of Off-Street Parking and Storage Areas

- 1) Off-street parking adjoining a residential zoning district or residential use shall be screened. No screening is required, however, between adjacent parking lots serving separate multi-family structures or when a parking lot is adjacent to a public alley except that screening is required when parking spaces are oriented towards a public alley (See Figure VI-1). On-site or off-site screening existing at the time when approval for construction of new parking is sought may satisfy this requirement subject to approval of the Zoning Administrator.

Design of Parking Screening, Materials, and Maintenance

- a) Landscaped screening shall be no less than three feet in height; except that in order to enhance visibility along the right-of-way, shrub planting adjacent to an access driveway shall not exceed three feet in height along the lot line adjacent to the right-of-way. The requirements of the visibility triangle set forth in Article VI of Chapter 20 of the Urbana City Code shall supersede the provisions of this Article. Species and planting size for such hedge plantings shall conform with Table VI-5. The Zoning Administrator may approve landscape berms or types of plant material other than those specified in Table VI-5 upon recommendation of the City Arborist.
 - b) Where off-street parking areas are to be screened by means of a shrub planting hedge, a minimum three-foot wide planting area is required at the end of the paving surface.
 - c) All parking screening shall be maintained to effectively function as a direct headlight screen. All plant materials shall be maintained as living plant material and promptly replaced within 90 days when any such foliage dies.
- 2) In the B-2, B-3, B-3U and IN Zoning Districts, parking or storage of vehicles for sale is permitted to encroach ten feet into the required front yard setback if the encroachment conforms to the regulations set forth in Section VI-6.A.2.b.3, 4, 5, 6, 7 and 8.
 - 3) When off-street parking is provided in the B-4E District, the parking lot(s) shall be screened with an adequate screen fence or screen planting in conformance with the provisions of Section VIII-3.F.
 - 4) When parking is provided at ground level below any part of a principal structure in the R-1, R-2, R-3, R-4, R-5, R-6, R-6B, R-7 Districts or the MOR District, said parking shall be effectively screened by extending the façade of said structure to ground level or by installing fencing, landscaping, or other suitable screening around the perimeter of the structure in accordance with the provisions of this section.
 - 5) Non-refuse storage areas which adjoin a residential district or use, or which are separated by a public right-of-way from a residential district or use, shall be screened to meet the requirements for the screening of off-street parking areas, as specified in Section VI-6.B.1.

C. Screening of Trash Containers

Trash containers and trash collection areas for all non-residential and multi-family uses shall be screened so that no portion of such container or area is visible from public rights-of-way or adjacent properties. Screening may consist of a wall, opaque fence, earthen berms, landscaping, or any combination thereof.

D. Screening of Mechanical Equipment

Ground-mounted mechanical equipment for all non-residential uses shall be screened from view at ground level from public rights of way and adjacent residential districts. Screening may consist of a wall, opaque fence, earthen berms, landscaping, or any combination thereof.

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-3. 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.

2. Areas subject to this section shall be effectively screened through any combination of fences, walls, berming, or landscaping, as illustrated on a screening plan which shall be submitted for the review and approval of the Zoning Administrator and in conformance with the following standards:
 - a) The screen shall be at least six feet but not more than eight feet in height and shall provide a permanent, opaque, year-round visual barrier to ensure that outdoor storage areas are not visible from public rights-of-way or adjacent residential property as identified above. Additional height and/or security measures shall be approved if security provisions are warranted and subject to the review and approval of the Zoning Administrator.
 - b) Materials and colors of fences and walls shall be compatible with surrounding development and shall be durable and intended for outdoor usage.
 - c) Acceptable fencing materials include wood, masonry, pre-cast decorative concrete panel, aluminum and vinyl. Corrugated sheet metal and "Jersey" style concrete barriers shall be prohibited as fencing or screening materials. Alternative materials may be allowed upon review and approval by the Zoning Administrator.
 - d) Any wall or fence extending more than forty feet in length shall be landscaped on its exterior in accordance with the planting species, spacing, and care requirements set forth in Section VI-6.A.2.b.3, 4, 5 and 8.
 - e) Masonry or concrete walls shall have a column or other design variation every twenty feet.
 - f) When the height of items to be stored is greater than eight feet, trees of a minimum three-inch caliper shall be planted in addition to the eight-foot high maximum screening required by this section. Plantings shall be in accordance with the species, spacing, and care requirements set forth in Section VI-6.A.2.b.3, 4, 5 and 8.
 - g) If landscaping is to be used as the primary screen, it shall be no less than four feet in height at time of planting and upon maturity shall be maintained at a minimum of six feet. Planting species, spacing, and care shall be in accordance with the requirements set forth in Section VI-6.A.2.b.3, 4, 5 and 8.
 - h) Fence construction is also subject to the requirements set forth in Chapter 7 of the City of Urbana Code of Ordinances.
 - i) Parking lot screening requirements are as set forth in Section VI-6.A-G and Section VIII-3.F.
3. All existing outdoor storage areas made non-conforming by the adoption of Section VI-6-E shall be brought into conformance with this section within twenty-four months from the effective date of the amending ordinance unless an extension is approved in writing by the Urbana Zoning Administrator, or unless a special use, conditional use, or other specific site plan approval has been previously granted by the City which incorporates an alternate screening treatment under which the property remains in compliance.

F. Screening of Loading Areas

Off-street loading docks and loading spaces which adjoin a residential district or use shall be screened by a solid fence at least six feet tall composed of wood, masonry, or other materials as approved by the Zoning Administrator. Loading docks and loading spaces shall meet the requirements of Section VIII-6.

Section 6. Table VI-3 is hereby amended to allow a maximum Floor Area Ratio (FAR) of 0.40 in the CRE, Conservation, Recreation, Education District.

Section 7. Figure VI-1, Required Screening Between Uses is here by added as attached in Attachment A.

Section 8. Paragraph VIII-3.E.2 is hereby amended as follows:

2. No zoning lot shall have more than two driveways per frontage, unless the City Engineer approves additional driveways. The Urbana City Engineer approves all driveway locations within the public right-of-way as provided for in Chapter 20 of the Urbana City Code. Circular drives shall conform to minimum standards as shown in Figure VIII-8, or as approved by the Zoning Administrator.

Section 9. Section VIII-3.F is hereby amended as follows:

F. Special Conditions Requiring Shade Tree Planting

All off-street parking lots greater than 20 parking spaces for residential and commercial land uses or for employee or customer parking of industrial land uses (except for parking lots provided in a parking structure or under a principal structure) shall include shade trees placed in the parking lot according to the following requirements (see Figure VIII-5):

- a) One tree shall be provided for every nine parking spaces. Trees may be planted at intervals of less than nine spaces to achieve a more even spacing along the row. Where this ratio results in a fraction, the fraction shall always be rounded upward to the next highest number (e.g. 11.1 trees = 12 trees to be planted.)
- b) Tree plantings shall begin within 20 feet from the ends of adjoining parking rows.
- c) Trees shall have a minimum planting size of two inches caliper. Acceptable tree species are shown in Table VIII-5. The minimum planting area for trees shall be eight feet by six feet and the maximum distance between trees shall be 90 feet. Trees shall be located behind bumper stops or integral curbing, no closer than three feet and no farther than eight feet from the face of the bumper stop or the curb. Existing trees may satisfy the tree planting requirement if approved by the City Arborist.
- d) The Zoning Administrator, upon the City Arborist's recommendation, may approve alternate tree species or alternate tree planting plans which differ from these requirements but which substantially conform with the intent of this Section VIII-3.F.

- e) All trees and shrubs shall be maintained as living vegetation and promptly replaced within 90 days when any such vegetation dies.
- f) As required in Section VI-6.B.4, when parking is provided at ground level below any part of a principal structure in the Residential Districts, said parking shall be effectively screened by extending the façade of said structure to ground level or by installing fencing, landscaping or other suitable screening around the perimeter of the structure in accordance with the provisions of this Section VI-6.B.

Section 10. Paragraph VIII-4.F.6 is hereby amended as follows:

- 6. Parking in the B-2, B-3, B-3U, and IN Zoning District shall be permitted to encroach ten feet into the required front yard if the buffer yard requirements set forth in Section VI-6.A.2.b.3, 4, 5, 6, 7 and 8 are met.

Section 11. Paragraph VIII-5.A is hereby amended as follows:

- A. Except as otherwise provided herein whenever a use is established or a building or structure is erected or converted to any use listed in this Section or the use of a building is changed to a use listed in this section, off-street parking for the use shall be provided in the amount required by Table VIII-7, "Parking Requirements by Use." When a building or structure is enlarged, expanded, or structurally altered, and the existing parking is legally nonconforming, the total parking requirement shall be calculated by adding the number of existing off-street parking spaces to the number of newly required parking spaces for the additional floor area as determined by Table VIII-7.

Section 12. Section VIII-6 is hereby amended as follows:

Section VIII-6. Off-Street Loading Regulations

- A. All off-street loading spaces shall have a vertical clearance of at least 14 feet.
- B. All off-street loading spaces shall be designed with adequate means of vehicular access to a street or improved alley in a manner that will least interfere with traffic movement.
- C. All off-street loading spaces shall be screened in accordance with Section VI-6.F.
- D. All off-street loading spaces shall be paved with a hard surface in accordance with Section VIII-3.A of this Article.
- E. In no case shall an off-street loading space be considered as part of the area provided to satisfy off-street parking requirements as listed herein.
- F. Off-street loading spaces without loading docks may be located in a required rear yard.

G. Off-street loading spaces with loading docks shall be set back at least 75 feet from residential districts. Loading spaces with loading docks located within 150 feet of residential districts shall also conform to one or more of the following:

- 1) The loading space and dock shall be screened from adjacent residences by use of a wing wall of sufficient height and length to effectively screen any vehicles and trailers parked in said space; or
- 2) The loading space and dock shall be fully enclosed within a building; or
- 3) The loading space and dock shall not be occupied between the hours of 10:00 PM and 7:00 AM; or
- 4) The loading space and dock shall implement alternative measures sufficient to mitigate noise, such as an engineered noise wall, shield, or baffle, with such measures to be approved by the Zoning Administrator and City Engineer.

Section 13. Table VIII-7, Parking Requirements by Use, is hereby amended to include the following uses and requirements as follows:

Use	Number of Spaces Required
Food Sales and Service	
Grocery Store or Supermarket	1 for every 300 sq. ft of floor area
Catering Service	1 for every 400 sq. ft of floor area
Professional and Financial Services	
Copy and Printer Service or Similar Uses	1 for every 350 sq. ft of floor area
Retail Trade	
Antique or Used Furniture or Appliance Sales and Service (Home or Office)	1 for every 400 sq. ft. of floor area

Section 14. Figure VIII-8, Standards for Circular Drives is hereby added as attached in Attachment B.

Section 15. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 16th day of August, 2010.

PASSED by the City Council this _____ day of _____, 2010.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2010.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the ____ day of _____, 2010, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (Multipart Zoning Ordinance Text Amendment - Plan Case No. 2122-T-10)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____, including all of its attachments, was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2010, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 2010.

Figure VI-1: Required Screening Between Uses

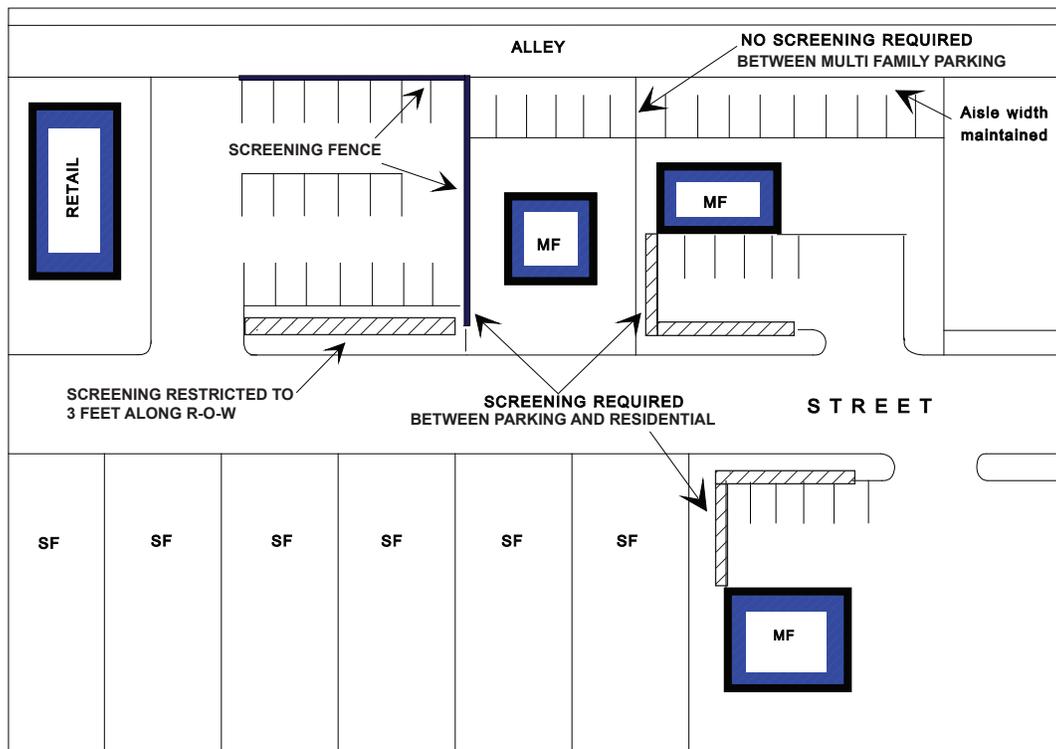


Figure VIII-8 Standards for Circular Drives

