

1950

5051-28

ZONING ORDINANCE FOR THE CITY OF URBANA, ILLINOIS

WHEREAS, to the end that adequate light, pure air and safety from fire and other dangers may be secured throughout the City of Urbana, Illinois; that the taxable value of land and buildings throughout the City may be conserved; that congestion in the public streets may be lessened or avoided, and that the public health, safety, comfort, morals and welfare may otherwise be promoted in accordance with a well considered and comprehensive plan for the use and development of all property throughout the City, the Council of the City of Urbana, Illinois, deems it necessary that an ordinance be passed to classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified uses; to regulate and determine the area of yards and other open spaces within and surrounding such buildings, and for said purposes, to divide the City into districts and prescribe penalties for the violation of its provisions; to provide for its enforcement and also for a Board of Appeals;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS:

ARTICLE I

SECTION 1. This ordinance shall be known and may be cited as the Zoning Ordinance of the City of Urbana, Illinois, of 1950.

ARTICLE II

DEFINITIONS

For the purpose of this ordinance certain terms and words are hereby defined; words used in the present tense shall include the future; words used in the singular number shall include the plural number; words used in the plural number shall include the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not directory.

Accessory Building: A building or a portion of the main building located on the same lot which is incidental to that of the main building or to the main use of the premises. An accessory use is one that is incidental to the main use of the premises.

Alley: A public or private thoroughfare that affords only a secondary means of access to property abutting thereon.

Apartment: A room or suite of rooms in a multiple or two-family dwelling, or, where more than one living unit is established above non-residential uses, a room or suite of rooms intended or designed for use as a residence by a single family.

Basement: A story partly or wholly underground which, unless used for residence purposes by other than the janitor, or domestic servants, and family, shall not be included as a story for height purposes.

Boarding House: A building other than a hotel where, for compensation, meals, or lodging and meals, are regularly provided by prearrangement for more than five (5) persons.

Building: Any structure designed or intended for the support, enclosure, or shelter of persons, animals or chattels.

Building Height of: The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest point of the roof for flat roofs; to the mean height level between eaves and ridge for gambrel, gable, and hip-roofs; to the deck-line for mansard roofs. Where a building is located upon a natural terrace or slope the height may be measured from the average ground level at the building wall.

District: A section or sections of the City of Urbana for which the regulations governing the use of buildings and premises, the height of buildings, area of yards and the intensity of use are uniform for each class of use therein.

Dwellings: Any building but not a trailer which is designed and used exclusively for residential purposes.

Dwelling, Single-Family: A building designed for or occupied exclusively by one family.

Dwelling, Two-Family: A building designed for or occupied exclusively by two families.

Dwelling, Duplex: A building having accommodations for but two families, designed for or occupied by one family on either side of a party wall.

Dwelling, Multiple: A building designed for or occupied exclusively by more than two families.

Family: Any number of individuals living together as a single house-keeping unit, including domestic servants for whom, subject to the provisions of this ordinance, separate living quarters may be provided, but excluding boarding houses, rooming houses, tourist houses, fraternities, sororities, residential clubs and homes of an institutional character.

Filling Station: Any building or premises used for the dispensing, sale or offering for sale at retail of automobile fuels or oil. When the dispensing, sale, or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.

Garage, Private: Any accessory building housing motordriven vehicles which are the property of and for the use of the occupants of the lot on which the garage is located.

Garage, Public: Any building or premises except those used as private garages, used for equipping, repairing, hiring, selling or storing motor-driven vehicles.

Group or Row Houses: A group of two (2) or more single-family dwellings separated by walls without openings, not more than two (2) rooms deep.

Home Occupation: Any occupation or profession for gain or support carried on by a member or members of the immediate family, residing on the premises; in connection with which there is used no sign other than a name plate not more than one square foot in area or no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a residential building; and in which not more than one person is employed other than a member of the immediate family residing on the premises; and provided that no article is sold or offered for sale except such as may be produced in the household by members of the immediate family, and no mechanical equipment is used except such as is incidental to the same occupation, providing said equipment shall not be objectionable to the neighborhood or create a nuisance.

Hotel: A building in which lodging, or lodging and board, are provided and offered to the public for compensation and which is customarily open to transient guests.

Institution: A building occupied by a non-profit corporation or a non-profit establishment for public use.

Rooming House: A building where lodging is provided by prearrangement for definite periods for more than five (5) persons, not open to transient guests.

Lot: A parcel of land occupied or suitable for occupancy by a use permitted by this ordinance, including one (1) main building or use, with accessory buildings, the open spaces and parking spaces required by this ordinance, and having its principal frontage upon a street or upon an officially approved place.

Non-Conforming Uses: Any building or land lawfully occupied by a use in the case of a building, lawfully situated, at the time of the passage of ordinance or amendments thereto, which does not conform after passage of this ordinance or amendment thereto with the regulations of this ordinance.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it.

Story, Half: Space within or under a sloping roof, the floor area of which does not exceed two-thirds of the floor area of the story immediately below it and which does not contain an independent apartment.

Structure: Anything created or constructed, the use of which requires permanent location on the ground or attached to some thing having a permanent location on the ground, including but without limiting the generality of the foregoing, advertising signs, billboards, poster panels, and supports and frames thereof.

Structural Alteration: Any change in the supporting members of a building, such as but not limited to bearing walls columns, beams or girders.

Tourist or Trailer Camp: An area containing one or more structures, designed, or intended to be used as temporary living facilities or providing spaces where one or more tents or auto trailers can be or are intended to be parked, and intended primarily and used for automobile transients.

Tourist House: A building originally designed for or occupied by a family or families in which there is provided lodging for transient guests.

Trailer: Any structure used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses or skirtings and which is, has been, or reasonably can be, equipped with wheels or other devices for transporting the structure from place to place.

Yard: An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

Yard, Front: A yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the street line and the main building or any projection thereof other than the projection of the usual steps and eaves as limited in Article XII, Section 4.

Yard, Rear: A yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projection other than steps. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, Side: A yard between the main building and the side line of the lot, and extending from the front lot line to the rear yard line.

ARTICLE III

SCOPE OF REGULATIONS

SECTION 1. COMPLIANCE WITH REGULATIONS: Except as provided by this Ordinance and except after a building permit shall have been issued by the Commissioner of Public Works, which permit shall state that the proposed building or use of land complies with all the provisions of this Ordinance, it shall be unlawful within the corporate limits of the City of Urbana, Illinois:

- (a) To establish any use of a building or land either by itself or in addition to another use;
- (b) To excavate for or build any foundation;
- (c) To expand, change or re-establish any non-conforming use;

- (d) To erect or establish a new building or part thereof, except signs of the class permitted in the "R-1" district;
- (e) To rebuild, structurally alter, add to, enlarge or relocate any building or part thereof;
- (f) To reduce the yard space or plot area required for a building, or to include any such yard space or plot area as that required for an adjoining building;
- (g) To erect more than one (1) main building on one (1) lot;

SECTION 2. ACCESSORY USES AND BUILDINGS: The uses permitted in the various zoning districts are principal uses, and a building or use that is accessory to a permitted use is allowable in connection with such a use provided:

- (a) It is located on the same lot designed for the principal use or building being established or existing;
- (b) It is compatible in character and extent with the principal use and district where located;
- (c) It conforms with such other regulations as apply;
- (d) It is not prohibited;
- (e) It shall not be erected prior to the establishment or construction of the principal use or building.

ARTICLE IV

DISTRICTS AND BOUNDARIES THEREOF

SECTION 1. NUMBER OF DISTRICTS: In order to classify, regulate and restrict the location of buildings erected or structurally altered for specific uses, to regulate the use of land, to regulate and limit the height and bulk of buildings hereafter erected or structurally altered, and to regulate and determine the area of yards and other open spaces about buildings, the City of Urbana, Illinois, is hereby divided into districts of which there shall be six (6) known as:

- R-1 District Single and Two-Family Residence
- R-2 District Multiple Family Residence
- B-1 District Neighborhood Business
- B-2 District Central Commercial
- I-1 District Light Industrial
- I-2 District Heavy Industrial

SECTION 2. ZONING MAP: The boundaries of the districts established in Section 1 of this Article IV are hereby established as shown on a map designated as the "Zoning Map of Urbana, Illinois." This map shall be signed and dated by the City Clerk of Urbana, Illinois. Said map and all notations, colors, dimensions, references, legends and symbols shown thereon pertaining to said districts shall be as much a part of this Ordinance as if fully described herein, and shall be filed as part of this Ordinance with the City Clerk of Urbana, Illinois. Such map, or a reproduction thereof, certified as showing the districts created and approved, shall be available for public reference in the office of the City Clerk of Urbana, Illinois, and in the office of the Commissioner of Public Works of Urbana, Illinois. Alterations of said map made from time to time and adopted by amendment as hereafter provided, shall be similarly signed, dated, filed and made available for public reference.

SECTION 3. UNCERTAINTY OF BOUNDARIES: When uncertainty exists with respect to the boundaries of the various districts, as shown on the zoning map accompanying and made a part of this Ordinance, the following rules shall apply:

- (a) The district boundaries are the center lines of either streets or alleys or the extensions thereof unless otherwise shown, and where the districts

designated on the map accompanying and made a part of this Ordinance are bounded approximately by street or alley lines, the center line of the street or alley, or the extension thereof shall be construed to be the boundary of the district.

- (b) Where the district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines, and where the districts designated on the map accompanying and made a part of this Ordinance are bounded approximately by lot lines, the lot lines shall be construed to be the boundary of the districts.

SECTION 4. LAND SUBSEQUENTLY ANNEXED: All land which may hereafter become a part of the incorporated area of Urbana, Illinois, as a result of annexation shall automatically be classified as R-1 Residential District. Within three (3) months of the date of such annexation the City Plan Commission may call a public hearing, with notice as required for amendments to this Ordinance, and within thirty (30) days after such hearing shall recommend to the City Council that this Ordinance be amended so as to classify such property in accordance with such recommendations.

ARTICLE V

R-1 DISTRICT - SINGLE AND TWO-FAMILY RESIDENTIAL

SECTION 1. USE REGULATIONS: In the R-1 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, unless otherwise provided in this Ordinance, except for one or more of the following uses:

1. Single-Family Dwelling,
2. Two-Family or Duplex Dwelling,
3. Church,
4. School, Elementary and High,
5. Park and Playground,
6. Home Garden when the produce thereof is not sold or placed on the market,
7. Home Occupation,
8. Accessory buildings and uses not involving the conduct of a business and including one private garage for each family unit, but if such accessory building is not attached to the main building it shall be located not less than sixty (60) feet from the front line of the lot and not less than one and one-half (1½) feet from the rear line and side lines of the lot. Where garages and other accessory buildings are attached to the main structure or connected thereto by a breezeway, then such garage or accessory building shall be located not less than five feet from the side line of the lot.
9. One (1) sign on each lot not exceeding twelve (12) square feet in area, appertaining to the lease or sale of a building or premises.
10. Golf Courses, except miniature courses and driving tees operated for commercial purposes.
11. Farm, including the raising of livestock on adequately fenced tract containing not less than twelve (12) acres and having an average width of not less than three hundred fifty (350) feet and including the raising of poultry and small animals when the tract is adequately fenced and contains not less than three (3) acres, but in no event shall livestock, small animals or poultry be housed or confined within two hundred (200) feet of one (1) acre or less containing a dwelling.

12. Temporary buildings incidental only to the construction of a permitted use.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-1 District, there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XI hereof.

SECTION 3. HEIGHT REGULATIONS: No building shall exceed two and one-half (2½) stories, nor shall it exceed thirty-five (35) feet in height, except as provided in Article XII hereof.

SECTION 4. AREA REGULATIONS: Every dwelling hereafter erected, enlarged, relocated or reconstructed shall be located upon a lot having the following area and yard space:

1. Intensity of Use:

- (a) A lot on which there is erected a single-family dwelling shall contain an area of not less than six thousand (6,000) square feet, and an average width of not less than sixty (60) feet.

- (b) A lot on which there is erected a two-family dwelling shall contain an area of not less than three thousand (3,000) square feet per family and an average width of not less than sixty (60) feet.

- (c) Where a lot has less area or width than herein required, and was of public record at the time of the passage of this Ordinance, that lot may be used only for single-family dwelling purposes or for any of the non-dwelling uses permitted by this Article.

2. Front Yard:

- (a) There shall be a front yard of not less than twenty-five (25) feet, provided, however, that where lots comprising more than forty (40) per cent of the frontage on the same side of the street between two (2) intersecting streets are improved with buildings, not less than the average depth of the front yards of such lots shall be maintained by all new buildings, but this regulation shall not be interpreted to require a front yard of more than sixty (60) feet.

- (b) Lots having a frontage on two (2) nonintersecting streets shall have the required front yard on both streets.

- (c) Where a lot is located at the intersection of two (2) or more streets there shall be a front yard on each street side of the lot, except that the buildable width of such lot shall not be reduced to less than forty (40) feet. No accessory building shall project beyond the front yard line on either street.

3. Side Yards: There shall be a side yard on each side of a building having a width of not less than ten (10) per cent of the width of the lot, but in no event shall each such side yard be less than five (5) feet.

4. Rear Yard: There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) per cent of the depth of the lot, whichever is smaller.

ARTICLE VI

R-2 DISTRICT - MULTIPLE FAMILY RESIDENTIAL

SECTION 1. USE REGULATIONS: In the R-2 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, except for one or more of the following uses:

1. Any use permitted in the R-1 District,
2. Multiple-Family dwelling,
3. Boarding and rooming house; tourist home,
4. Community buildings, museums, and libraries,
5. Private clubs and lodges, except skeet and gun clubs and those the chief activity of which is service customarily carried on as a business,

6. Fraternities, sororities and dormitories,
7. Group or row houses,
8. Undertaking establishment,
9. Hospitals and clinics; nursing home,
10. Institutions of an educational, philanthropic or eleemosynary nature,
11. Nurseries and greenhouses for the propagation and cultivation of plants only,
12. Accessory buildings and uses when located on the same lot and not involving the conduct of a business, including private garages, but if such accessory building is not attached to the main building it shall be located not less than sixty (60) feet from the front line and not less than one and one-half (1½) feet from the rear line and side lines of the lot. Where garages and other accessory buildings are attached to the main structure or connected thereto by a breezeway, then such garage or accessory building shall be located not less than five feet from the side line of the lot.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-2 District, there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XI hereof.

SECTION 3. HEIGHT REGULATIONS: No building hereafter erected or altered shall exceed three (3) stories nor shall it exceed thirty-five (35) feet in height, except as provided in Article XII hereof.

SECTION 4. AREA REGULATIONS: Every dwelling hereafter erected, enlarged, relocated, or reconstructed shall be located upon lots containing the following areas and yards:

1. Intensity of Use:

(a) A lot upon which there is located a single-family dwelling or a two-family dwelling shall contain an area and have a width as required for such dwelling in Section 4 of Article V hereof.

(b) A lot on which there is erected a multiple-family dwelling shall contain an area of not less than one thousand (1,000) square feet per family, but in no event a total area of less than six thousand (6,000) square feet, and an average width of not less than sixty (60) feet except that this lot area per family shall not apply to dormitories, fraternities or sororities where no cooking is done in individual rooms or apartments.

(c) Where a lot has less area or width than herein required, and was of record at the time of the passage of this Ordinance, that lot may be used only for single-family dwelling purposes or for any non-dwelling use permitted by this Article.

2. Yards: The front yard, side yard, and rear yard regulations are the same as those in the R-1 District.

ARTICLE VII

B-1 DISTRICT - NEIGHBORHOOD BUSINESS

SECTION 1. USE REGULATIONS: In the B-1 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, except for one or more of the following uses:

1. Apartments and multiple-family dwellings provided they are located on the second floor and above a business use permitted in this district, except that all multiple-family dwellings and apartments in this district which are in existence on the date of the passage of this Ordinance may be enlarged or structurally altered.
2. Bakery whose products are sold only at retail on the premises.

3. Business or commercial school, or dancing or music academy.
4. Filling stations.
5. Personal service shop, such as shoe repair shops, beauty parlor and barber shop but expressly excluding those uses listed in the B-2, I-1 and I-2 Districts.
6. Professional or service office.
7. Restaurant, serving only within the building.
8. Shop or store for conduct of retail business only, but expressly excluding those uses listed in the B-2, I-1 and I-2 Districts.
9. Laboratories which do not emit noxious gases, unpleasant odors, smoke, fumes or noises and which do not use combustible or explosive materials.
10. Store for collection and distribution of laundry and dry cleaning articles, but not for the treatment, cleaning or processing of such articles.
11. Private garage incidental to main use and a sign or bulletin board relating only to services.
12. Temporary building incidental only to construction of a permitted use.
13. Printing shop using not more than three presses with a capacity for printing sheets not exceeding 17" x 22" in size.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted, or structurally altered for a use permitted in the B-1 District there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XI hereof.

SECTION 3. HEIGHT REGULATIONS: No building shall exceed three (3) stories nor shall it exceed thirty-five (35) feet in height except as otherwise provided in Article XII hereof.

SECTION 4. AREA REGULATIONS:

1. Front Yard: There shall be a front yard having a depth of not less than fifteen (15) feet. No display of merchandise shall be placed in the required front yard.

2. Side Yard: Where a lot or part thereof is used for any of the uses permitted in this District and is located at the intersection of two or more streets, the side yard on the side of a lot adjacent to the street shall not be less than fifteen (15) feet in width, except that the buildable width of the lot shall not be reduced to less than thirty (30) feet. In all other cases a side yard is not required except on the side of a lot abutting on an R-1 or R-2 District, in which case there shall be a side yard of not less than five (5) feet.

3. Rear Yard: There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) per cent of the depth of the lot, whichever amount is smaller.

4. Intensity of Use: When living facilities are erected above stores there shall be a lot area per family of not less than three thousand (3,000) square feet.

ARTICLE VIII

B-2 DISTRICT - CENTRAL BUSINESS

SECTION 1. USE REGULATIONS: In the B-2 District no building or land shall be used and no building shall be hereafter erected, enlarged, converted or

structurally altered, except for one or more of the following uses:

1. Any use permitted in the B-1 District,
2. Multiple-family dwellings,
3. Hotels and Apartment Hotels,
4. Community buildings, museums and libraries,
5. Advertising signs and bulletin boards,
6. Hospitals and clinics; Nursing home,
7. Dyeing and cleaning works, laundry employing not more than six (6) persons,
8. Bakery,
9. Plumbing shop,
10. Printing shop,
11. Public garage; automobile sales room,
12. Private clubs and lodges, except skeet and gun clubs,
13. Institutions of an educational, philanthropic or eleemosynary nature,
14. Bus or taxi terminal station; railroad station,
15. Store for conduct of wholesale business, excluding a building the principal use of which is for a storage warehouse,
16. Telegraph service station,
17. Telephone exchange,
18. Theater, except open air drive-in theater
19. Taverns as limited by the liquor ordinance of the City of Urbana, Illinois,
20. Amusement and recreation building,
21. Churches, and chapels,
22. Undertaking establishment,
23. Park and playground,
24. Boarding and rooming houses; tourist home,
25. Home occupations,
26. Municipal, state or federal building,
27. Residence of watchman or guard of a permitted use.
28. Parking lots.

SECTION 2. PARKING REGULATIONS: The parking regulations for multiple-family dwellings shall be required for such uses by the applicable provisions of Article XI hereof. No parking space shall be required in the B-2 District in other instances.

SECTION 3. HEIGHT REGULATIONS: No building shall exceed six (6) stories in height nor shall it exceed seventy-five (75) feet in height, except as otherwise provided in Article XII hereof.

SECTION 4. AREA REGULATIONS:

1. Front Yard: The front yard requirements for multiple-family dwellings are the same as in the R-1 District. In all other cases no front yard is required.

2. Side Yard: The side yard regulations for multiple-family dwellings are the same as those in the R-1 District. In all other cases no side yard is required, except as necessary to permit required off-street parking.

3. Rear Yard: The rear yard regulations for multiple-family dwellings are the same as in the R-1 District. In all other cases a rear yard is not required, except as necessary to provide required off-street parking.

4. Intensity of Use: When a lot is improved by a multiple-family dwelling, the intensity of use regulations are the same as those required in the R-2 District.

ARTICLE IX

I-1 DISTRICT - LIGHT INDUSTRIAL

SECTION 1. USE REGULATIONS: In the I-1 District no building or land shall be used and no building shall be hereafter erected, enlarged, converted or

structurally altered, except for one or more of the following uses:

1. Any use permitted in the B-2 District,
2. Blacksmith shop,
3. Bottling plants,
4. Dyeing and cleaning establishments and laundries,
5. Building equipment and solid fuel storage and yards, and yards for contracting equipment, maintenance or operating equipment of public agencies or public utilities, or materials or equipment of a similar nature, provided that where such storage or yards are in the open, if any part of the land so used lies within three hundred (300) feet of any residence district, or any park, or state or federal highway, the entire open area used shall be surrounded by a substantially built tight board or sheet metal fence, or masonry or other wall, or dense evergreen hedge not less than eight (8) feet high,
6. Bulk storage of gasoline, fuel oil or other inflammable or explosive liquids for retail or wholesale distribution,
7. Creameries and milk distributing stations,
8. Canning, packing, preserving or bottling of food products,
9. Grain elevators,
10. Open air lot for display and sale of automobiles or farm equipment expressly excluding auto wrecking and junk yards,
11. Warehouses and storage plants,
12. Truck or bus storage yards,
13. Ice plants or storage,
14. Electric transforming or converting station,
15. Tourist or trailer camp,
16. Food locker,
17. Animal hospital,
18. Drive-in restaurant,
19. Light industrial and manufacturing plants, expressly excluding those uses noted in the I-2 District, and where the scale of operations and process of manufacturing or treatment of materials is such that in the opinion of the Board of Appeals, the amount of dust, gas, smoke, odor or noise resulting therefrom will not be detrimental to property or to the health of persons residing in surrounding residential districts.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted or structurally altered for a use permitted in the I-1 District there shall be provided an available and accessible off-street parking area in the following instances:

1. Multiple-family dwellings, hospitals, theaters, churches, hotels, boarding and rooming houses and places of assembly shall provide such parking area as shall be required by the applicable provisions of Article XI hereof.
2. Commercial and professional uses listed as permitted uses in Article VII or Article VIII hereof shall provide such parking area as shall be required for commercial and professional uses in a B-1 District by Section 7 of Article XI hereof.
3. In all other instances parking space shall be provided on the lot or on an adjacent lot adequate to accommodate the cars of employees engaged on the premises, as well as trucks and other vehicles of the establishment.

SECTION 3. HEIGHT REGULATIONS: A building designed for or occupied by uses listed as permitted uses in the B-1 or B-2 District shall not exceed six (6) stories nor shall it exceed seventy-five (75) feet in height, except as otherwise provided in Article XII hereof.

SECTION 4. AREA REGULATIONS: The front, side and rear yard regulations and the intensity of use regulations are the same as in the B-2 District.

ARTICLE X

I-2 DISTRICT - HEAVY INDUSTRIAL

SECTION 1. USE REGULATIONS: In the I-2 District no land shall be used and no building shall be hereafter erected or structurally altered, except for one or more of the following uses:

1. Any use permitted in the I-1 District except multiple-family dwellings, boarding and lodging houses and tourist houses,
2. Automobile wrecking yards and junk yards if enclosed with a tight fence not less than eight (8) feet high.
3. Brick, tile, glass and clay products manufacture,
4. Stone quarries and stone crushing, grading, washing and loading equipment,
5. Railroad shops and roundhouses,
6. Open air theaters,
7. Any heavy industrial and manufacturing use and any other use not in conflict with any ordinance of the City regulating nuisances; provided, however, that no building or occupancy permit shall be issued for any of the following uses until the location of such use shall have been authorized by the City Council after a public hearing conducted by the Plan Commission in accordance with the provisions of this Ordinance for amendments hereto:
 - (a) Acid manufacture,
 - (b) Cement, lime, gypsum or plaster of paris manufacture,
 - (c) Distillation of bones,
 - (d) Explosives, manufacture or storage,
 - (e) Fat rendering,
 - (f) Fertilizer manufacture,
 - (g) Garbage, offal or dead animal reduction or dumping,
 - (h) Glue manufacture,
 - (i) Petroleum refining,
 - (j) Smelting of tin, copper, zinc or iron ores,
 - (k) Stock yards or slaughter of animals.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted or structurally altered for a use permitted in the I-2 District there shall be provided an available and accessible off-street parking area in the following instances:

1. Hospitals, theaters, hotels, and places of assembly shall provide such parking area as shall be required by the applicable provisions of Article XI hereof.
2. Commercial service and professional uses listed as permitted uses in Article VII or Article VIII hereof shall provide such parking area as shall be required for commercial and professional uses in a B-1 District by Section 7 of Article XI hereof.
3. In all other instances parking space shall be provided on the lot or on an adjacent lot adequate to accommodate the cars of employees engaged on the premises, as well as trucks and other vehicles of the establishment.

SECTION 3. HEIGHT REGULATIONS: A building designed for or occupied by uses listed as permitted uses in the B-1 or B-2 District shall not exceed six (6) stories nor shall it exceed seventy-five (75) feet in height, except as otherwise provided in Article XII hereof.

SECTION 4. AREA REGULATIONS: No front, side or rear yard shall be required except as may be necessary to provide the required off-street parking space.

ARTICLE XI

COMPREHENSIVE PARKING REGULATIONS

SECTION 1. The regulations of this Article shall be part of the regu-

lations in each district insofar as any use referred to in this Article is a permitted use in a district.

SECTION 2. TWO-FAMILY DWELLINGS: Whenever a structure is erected, converted, enlarged or structurally altered for two-family dwelling use, not less than two hundred (200) square feet of all-weather surfaced parking space or garage space for each dwelling unit in the building shall be provided during the existence of the house on the lot or on an adjoining lot, together with adequate ingress and egress from and to the public street, highway or alley. Such surfaced parking space or garage space shall be for the sole use of the occupants of such building and visitors thereto. The surfaced parking space may be in a required rear yard.

SECTION 3. MULTIPLE-FAMILY DWELLINGS: Whenever a building or part thereof is hereafter erected, converted, enlarged or structurally altered for multiple-family dwelling, apartments or group or row houses for more than two-family units, not less than three hundred (300) square feet of permanent surfaced parking space or garage space for every two (2) dwelling units, or fraction thereof, shall be provided, during the existence of the house, on the lot or on an adjoining lot, together with adequate ingress and egress from and to the public street, highway or alley. Such surfaced parking space shall be for the sole use of the occupants of such building or buildings and visitors thereto. The surfaced parking space may be in a required rear yard.

SECTION 4. HOTELS, ROOMING HOUSES: Whenever a building is hereafter erected, converted, enlarged or structurally altered for use as hotel, apartment hotel, boarding or rooming house, or tourist home, not less than two hundred (200) square feet of all weather surfaced parking space or garage space for each three (3) guest rooms shall be provided, during the existence of the house, on the lot or within three hundred (300) feet thereof, together with adequate ingress and egress from and to the public street, highway or alley. Such surfaced parking space shall be for the sole use of the occupants of the building, guests thereof and visitors thereto. The surfaced parking space may be in a required rear yard.

SECTION 5. HOSPITALS: Whenever a building is hereafter erected, converted, enlarged or structurally altered for a hospital or sanitarium, not less than two hundred (200) square feet of all-weather surfaced parking space shall be provided, during the existence of the use, on the lot or within three hundred (300) feet thereof for each three hundred (300) square feet of sleeping room area for patients, together with adequate ingress and egress from and to the public street, highway or alley. Such parking space shall be for the sole use of the occupants of the building and visitors thereto. Such parking space may be in a required rear yard.

SECTION 6. THEATERS, AND PLACES OF ASSEMBLY: Whenever a building or part thereof is erected, converted, enlarged or structurally altered for a theater, auditorium, or place of amusement or of assembly, there shall be provided, during the continuance of the use, not less than two hundred (200) square feet of all-weather surfaced parking space on the lot or within three hundred (300) feet thereof for each five (5) seats or similar vantage accommodations provided in such building, together with ingress and egress from and to the public street, highway or alley, provided, however, that an outdoor theater shall provide two hundred (200) square feet of surfaced parking space adjacent to the enclosure and to the public street or highway and outside the enclosure and off the street or highway for each two (2) automobile spaces within the enclosure; and provided further that in the B-2 Districts the parking space regulations for such uses shall be as required by Section 2 of Article VIII hereof.

SECTION 7. COMMERCIAL USES IN B-1 DISTRICTS: Whenever any building is erected, converted, or structurally altered for a commercial or private service or professional use in a B-1 District, not less than two hundred (200) square feet of surfaced parking space shall be provided, during the existence of the use, on the lot or on an adjacent lot for each two hundred (200) square feet of floor space in the building, except that any restaurant or establishment whose primary use is to serve meals or refreshment to patrons, shall provide two hundred (200) square feet of permanent surface parking space on the same or adjacent lot for each one hundred (100) square feet of floor space in the building. Two (2) or more commercial establishments may provide the respective necessary permanent surfaced parking spaces upon a single lot in the B-1 Districts and within three hundred (300) feet of both establishments. There shall be provided a tight evergreen hedge or a masonry or stone wall not less than five (5) feet in height along each side of the required parking area that abuts upon a R-1 or R-2 District. The parking space may be in a required rear yard.

ARTICLE XII

HEIGHT AND AREA EXCEPTIONS

The district regulations hereinafter set forth in this Article qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Ordinance.

SECTION 1. Public buildings, hospitals, sanitariums, schools or institutions of an educational, philanthropic, religious or eleemosynary nature, in the R-1 and R-2 Districts may be erected to a height not exceeding seventy-five (75) feet if the building is set back from each yard line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is located.

SECTION 2. Chimneys, towers, elevator bulkheads, monuments, stacks, tanks, spires, church steeples, antennae, and necessary mechanical devices appurtenant to the principal use, may be erected to a height in accordance with existing or hereafter adopted ordinances of the City of Urbana, Illinois.

SECTION 3. Whenever the rear of a lot abuts upon a public alley, one-half ($\frac{1}{2}$) of the width of the public alley may be considered as a portion of the required rear yard.

SECTION 4. Every part of a required yard shall be open to the sky, unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of sills, cornices, chimneys, flues and ornamental features projecting not to exceed eighteen (18) inches and except for open or latticed-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers which may project not more than five (5) feet. No required parking space shall be in a required yard except as otherwise expressly permitted by this Ordinance.

SECTION 5. For the purpose of side yard regulations a two-family dwelling, duplex, a group house, or a multiple dwelling shall be deemed one (1) building occupying one (1) lot.

SECTION 6. The side, front and rear yard requirements shall not apply to steps, open terraces, underground structures and fences, provided any fences or other landspace improvements located on a corner lot with the vision triangle provided by the applicable front yard and side yard requirements of the district in which the lot is located shall preserve a clear view between points five (5) feet above the crown of each intersecting street or highway.

SECTION 7. Gasoline pumps and air and water services of retail gas service stations in the districts in which they are permitted shall be exempted from front and side yard requirements provided the centers thereof shall be at least twenty (20) feet from the street or highway right-of-way line.

ARTICLE XIII

NON-CONFORMING USES

SECTION 1. Any building or use of a building or land lawfully existing at the time of the passage of this Ordinance which does not conform to the regulations of this Ordinance, shall be known as non-conforming and may remain and the use or location thereof be continued, as hereinafter provided.

SECTION 2. No existing building which does not conform to the use, area or density regulations of the district in which such building is located shall be enlarged, extended, or structurally altered, unless such use or location is changed to a use or location permitted in the district in which such building or structure is located. A non-conforming use occupying a part of a building shall not be extended beyond that part of the building originally designed for such use and in no case shall any addition be made which will provide for the expansion of the non-conforming use. A non-conforming use of land shall not be extended.

SECTION 3. A non-conforming use which is discontinued or its normal

operation stopped for a period of twelve (12) months shall not thereafter be re-established.

SECTION 4. Only ordinary repairs and maintenance, including replacement of roof covering, shall be permitted on any building devoted to a non-conforming use. In no case shall such repairs include structural alterations.

SECTION 5. The provisions of Sections 2, 3 and 4 of this Article XIII shall not apply to a single-family or two-family dwelling that is a non-conforming use, provided, however:

- A. No non-conforming single-family or two-family dwelling shall be changed into a use not permitted in the district in which such non-conforming dwelling is located; and
- B. Any extension, structural alteration, enlargement or relocation of such single-family or two-family dwelling shall conform to the height, area and density regulations required of such dwellings in the R-1 District.

SECTION 6. The City Council of the City of Urbana, Illinois, may, after public notice and hearing, authorize in any district a structure or premises to be used by a public service corporation or for public utility or municipal, state or federal purposes which it deems reasonably necessary for the public convenience and welfare. Any right-of-way of passenger station grounds now used for railroad purposes or any right-of-way now used for public utility, municipal, state or federal purposes in any district shall be considered a conforming use.

SECTION 7. The foregoing provisions shall also apply to non-conforming uses in districts hereafter changed.

ARTICLE XIV

BOARD OF APPEALS

SECTION 1. CREATION AND MEMBERSHIP: A Board of Appeals is hereby authorized to be established. The word "Board" when used in this Article shall be construed to mean the Board of Appeals. The Board shall consist of five (5) members appointed by the Mayor of the City of Urbana and confirmed by the Council of the City of Urbana. The members of said Board shall serve respectively for the following terms (or until their respective successors are appointed and qualified): one for one year; one for two years; one for three years; one for four years; one for five years. The successor to each member so appointed shall serve for a term of five years. One of the members of the Board shall be designated as Chairman of the Board by the Mayor of the City of Urbana, with the consent of the Council of the City of Urbana and shall hold his office as Chairman until his successor is appointed. Such Chairman, or, in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses. The Mayor of the City of Urbana shall have the power to remove any member of the Board for cause and after a public hearing. Vacancies upon the Board shall be filled for the unexpired term of the member whose place has become vacant, in the manner herein provided for the appointment of such member.

SECTION 2. MEETINGS: All meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. There shall be at least fifteen (15) days but not more than thirty (30) days' notice of the time and place of such meeting published in a paper of general circulation in the City of Urbana, said notice to contain a statement of the particular purpose of such meeting and a brief description of the location of the property under consideration at such meeting. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or, if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions. Findings of fact shall be included in the minutes of each case of a requested variation, and the reasons for granting or denying such variation shall be specified. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Board shall immediately be filed in the office of the Board and shall be a public record. The Board shall adopt its own rules of procedure not in conflict with the statute in such case made and provided, and may select or appoint such officers as it deems necessary.

SECTION 3. JURISDICTION: The Board shall hear and decide appeals from and review any order, requirement, decision or determination made by the administrative official charged with the enforcement of this Ordinance. The Board may reverse or affirm, wholly or partly, or may modify or amend the order, requirement, decision or determination appealed from to the extent and in the manner that the Board may decide to be fitting and proper in the premises.

The Board shall also hear and decide all matters referred to it or upon which it is required to pass under this Ordinance.

Where there are practical difficulties or particular hardship in the way of carrying out the strict letter of this Ordinance the Board may authorize a variation in the application of the regulations of this Ordinance in harmony with their general purpose and intent, in the following instances:

1. To permit a front yard, a side yard, and/ or a rear yard less than that required by this Ordinance, but such variation shall not exceed twenty-five (25) per cent of the depth of the front yard, or the width of a side yard, as required by this Ordinance.
2. To permit a building to exceed the height limit by not more than ten (10) per cent of the height limit established by this Ordinance.
3. To permit the use of a lot less in area by not more than ten (10) per cent of the lot area required by this Ordinance.
4. To permit the use of a lot less in width by not more than fifteen (15) per cent of the lot width as required by this Ordinance.
5. To permit the use of a lot adjacent to a commercial or multiple dwelling use as parking space for such use provided that such lot shall have the area required by this Ordinance for parking space for such use.

In considering all proposed variations to this Ordinance the Board shall, before making any variation from the ordinance in a specific case, first determine and make a finding of fact, that the proposed variation will not (a) impair an adequate supply of light and air to adjacent property, (b) increase the congestion in public streets, (c) increase the danger of fire or endanger the public safety, and (d) unreasonably diminish or impair established property values within the surrounding area.

The Concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the administrative official charged with the enforcement of this Ordinance, or to decide in favor of the applicant any matter upon which the Board is authorized by this Ordinance to render a decision.

SECTION 4. APPEAL AND REVIEW: An appeal may be taken from the officer charged with the enforcement of this Ordinance by any person aggrieved or by an officer, department, or Bureau of the City of Urbana. Such appeal shall be taken within such time as shall be prescribed by the Board by general rule, by filing with the officer from whom the appeal is taken and with the Board, a notice of appeal, specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all of the papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal has been filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.

The Board shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. Upon the hearing, any party may appear in person, or by agent, or by attorney.

All final administrative decisions of the Board of Appeals shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act," approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto.

ARTICLE XV

OCCUPANCY PERMITS

SECTION 1. Subsequent to the effective date of this Ordinance no change in the use of land, nor any change of use in an existing building shall be made, nor shall any new building be occupied for any purpose until a certificate of occupancy has been issued by the administrative official charged with the enforcement of this Ordinance, stating that the building and use comply with the provisions of this Ordinance.

SECTION 2. Certificates of occupancy shall be applied for coincidentally with the application for a building permit, and shall be issued within seven (7) days after the lawful erection or alteration of such building or buildings shall have been completed. No permit for excavation for, or the erection or alteration of any building shall be issued before application has been made for a certificate of occupancy. No building or premises shall be occupied until such certificate has been issued.

SECTION 3. A record of a certificate of occupancy shall be kept on file in the office of the administrative official charged with the enforcement of this Ordinance, and copies shall be furnished on request to any person having a proprietary or tenancy interest in land or in a building affected by such certificate of occupancy.

ARTICLE XVI

PLATS

Each application for a building permit shall be accompanied by a plat in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size and location of the building or buildings to be erected or altered and such other information as may be necessary to provide for the enforcement of this Ordinance. A careful record of such applications and plats shall be kept in the office of the Commissioner of Public Works.

ARTICLE XVII

Fees for certificates of occupancy, appeals to the Board of Appeals and petitions for amendments shall be as established by action of the City Council from time to time. Such fees shall be paid to the Commissioner of Public Works who shall give a receipt therefore and account for same at regular intervals to the City Council.

ARTICLE XVIII

INTERPRETATION AND PURPOSE

It is not intended by this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with any existing provision of law or ordinance relating to the use of buildings or premises, now in force and effect in relation thereto except as expressly provided in Article XXII hereof; nor is it intended by this Ordinance to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises than are imposed or required by such existing provision of law, ordinance, rules, regulations, permits, easements, covenants or agreements, the provisions of this Ordinance shall control.

ARTICLE XIX

AMENDMENTS

The regulations imposed and the districts created under this Ordinance may be amended by ordinance, but no such amendments shall be made without a hearing before the City Plan Commission created pursuant to ordinance.

At least fifteen (15) days' notice of the time and place of such hearing shall be published in a paper of general circulation in the City of Urbana, said notice to contain the particular location for which the amendment is requested as well as a brief statement describing the proposed amendment. In case of written protest against the proposed amendment signed and acknowledged by the owners of twenty (20) per cent of the frontage proposed to be altered, or by the owners of twenty (20) per cent of the frontage directly opposite the frontage proposed to be altered as to such regulations or district, filed with the City Clerk, such amendment shall not be passed except by the favorable vote of two-thirds (2/3) of all of the members of the Council of the City of Urbana.

ARTICLE XX

ENFORCEMENT AND PENALTY

SECTION 1. It shall be the duty of the Commissioner of Public Works to enforce this Ordinance.

SECTION 2. Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance shall upon conviction, be fined not more than one hundred dollars (\$100.00) for each offense. Each day that a violation shall exist shall constitute a separate offence.

SECTION 3. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this Ordinance, the Building Inspector in addition to other remedies, may institute any proper action or proceedings in the name of the City of Urbana to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about said premises.

ARTICLE XXI

VALIDITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

ARTICLE XXII

REPEAL

An ordinance entitled Zoning Ordinance for the City of Urbana adopted the 16th day of September, 1940, and approved September 16, 1940, as amended from time to time, is hereby repealed.

ARTICLE XXIII

EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, approval, and due publication.

PASSED:

Bess M. Holmes
Clerk

APPROVED: November 15, 1950

Glen E. Chapman
Mayor

5051-28

ZONING ORDINANCE
URBANA, ILLINOIS

WHEREAS, to the end that adequate light, pure air and safety from fire and other dangers may be secured throughout the City of Urbana, Illinois, that the taxable value of land and buildings throughout the City may be conserved, that congestion in the public streets may be lessened or avoided, and that the public health, safety, comfort, morals and welfare may otherwise be promoted in accordance with a well considered and comprehensive plan for the use and development of all property throughout the City, the Council of the City of Urbana, Illinois, deems it necessary that an ordinance be passed to classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified uses; to regulate and determine the area of yards and other open spaces within the surrounding such buildings, and for said purposes, to divide the City into districts and prescribe penalties for the violation of its provisions; to provide for its enforcement and also for a Board of Appeals;

REB

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS:

REB

ARTICLE I

SECTION 1. This ordinance shall be known and may be cited as the Zoning Ordinance of the City of Urbana, Illinois, of 1950.

ARTICLE II

DEFINITIONS

For the purpose of this ordinance certain terms and words are hereby defined; Words used in the present tense shall include the future; words used in the singular number shall include the plural number; words used in the plural number shall include the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not directory.

Accessory Building: A building or a portion of the main building located on the same lot which is incidental to that of the main building or to the main use of the premises. An accessory use is one that is incidental to the main use of the premises.

Alley: A public or private thoroughfare that affords only a secondary means of access to property abutting thereon.

Apartment: A room or suite of rooms in a multiple or two-family dwelling, or, where more than one living units are established above non-residential uses, a room or suite of rooms intended or designed for use as a residence by a single family.

REB

Basement: A story partly or wholly underground which, unless used for residence purposes by other than the janitor, or domestic servants, and family, shall not be included as a story for height purposes.

Boarding House: A building other than a hotel where, for compensation, meals, or lodging and meals, are regularly provided by prearrangement for more than five (5), but less than fifteen (15) persons.

Building: Any structure designed or intended for the support, enclosure, or shelter of persons, animals or chattels.

Building Height of: The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest point of the roof for flat roofs; to the mean height level between eaves and ridge for gambrel, gable, and hip-roofs; to the deck-line for mansard roofs. Where a building is located upon a natural terrace or slope the height may be measured from the average ground level at the building wall.

District: A section or sections of the City of Urbana for which the regulations governing the use of buildings and premises, the height of buildings, the size of yards and the intensity of use are uniform for each class of use permitted therein.

Dwellings: Any building but not a trailer which is designed and used exclusively for residential purposes.

Dwelling, Single-Family: A building designed for or occupied exclusively by one family.

Dwelling, Two-Family: A building designed for or occupied exclusively by two families.

Dwelling, Duplex: A building having accommodations for but two families, designed for or occupied by one family on either side of a party wall.

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Dwelling, Multiple: A building designed for or occupied exclusively by more than two families.

Family: Any number of individuals living together as a single housekeeping unit, including domestic servants for whom, subject to the provisions of this ordinance, separate living quarters may be provided, but excluding boarding houses, rooming houses, tourist houses, fraternities, sororities, residential clubs and homes of an institutional character.

Filling Station: Any building or premises used for the dispensing, sale or offering for sale at retail of automobile fuels or oil. When the dispensing, sale, or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.

Garage, Private: An accessory building housing motor-driven vehicles which are the property of and for the use of the occupants of the lot on which the garage is located.

Garage, Public: Any building or premises except those used as private garages, used for equipping, repairing, hiring, selling or storing motor-driven vehicles.

Group or Row House: A group of two (2) or more single-family dwellings separated by walls without openings, not more than two (2) rooms deep.

Home Occupation: Any occupation or profession for gain or support carried on by a member or members of the immediate family, residing on the premises; in connection with which there is used no sign other than a name plate not more than one square foot in area or no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a residential building; and in which no person is employed other than a member of the immediate family residing on the premises;

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and provided that no article is sold or offered for sale except such as may be produced in the household by members of the immediate family, and no mechanical equipment is used except such as is incidental to for purely domestic or household purposes.

Hotel: A building in which lodging, or lodging and board, are provided and offered to the public for compensation and which is customarily open to transient guests.

Institution: A building occupied by a non-profit corporation or a non-profit establishment for public use.

Rooming House: A building where lodging is provided by prearrangement for definite periods for more than five (5) but less than fifteen (15) persons, not open to transient guests.

Lot: A parcel of land occupied or suitable for occupancy by a use permitted by this ordinance, including one (1) main building or use, with accessory buildings, the open spaces and parking spaces required by this ordinance, and having its principal frontage upon a street or upon an officially approved place.

Non-Conforming Use: Any building or land lawfully occupied by a use or, in the case of a building, lawfully situated, at the time of the passage of this ordinance or amendments thereto, which does not conform after passage of this ordinance or amendment thereto with the regulations of this ordinance.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it.

Story, Half: Space within or under a sloping roof, the floor area of which does not exceed two-thirds of the floor area of the story immediately below it and which does not contain an independent apartment.

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Structure: Anything created or constructed, the use of which requires permanent location on the ground or attached to same thing having a permanent location on the ground, including but without limiting the generality of the foregoing, advertising signs, billboards, poster panels, and supports and frames thereof.

Structural Alteration: Any change in the supporting members of a building, such as but not limited to bearing walls, columns, beams or girders.

Tourist or Trailer Camp: An area containing one or more structures, designed or intended to be used as temporary living facilities of two or more families, or providing spaces where two or more tents or auto trailers can be or are intended to be parked, and intended primarily and used for automobile transients.

Tourist House: A building originally designed for or occupied by family in which is provided lodging for not more than fifteen (15) transient guests.

Trailer: Any structure used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses or skirtings and which is, has been, or reasonably can be, equipped with wheels or other devices for transporting the structure from place to place.

Yard: An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of a rear yard, the mean horizontal distance between the lot line and the main building shall be used.

Yard, Front: A yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the street line and the main building or any projection thereof other than the projection of the usual steps.

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Yard, Rear: A yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projection other than steps. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, Side: A yard between the main building and the side line of the lot, and extending from the front lot line to the rear yard line.

ARTICLE III

SCOPE OF REGULATIONS

SECTION 1. COMPLIANCE WITH REGULATIONS: Except as provided by this Ordinance and except after a building permit shall have been issued by the Commissioner of Public Works, which permit shall state that the proposed building or use of land complies with all the provisions of this Ordinance, it shall be unlawful within the corporate limits of the City of Urbana, Illinois:

- (a) To establish any use of a building or land, either by itself or in addition to another use;
- (b) To excavate for or build any foundation;
- (c) To expand, change or re-establish any non-conforming use;

(247B)

- (d) To erect or establish a new building or part thereof, except signs of the class permitted in the "R-1" district;
- (e) To rebuild, structurally alter, add to, enlarge or relocate any building or part thereof;
- (f) To reduce the yard space or plot area required for a building, or to include any such yard space or plot area as that required for an adjoining building;
- (g) To erect more than one (1) main building on one (1) lot.

SECTION 2. ACCESSORY USES AND BUILDINGS: The uses permitted in the various zoning districts are principal uses, and a building or use that is accessory to a permitted use is allowable in connection with such a use provided:

- (a) It is located on the same lot designed for the principal use or building being established or existing;
- (b) It is compatible in character and extent with the principal use and district where located;
- (c) It conforms with such other regulations as apply;
- (d) It is not prohibited;
- (e) It shall not be erected prior to the establishment or construction of the principal use or building.

REP

ARTICLE IV

DISTRICTS AND BOUNDARIES THEREOF

SECTION 1. NUMBER OF DISTRICTS: In order to classify, regulate and restrict the location of buildings erected or structurally altered for specific uses, to regulate the use of land, to regulate and limit the height and bulk of buildings hereafter erected or structurally altered, and to regulate and determine the area of yards and other open spaces about buildings, the City of Urbana, Illinois, is hereby divided into districts of which there shall be ~~seven~~^{six} (6) RFB known as:

- R-1 District Single and Two-Family Residence
- R-2 District Multiple Family Residence
- B-1 District Neighborhood Business
- B-2 District Central Commercial
- I-1 District Light Industrial
- I-2 District Heavy Industrial

SECTION 2. ZONING MAP: The boundaries of the districts established in Section 1 of this Article IV are hereby established as shown on a map designated as the "Zoning Map of Urbana, Illinois." This map shall be signed and dated by the City Clerk of Urbana, Illinois. Said map and all notations, colors, dimensions, references, legends and symbols shown thereon pertaining to said districts shall be as much a part of this Ordinance as if fully described herein, and shall be filed as part of this Ordinance with the City Clerk of Urbana, Illinois. Such map, or a reproduction thereof, certified as showing the districts created and approved, shall be available for public reference in the office of the City Clerk of Urbana, Illinois and in the office of the Commissioner of Public Works of Urbana, Illinois. Alterations of said map

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made from time to time and adopted by amendment as hereafter provided, shall be similarly signed, dated, filed and made available for public reference.

SECTION 3. UNCERTAINTY OF BOUNDARIES: When uncertainty exists with respect to the boundaries of the various districts as shown on the zoning map accompanying and made a part of this Ordinance, the following rules shall apply;

- (a) The district boundaries are the center lines of either streets or alleys or the extensions thereof unless otherwise shown, and where the districts designated on the map accompanying and made a part of this Ordinance are bounded approximately by street or alley lines, the center line of the street or alley, or the extension thereof shall be construed to be the boundary of the district.
- (b) Where the district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines, and where the districts designated on the map accompanying and made a part of this Ordinance are bounded approximately by lot lines, the lot lines shall be construed to be the boundary of the districts.

SECTION 4. LAND SUBSEQUENTLY ANNEXED: All land which may hereafter become a part of the incorporated area of Urbana, Illinois, as a result of annexation shall automatically be classified as R-1 Residential District. Within three (3) months of the date of such annexation the City Plan Commission shall call a public hearing, with

REP

notice as required for amendments to this Ordinance, and within thirty (30) days after such hearing shall recommend to the City Council that this Ordinance be amended so as to classify such property in accordance with such recommendations.

ARTICLE V

R-1 DISTRICT - SINGLE AND TWO-FAMILY RESIDENTIAL

SECTION 1. USE REGULATIONS: In the R-1 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, unless otherwise provided in this Ordinance, except for one or more of the following uses:

1. Single-Family Dwelling.
2. Two-Family or Duplex Dwelling.
3. Church.
4. School, Elementary and High.
5. Park and Playground.
6. Home Garden when the produce thereof is not sold or placed on the market.
7. Home Occupation.
8. Accessory buildings and uses not involving the conduct of a business and including one private garage for each family unit, but if such accessory building is not attached to the main building it shall be located not less than sixty (60) feet from the front line of the lot and not less than one and one-half ($1\frac{1}{2}$) feet from the rear line and side lines of the lot.
9. One (1) sign on each lot not exceeding twelve (12) square feet in area, appertaining to the lease or sale of a building or premises.

RFB

10. Golf Courses, except miniature courses and driving tees operated for commercial purposes.
11. Farm, including the raising of livestock on adequately fenced tract containing not less than twelve (12) acres and having an average width of not less than three hundred fifty (350) feet and including the raising of poultry and small animals when the tract is adequately fenced and contains not less than three (3) acres, but in no event shall livestock, small animals or poultry be housed or confined within two hundred (200) feet of one (1) acre or less containing a dwelling.
12. Temporary buildings incidental only to the construction of a permitted use.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-1 District, there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XI ~~hereof~~ hereof. REF

SECTION 3. HEIGHT REGULATIONS: No building shall exceed two and one-half ($2\frac{1}{2}$) stories, nor shall it exceed thirty-five (35) feet in height, except as provided in Article XII ~~hereof~~ hereof. REF

SECTION 4. AREA REGULATIONS:

1. Intensity of Use: Every dwelling hereafter erected, enlarged, relocated or reconstructed shall be located upon a lot having the following area:

(a) A lot on which there is erected a single family dwelling shall contain an area of not less than six thousand (6,000) square feet, and an average width of not less than

REF

fifty (50) feet.

(b) A lot on which there is erected a two-family dwelling shall contain an area of not less than three thousand (3,000) square feet per family and an average width of not less than fifty (50) feet.

(c) Where a lot has less area or width than herein required, and was of public record at the time of the passage of this Ordinance, that lot may be used only for single-family dwelling purposes or for any of the non-dwelling uses permitted by this Article.

2. Front Yard:

(a) There shall be a front yard of not less than twenty-five (25) feet, provided, however, that where lots comprising more than forty (40) per cent of the frontage on the same side of the street between two (2) intersecting streets are improved with buildings, not less than the average depth of the front yards of such lots shall be maintained by all new buildings, but this regulation shall not be interpreted to require a front yard of more than fifty (50) feet.

(b) Lots having a frontage on two (2) non-intersecting streets shall have the required front yard on both streets.

(c) Where a lot is located at the intersection of two (2) or more streets there shall be a front yard on each street side of the lot, except that the buildable width of such lot shall not be reduced to less than forty (40) feet. No accessory building shall project beyond the front yard line on either street.

SECTION 4. SIDE YARDS: There shall be a side yard on each side of a building having a width of not less than ten (10) per cent of the width of the lot, but in no event shall each such side yard be less than five (5) feet.

RFR

SECTION 5. REAR YARD: There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) per cent of the depth of the lot, whichever is smaller.

ARTICLE VI

R-2 DISTRICT - MULTIPLE FAMILY RESIDENTIAL

SECTION 1. USE REGULATIONS: In the R-2 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, except for one or more of the following uses:

1. Any use permitted in the R-1 District.
2. Multiple-family dwelling.
3. Boarding and rooming house; tourist home.
4. Community buildings, museums and libraries.
5. Private clubs and lodges, except skeet and gun clubs and those the chief activity of which is service customarily carried on as a business.
6. Fraternities, sororities and dormitories.
7. Group or row houses.
8. Undertaking establishment.
9. Hospitals and clinics; nursing home.
10. Institutions of an educational, philanthropic or eleemosynary nature.
11. Nurseries and greenhouses for the propagation and cultivation of plants only.
12. Accessory buildings and uses when located on the same lot and not involving the conduct of a business, including private garages, but if such accessory building is not attached to the main building it shall be located not less than sixty (60) feet from the front line and not less than one and one-half ($1\frac{1}{2}$) feet from the rear line and side lines of the lot.

RFB

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-2 District, there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XI~~E~~ hereof.

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SECTION 3. HEIGHT REGULATIONS: No building hereafter erected or altered shall exceed three (3) stories nor shall it exceed thirty-five (35) feet in height, except as provided ~~in~~ in Article XII~~E~~ hereof.

SECTION 4. AREA REGULATIONS:

1. Yards: The front yard, side yard and rear yard regulations are the same as those in the R-1 District.

2. Intensity of Use: Every dwelling hereafter erected, enlarged, relocated, or reconstructed shall be located upon lots containing the following areas:

(a) A lot upon which there is located a single-family dwelling or a two-family dwelling shall contain an area and have a width as required for such dwellings in Section 2 of Article V hereof.

(b) A lot on which there is erected a multiple-family dwelling shall contain an area of not less than one thousand (1,000) square feet per family, but in no event a total area of less than six thousand (6,000) square feet, and an average width of not less than fifty (50) feet except that this lot area per family shall not apply to dormitories, fraternities or sororities where no cooking is done in individual rooms or apartments.

(c) Where a lot has less area or width than herein required, and was of record at the time of the passage of this Ordinance, that lot may be used only for single-family dwelling

RCB

purposes or for any non-dwelling use permitted by this Article.

ARTICLE VII

B-1 DISTRICT - NEIGHBORHOOD BUSINESS

SECTION 1. USE REGULATIONS: In the B-1 District no building or land shall be used and no building shall be hereafter erected converted, enlarged or structurally altered, except for one or more of the following uses:

1. Apartments, provided they are located on the second floor and above a business use permitted in this District.
2. Bakery whose products are sold only at retail on the premises.
3. Business or commercial school, or dancing or music academy.
4. Filling stations.
5. Personal service shop, such as shoe repair shops, beauty parlor and barber shop but expressly excluding those uses listed in the B-2, I-1 and I-2 Districts.
6. Professional or service office.
7. Restaurant, serving only within the building.
8. Shop or store for conduct of retail business only, but expressly excluding those uses listed in the B-2, I-1 and I-2 Districts.
9. Store for collection and distribution of laundry and dry cleaning articles, but not for the treatment, cleaning or processing of such articles.
10. Private garage incidental to main use and a sign or bulletin board relating only to services.
11. Temporary building incidental only to construction of ~~permitted use.~~ a permitted use.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted, or structurally altered for a use permitted in the B-1 District there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XI~~I~~ hereof.

SECTION 3. HEIGHT REGULATIONS: No building shall exceed two and one-half ($2\frac{1}{2}$) stories nor shall it exceed thirty-five (35) feet in height except as otherwise provided in Article XII~~I~~ hereof.

SECTION 4. AREA REGULATIONS:

1. Front Yard: There shall be a front yard having a depth of not less than fifteen (15) feet. No display of merchandise shall be placed in the required front yard.

2. Side Yard: Where a lot or part thereof is used for any of the uses permitted in this District and is located at the intersection of two or more streets, the side yard on the side of a lot adjacent to the street shall not

THERE IS NO PAGE 18.

RFB

be less than fifteen (15) feet in width, except that the buildable width of the lot shall not be reduced to less than thirty (30) feet. In all other cases a side yard is not required except on the side of a lot abutting on an R-1, R-2, ~~XXXXXX~~ District, in which case there shall be a side yard of not less than five (5) feet.

3. Rear Yard: There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) per cent of the depth of the lot, whichever amount is smaller.

4. Intensity of Use: When living facilities are erected above stores there shall be a lot area per family of not less than three thousand (3,000) square feet.

ARTICLE VIII

B-2 DISTRICT - CENTRAL BUSINESS

SECTION 1. USE REGULATIONS: In the B-2 District no building or land shall be used and no building shall be hereafter erected, enlarged, converted or structurally altered, except for one or more of the following uses:

1. Any use permitted in the B-1 District.
2. Multiple-family dwellings.
3. Hotels and Apartment Hotels.
4. Community buildings, museums and libraries.
5. Advertising signs and bulletin boards.
6. Hospitals and clinics, Nursing home.
7. Bakery, dyeing and cleaning works, laundry employing not more than six (6) persons.
8. Plumbing shop.
9. Printing shop.
10. Public garage; automobile sales room.

11. Private clubs and lodges, except skeet and gun clubs.
12. Institutions of an educational, philanthropic or eleemosynary nature.
13. Bus or taxi terminal station; railroad station.
14. Store for conduct of wholesale business, excluding a building the principal use of which is for a storage warehouse.
15. Telegraph service station.
16. Telephone exchange.
17. Theater, except open air drive-in theater.
18. Tavern.
19. Amusement and recreation building.
20. Churches.
21. Boarding and rooming houses; tourist house. (RFB)
22. Undertaking establishment.
23. Park and playground.
24. Home occupations.
25. Municipal, state or federal building.
26. Residence of watchman or guard of a permitted use.

SECTION 2. PARKING REGULATIONS: The parking regulations for multiple-family dwellings shall be required for such uses by the applicable provisions of Article XI hereof. No parking space shall be required in the B-2 District in other instances. (RFB)

SECTION 3. HEIGHT REGULATIONS: No building shall exceed six (6) stories in height nor shall it exceed seventy-five (75) feet in height, except as otherwise provided in Article XIII hereof. (RFB)

SECTION 4. AREA REGULATIONS:

1. Front Yard: The front yard requirements for multiple-family dwellings are the same as in the R-1 District. In all other cases no front yard is required.

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2. Side Yard: The side yard regulations for multiple-family dwellings are the same as those in the R-1 District. In all other cases no side yard is required, except as necessary to permit required off-street parking.

3. Rear Yard: The rear yard regulations for multiple-family dwellings are the same as in the R-1 District. In all other cases a rear yard is not required, except as necessary to provide required off-street parking.

4. Intensity of Use: When a lot is improved by a multiple-family dwelling, the intensity of use regulations are the same as those required in the R-2 District.

ARTICLE IX

I-1 DISTRICT - LIGHT INDUSTRIAL

SECTION 1. USE REGULATIONS: In the I-1 District no building or land shall be used and no building shall be hereafter erected, enlarged, converted or structurally altered, except for one or more of the following uses:

1. Any use permitted in the B-2 District.
2. Blacksmith shop.
3. Bottling plants.
4. Dyeing and cleaning establishments and laundries.
5. Building equipment and solid fuel storage and yards, and yards for contracting equipment, maintenance or operating equipment of public agencies or public utilities, or materials or equipment of a similar nature, provided that where such storage or yards are in the open, if any part of the land so used lies within three hundred (300) feet of any residence district, or any park, or state or federal highway, the entire open area used shall be surrounded by a substantially build tight board or sheet metal fence, or masonry or other wall, or dense

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evergreen hedge not less than eight (8) feet high.

6. Bulk storage of gasoline, fuel oil or other inflammable or explosive liquids for retail or wholesale distribution.
7. Creameries and milk distributing stations.
8. Canning, packing, preserving or bottling of food products.
9. ^{Grain} ~~Grain~~ elevators.
10. Open air lot for display and sale of automobiles or farm equipment expressly excluding auto wrecking and junk yards.
11. Warehouses and storage plants.
12. Truck or bus storage yards.
13. Ice plants or storage.
14. Electric transforming or converting station.
15. Tourist or trailer camp.
16. Food locker.
17. Animal hospital.
18. Drive-in restaurant.
19. Light industrial and manufacturing plants, expressly excluding those uses noted in the I-2 District, and where the scale of operations and process of manufacturing or treatment of materials is such that in the opinion of the Board of Appeals, the amount of dust, gas, smoke, odor or noise resulting therefrom will not be detrimental to property or to the health of persons residing in surrounding residential districts.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted or structurally altered for a use permitted in the I-1 District there shall be provided an available and accessible off-street parking area in the following instances:

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RRR

1. Multiple-family dwellings, hospitals, theaters, churches, hotels, boarding and rooming houses and places of assembly shall provide such parking area as shall be required by the applicable provisions of Article XI~~E~~ hereof. (RRB)
2. Commercial and professional uses listed as permitted uses in Article VII~~E~~ or Article VIII~~E~~ hereof shall provide such parking area as shall be required for commercial and professional uses in a B-1 District by Section 7 of Article XI~~E~~ hereof. (RRB)
3. In all other instances parking space shall be provided on the lot or on an adjacent lot adequate to accomodate the cars of employees engaged on the premises, as well as trucks and other vehicles of the establishment. (RRB)

SECTION 3. HEIGHT REGULATIONS: A building designed for or occupied by uses listed as permitted uses in the B-1 or B-2 District shall not exceed six (6) stories nor shall it exceed seventy-five (75) feet in height, except as otherwise provided in Article XII~~E~~ hereof. (RRB)

SECTION 4. AREA REGULATIONS: The front, side and rear yard regulations and the intensity of use regulations are the same as in the B-2 District.

ARTICLE X

I-2 DISTRICT - HEAVY INDUSTRIAL

SECTION 1. USE REGULATIONS: In the I-2 District no land shall be used and no building shall be hereafter erected or structurally altered, except for one or more of the following uses:

RRB

1. Any use permitted in the I-1 District except multiple-family dwellings, boarding and lodging houses and tourist houses.
2. Automobile wrecking yards and junk yards if enclosed with a tight fence not less than eight (8) feet high.
3. Brick, tile, glass and clay products manufacture.
4. Stone quarries and stone crushing, grading, washing and loading equipment.
5. Railroad shops and roundhouses.
6. Open air Theaters.
7. Any heavy industrial and manufacturing use, not in conflict with any ordinance of the City of regulating nuisances; provided, however, that no building or occupancy permit shall be issued for any of the following uses until the location of such use shall have been authorized by the City Council after a public hearing conducted by the Plan Commission in accordance with the provisions of this Ordinance for amendments hereto:
 - (a) Acid manufacture.
 - (b) Cement, lime, gypsum or plaster of paris manufacture.
 - (c) Distillation of bones.
 - (d) Explosives, manufacture or storage.
 - (e) Fat rendering.
 - (f) Fertilizer manufacture.
 - (g) Garbage, offal or dead animal reduction or dumping.
 - (h) Glue manufacture.
 - (i) Petroleum refining.
 - (j) Smelting of tin, copper, zinc or iron ores.
 - (k) Stock yards or slaughter of animals.

RRB
and any other use

RRB

SECTION 2. PARKING REGULATIONS: whenever a building is erected, converted or structurally altered for a use permitted in the I-2 District there shall be provided an available and accessible off-street parking area in the following instances;

1. Hospitals, theaters, churches, hotels, and places of assembly shall provide such parking area as shall be required by the applicable provisions of Article XIII hereof.
2. Commercial, service and professional uses listed as permitted uses in Article VIII of Article ~~VIII~~ ^{VII} hereof shall provide such parking area as shall be required for commercial and professional uses in a B-1 District by Section 7 of Article XII hereof.
3. In all other instances parking space shall be provided on the lot or on an adjacent lot adequate to accommodate the care of employees engaged on the premises, as well as trucks and other vehicles of the establishment.

SECTION 3. HEIGHT REGULATIONS: A building designed for or occupied by uses listed as permitted uses in the B-1 or B-2 District shall not exceed six (6) stories nor shall it exceed seventy-five (75) feet in height, except as otherwise provided in Article XIII hereof.

SECTION 4. AREA REGULATIONS: no front, side or rear yard shall be required except as may be necessary to provide the required off-street parking space.

ARTICLE XII *RFR*

COMPREHENSIVE PARKING REGULATIONS

SECTION 1. The regulations of this Article shall be part of the regulations in each district insofar as any use referred to in this Article is a permitted use in a district.

SECTION 2. TWO-FAMILY DWELLINGS: Whenever a structure is erected, converted, enlarged or structurally altered for two-family dwelling use, not less than two hundred (200) square feet of all-weather surfaced parking space or garage space for each dwelling unit in the building shall be provided during the existance of ^{the} ~~house~~ on the lot or on an adjoining lot, together with adequate ingress and egress from and to the public street, highway or alley. Such surfaced parking space or garage space shall be for the sole use of the occupants of such building and visitors thereto. The surfaced parking space may be in a required rear yard. *RFR*

SECTION 3. MULTIPLE FAMILY DWELLINGS: Whenever a building or part thereof is hereafter erected, converted, enlarged or structurally altered for multiple-family dwelling, apartments or group or row houses for more than two-family units not less than two-hundred (200) square feet of permanent surfaced parking space or garage space for every two (2) dwelling units, or fraction thereof, shall be provided during the existance of the house on the lot or on an adjoining lot, together with adequate ingress and egress from and to the public street, highway or alley. Such surfaced parking space ~~shall be~~ shall be for the sole use of the occupants of such building or buildings and visitors thereto. The surfaced parking space may be in a required rear yard. *RFR*

RFR

SECTION 4. HOTELS, ROOMING HOUSES: Whenever a

(RFB) building is hereafter erected, converted, enlarged or structurally altered for use as hotel, apartment hotel, boarding or rooming house, or tourist ~~house~~^{home}, not less than two hundred (200) square feet of all weather surfaced parking space or garage space for each three (3) guest rooms shall be provided during the existence of the house on the lot or within three hundred (300) feet thereof, together with adequate ingress and egress from and to the public street, highway or alley. Such surfaced parking space shall be for the sole use of the occupants of the building, guests thereof and visitors thereto. The surfaced parking space may be in a required rear yard.

SECTION 5. HOSPITALS: Whenever a building is here-

after erected, converted, enlarged or structurally altered for a hospital or sanitarium, not less than two hundred (200) square feet of all-weather surfaced parking space shall be provided during the existence of the use on the lot or within three hundred (300) feet thereof for each three hundred (300) square feet of sleeping room area for patients, together with adequate ingress and egress from the to the public street, highway or alley. Such parking space shall be for the sole use of the occupants of the building and visitors thereto. Such parking space may be in a required rear yard.

SECTION 6. THEATERS, CHURCHES AND PLACES OF ASSEMBLY:

Whenever a building or part thereof is erected, converted, enlarged or structurally altered for a theater, auditorium, church or place of amusement or of assembly, there shall be provided during the continuance of ^{the} use not less than two (RFB) hundred (200) square feet of all-weather surfaced parking space on the lot or within three hundred (300) feet thereof for each five (5) seats or similar vantage accommodations provided in such building, together with ingress and egress from

(RFB)

and to the public street, highway or alley, provided, however, that an outdoor theater shall provide two hundred (200) square feet of surfaced parking space adjacent to the enclosure and to the public street or highway and outside the enclosure and off the street or highway for each two (2) automobile spaces within the enclosure; and provided further that in the B-2 Districts the parking space regulations for such uses shall be as required by Section 2 of Article IX hereof.

SECTION 7. COMMERCIAL USES IN B-1 DISTRICTS: Whenever any building is erected, converted or structurally altered for a commercial or private service or professional use in a B-1 District, not less than two hundred (200) square feet of surfaced parking space shall be provided, during the existence of the use, on the lot or on an adjacent lot for each two hundred (200) square feet or floor space in the building, except that any restaurant or establishment whose primary use is to serve meals or refreshment to patrons, shall provide two hundred (200) square feet of permanent surface parking space on the same or adjacent lot for each one hundred (100) square feet of floor space in the building. Two (2) or more commercial establishments may provide the respective necessary permanent surfaced parking spaces upon a single lot in the B-1 Districts and within three hundred (300) feet of both establishments. There shall be provided a tight evergreen hedge or a masonry or stone wall not less than five (5) feet in height along each side of the required parking area that abuts upon a R-1 or R-2 District. *The parking space may be in a required rear yard.*

ARTICLE XII

HEIGHT AND AREA EXCEPTIONS

The district regulations hereinafter set forth in this Article qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Ordinance.

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SECTION 1. Public buildings, hospitals, sanitariums, schools or institutions of an educational, philanthropic, religious or eleemosynary nature, in the R-1 ~~and R-2~~ and R-3 Districts may be erected to a height not exceeding seventy-five (75) feet if the building is set back from each yard line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is located. (RR)

SECTION 2. Chimneys, towers, elevator bulkheads, monuments, stacks, tanks, spires, church steeples, antennae, and necessary mechanical devices appurtenant to the principal use, may be erected to a height in accordance with existing or hereafter adopted ordinances of the City of Urbana, Illinois.

SECTION 3. whenever the rear of a lot abuts upon an public alley, one-half ($\frac{1}{2}$) of the width of the public alley may be considered as a portion of the required rear yard.

SECTION 4. Every part of a required yard shall be open to the sky, unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of sills, cornices, chimneys, flues and ornamental features projecting not to exceed eighteen (18) inches and except for open or latticed-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers which may project not more than five (5) feet. No required parking space shall be in a required yard except as otherwise expressly permitted by this ordinance.

(RR) SECTION 5. For the purpose of side yard regulations a two-family dwelling, ^{duplex,} a group house, or a multiple dwelling shall be deemed one (1) building occupying one (1) lot. (RR)

SECTION 6. The side, front and rear yard requirements shall not apply to steps, open terraces, underground structures and fences, provided any fences or other landscape improvements located on a corner lot within the vision triangle provided by the applicable front yard and side yard requirements of the district in which the lot is located shall preserve a clear view between points five (5) feet above the crown of each intersecting street or highway.

SECTION 7. Gasoline pumps and air and water services of retail gas service stations in the districts in which they are permitted shall be exempted from front and side yard requirements provided the centers thereof shall be at least twenty (20) feet from the street or highway right-of-way line.

ARTICLE ~~XXI~~ XIII

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NON-CONFORMING USES

SECTION 1. Any building or use of a building or land lawfully existing at the time of the passage of this Ordinance which does not conform to the regulations of this Ordinance, shall be known as non-conforming and may remain and the use or location thereof be continued, as hereinafter provided.

SECTION 2. No existing building which does not conform to the use, area or density regulations of the district in which such building is located shall be enlarged, extended, reconstructed or structurally altered, unless such use or location is changed to a use or location permitted in the district in which such building or structure is located. A non-conforming use occupying a part of a building shall not be extended beyond that part of the building originally designed for such use and in no case shall any addition be

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made which will provide for the expansion of the non-conforming use. A non-conforming use of land shall not be extended.

SECTION 3. No building devoted to a non-conforming use or that does not conform to the area or density regulations of this Ordinance which has been damaged by fire or otherwise to the extent of more than sixty (60) per cent of its full assessed value shall be repaired or rebuilt, nor shall another building be erected on the premises, nor use be made thereof except in conformity with the provisions of this Ordinance.

SECTION 4. A non-conforming use which is discontinued or its normal operation stopped for a period of twelve (12) months shall not thereafter be re-established.

SECTION 5. Only ordinary repairs and maintenance, including replacement of roof covering, shall be permitted on any building devoted to a non-conforming use. In no case shall such repairs include structural alterations.

SECTION 6. The provisions Sections 2, 3, ~~and~~ 4, ^{and 5} of this Article ~~III~~ ^{XIII} shall not apply to a single-family or two-family ~~dwelling~~ dwelling that is a non-conforming use, provided, however:

- A. No non-conforming single-family or two-family dwelling shall be changed into a use not permitted in the district in which such non-conforming dwelling is located; and
- B. Any extension, structural alteration, enlargement or relocation of such single-family or two-family dwelling shall conform to the height, area and density regulations required of such dwellings in the R-1 District.

SECTION 7. The foregoing provisions shall also apply to non-conforming uses in districts hereafter changed.

(REB)

(REB)

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ARTICLE XIV

BOARD OF APPEALS

SECTION 1. CREATION AND MEMBERSHIP: A Board of Appeals is hereby authorized to be established. The word "Board" when used in this Article shall be construed to mean the Board of Appeals. The Board shall consist of five (5) members appointed by the Mayor of the City of Urbana and confirmed by the Council of the City of Urbana. The members of said Board shall serve respectively for the following terms (or until their respective successors are appointed and qualified): one for one year; one for two years; one for three years; one for four years; one for five years. The successor to each member so appointed shall serve for a term of five years. One of the members of the Board shall be designated as Chairman of the Board by the Mayor of the City of Urbana, with the consent of the Council of the City of Urbana and shall hold his office as Chairman until his successor is appointed. Such Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. The Mayor of the City of Urbana shall have the power to remove any member of the Board for cause and after a public hearing. Vacancies upon the Board shall be filled for the unexpired term of the member whose place has become vacant, in the manner herein provided for the appointment of such member.

SECTION 2. MEETINGS: All meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. There shall be at least fifteen (15) days but not more than thirty (30) days notice of the time and place of such meeting published in a paper of general circulation in the City of Urbana, said notice to contain a statement of the particular purpose of such meeting and a brief description of the location of

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the property under consideration at such meeting. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or, if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions. Findings of fact shall be included in the minutes of each case of a requested variation, and the reasons for granting or denying such variation shall be specified. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Board shall immediately be filed in the office of the Board and shall be a public record. The Board shall adopt its own rules of procedure not in conflict with the statute in such case made and provided, and may select or appoint such officers as it deems necessary.

SECTION 3. JURISDICTION: The Board shall hear and decide appeals from and review any order, requirement, decision or determination made by the administrative official charged with the enforcement of this ordinance. The Board may reverse or affirm, wholly or partly, or may modify or amend the order, requirement, decision or determination appealed from to the extent and in the manner that the Board may decide to be fitting and proper in the premises.

The Board shall also hear and decide all matters referred to it or upon which it is required to pass under this ordinance.

Where there are practical difficulties or particular hardship in the way of carrying out the strict letter of this ordinance the Board may authorize a variation in the application of the regulations of this ordinance in harmony with their general purpose and intent, in the following instances:

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1. To permit a front yard, a side yard, and/or a rear yard less than that required by this ordinance, but such variation shall not exceed twenty-five (25) per cent of the depth of the front yard, or the width of a side yard, as required by this ordinance.
2. To permit a building to exceed the height limit by not more than ten (10) per cent of the height limit established by this ordinance.
3. To permit the use of a lot less in area by not more than ten (10) per cent of the lot area required by this ordinance.
4. To permit the use of a lot less in width by not more than fifteen (15) per cent of the lot width as required by this ordinance.
5. To permit the use of a lot adjacent to a commercial or multiple dwelling use as parking space for such use provided that such lot shall have the area required by this ordinance for parking space for such use.

In considering all proposed variations to this ordinance the Board shall, before making any variation from the ordinance in a specific case, first determine and make a finding of fact, that the proposed variation will not (a) impair an adequate supply of light and air to adjacent property, (b) increase the congestion in public streets, (c) increase the danger of fire or endanger the public safety, and (d) unreasonably diminish or impair established property values within the surrounding area.

The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the administrative official charged with the enforcement of this ordinance, or to decide in favor of the applicant any matter upon which the board

REB

RFB

is authorized by this ordinance to render a decision.

SECTION 4. APPEAL AND REVIEW: An appeal may be taken from the officer charged with the enforcement of this ordinance by any person aggrieved or by an officer, department, or Bureau of the City of Urbana. Such appeal shall be taken within such time as shall be prescribed by the Board by general rule, by filing with the officer from whom the appeal is taken and with the Board, a notice of appeal, specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all of the papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal has been filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.

The Board shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. Upon the hearing, any party may appear in person, or by agent, or by attorney.

All final administrative decisions of the Board of Appeals shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act," approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto.

PPB

ARTICLE XV

RRS

OCCUPANCY PERMITS

SECTION 1. Subsequent to the effective date of this ordinance no change in the use of land, nor any change of use in an existing building shall be made, nor shall any new building be occupied for any purpose until a certificate of occupancy has been issued by the administrative official charged with the enforcement of this ordinance, stating that the building and use comply with the provisions of this ordinance.

SECTION 2. Certificates of occupancy shall be applied for coincidentally with the application for a building permit, and shall be issued within seven (7) days after the lawful erection or alteration of such building or buildings shall have been completed. No permit for excavation for, or the erection or alteration of any building shall be issued before application has been made for a certificate of occupancy. No building or premises shall be occupied until such certificate has been issued.

SECTION 3. A certificate of occupancy shall be required of all non-conforming uses of land or building created by the passage of this ordinance. Application for such certificate of occupancy for non-conforming uses shall be filed with the administrative official charged with the enforcement of this ordinance by the owner or lessee of the land or building occupied by such non-conforming use within one (1) year from the effective date of this ordinance. It shall be the duty of the administrative official charged with the enforcement of this ordinance to issue a certificate of occupancy for a non-conforming use created by the passage of this ordinance. Any non-conforming use for which an occupancy permit has not been

RRS

obtained in conformity with the requirements of this section of this Article shall be presumed to be operating in violation of this ordinance.

SECTION 4. A record of a certificate of occupancy shall be kept on file in the office of the administrative official charged with the enforcement of this ordinance, and copies shall be furnished on request to any person having a proprietary or tenancy interest in land or in a building affected by such certificate of occupancy.

ARTICLE XVI

~~PLATS~~ (RFB)

PLATS

Each application for a building permit shall be accompanied by a plan in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size and location of the building or buildings to be erected or altered and such other information as may be necessary to provide for the enforcement of this ordinance. A careful record of such applications and plats shall be kept in the office of the ~~Commissioner of Public Works~~ Commissioner of Public Works. (RFB)

ARTICLE XVII

Fees for certificates of occupancy, appeals to the Board of Appeals and petitions for amendments shall be as established by action of the City Council from time to time. Such fees shall be paid to the Commissioner of Public Works who shall give a receipt therefore and account for same at regular intervals to the City Council.

ARTICLE XVIII

INTERPRETATION AND PURPOSE

It is not intended by this ordinance to repeal, abrogate, annul, or in any way impair or interfere with any existing provision of law or ordinance ~~and to amend or repeal any ordinance which is in conflict with this ordinance.~~ (RFB)

~~and to amend or repeal any ordinance which is in conflict with this ordinance.~~

RFB

~~Article XXII~~, relating to the use of buildings or premises, now in force and effect in relation thereto except as expressly provided in Article XXII hereof; nor is it intended by this ordinance to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties; provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises than are imposed or required by such existing provision of law, ordinance, rules, regulations, permits, easements, covenants or agreements, the provisions of this ordinance shall control.

ARTICLE XIX

AMENDMENTS

The regulations imposed and the districts created under this ordinance may be amended by ordinance, but no such amendments shall be made without a hearing before the City Plan Commission created pursuant to ordinance.

At least fifteen (15) days' notice of the time and place of such hearing shall be published in a paper of general circulation in the City of Urbana, said notice to contain the particular location for which the amendment is requested as well as a brief statement describing the proposed amendment. In case of written protest against the proposed amendment signed and acknowledged by the owners of twenty (20) per cent of the frontage proposed to be altered, or by the owners of twenty (20) per cent of the frontage directly opposite the frontage proposed to be altered as to such regulations or district, filed with the City Clerk, such amendment shall not be passed except by the favorable vote of two-thirds (2/3) of all of the members of the Council of the City of Urbana.

ARTICLE XX

ENFORCEMENT AND PENALTY

SECTION 1. It shall be the duty of the Commission of Public Works to enforce this ordinance.

SECTION 2. Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance shall upon conviction, be fined not more than one hundred dollars (\$100.00) for each offense. Each day that a violation shall exist shall constitute a separate offense.

SECTION 3. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this ordinance, the Building Inspector, in addition to other remedies, may institute any proper action or proceedings in the name of the City of Urbana to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about said premises.

ARTICLE XXI

VALIDITY

Should any section of provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

ARTICLE XXII

REPEAL

An ordinance entitled Zoning Ordinance for the City of Urbana adopted 16th day of September, 1940 and approved September 16, 1940 as amended from time to time is hereby repealed.

ARTICLE XXIII

EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage, approval, and due publication.

PASSED:

Clerk

APPROVED:

Mayor

PUBLISHED:

Clerk

LAW OFFICES
COFFMAN, OVERTON AND BABCOCK
208 SOUTH LASALLE STREET
TELEPHONE FRANKLIN 2-5186
CHICAGO 4

AMOS J. COFFMAN
GEORGE W. OVERTON
RICHARD F. BABCOCK

WASHINGTON PARTNER
ROBERT G. NUNN JR.
1523 L STREET N.W., WASHINGTON 5, D.C.
METROPOLITAN 3475

Final Report of Urbana Zoning
Commission on Proposed Zoning
Ordinance for Urbana, Illinois

July 10, 1950

To the Mayor and Council of the
City of Urbana, Illinois:

On May 26, 1950, we submitted to you a Tentative Report of the Urbana Zoning Commission together with a draft of a tentative zoning ordinance.

On May 26, 29 and 31, 1950, the Commission caused notices of a public hearing on the ordinance to be published in the Champaign News Gazette and the Urbana Courier, and on May 26 four copies of the zoning ordinance were placed on file for public inspection in the City Hall. On June 15th, in accordance with the published notice, a public hearing was held at the Community Building. Interested parties appeared and were given a full opportunity to express their opinions. Questions were answered and, in the opinion of the Commission, a very satisfactory discussion was had.

On June 28, 1950, the Commission met to consider the objections raised at the public hearing and to approve a final draft for your consideration.

The Commission has been meeting regularly since April 17, 1950, to work out a proposed ordinance. We have kept a careful

record of all our proceedings. These records are in a brown folder marked "URBANA, ILLINOIS, Proceedings of Zoning Commission, Spring of 1950." We would like to have this folder and its contents incorporated into and accepted as part of this Final Report.

We submit herewith a copy of a draft of the proposed new zoning ordinance for Urbana, Illinois for your consideration.

Urbana Zoning Commission

by: *Eros L. Phillips*
Chairman

July 10, 1950

State of Illinois)
) SS:
County of Cook)

AFFIDAVIT

I, Richard F. Babcock, being duly sworn, do hereby certify that on the 10th day of July, 1950, I submitted to the City Council of the City of Urbana, Illinois, the Tentative Zoning Ordinance of Urbana, Illinois, attached hereto, on each page whereof are placed my initials and I further certify that all changes made in ink on the said attached copy and initialed by me were made by me prior to the enactment of the attached ordinance by the said City Council.


Richard F. Babcock

Subscribed and sworn to before me this 11th day of July, 1950.


Notary Public

Zoning Ordinance
of the
City of Urbana,
Illinois
1950

Price: 75c

ing or any projection other than steps. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, Side: A yard between the main building and the side line of the lot, and extending from the front lot line to the rear yard line.

ARTICLE III

SCOPE OF REGULATIONS

SECTION 1. COMPLIANCE WITH REGULATIONS: Except as provided by this Ordinance and except after a building permit shall have been issued by the Commissioner of Public Works, which permit shall state that the proposed building or use of land complies with all the provisions of this Ordinance, it shall be unlawful within the corporate limits of the City of Urbana, Illinois:

- (a) To establish any use of a building or land either by itself or in addition to another use;
- (b) To excavate for or build any foundation;
- (c) To expand, change or re-establish any non-conforming use;
- (d) To erect or establish a new building or part thereof, except signs of the class permitted in the "R-1" district;
- (e) To rebuild, structurally alter, add to, enlarge or relocate any building or part thereof;
- (f) To reduce the yard space or plot area required for a building, or to include any such yard space or plot area as that required for an adjoining building;
- (g) To erect more than one (1) main building on one (1) lot;

SECTION 2. ACCESSORY USES AND BUILDINGS: The uses permitted in the various zoning districts are principal uses, and a building or use that is accessory to a permitted use is allowable in connection with such a use provided:

- (a) It is located on the same lot designed for the principal use or building being established or existing;
- (b) It is compatible in character and extent with the principal use and district where located;
- (c) It conforms with such other regulations as apply;
- (d) It is not prohibited;
- (e) It shall not be erected prior to the establishment or construction of the principal use or building.

ARTICLE IV

DISTRICTS AND BOUNDARIES THEREOF

SECTION 1. NUMBER OF DISTRICTS: In order to classify, regulate and restrict the location of buildings erected or structurally altered for specific uses, to regulate the use of land, to regulate and limit the height and bulk of buildings hereafter erected or structurally altered, and to regulate and determine the area of yards and other open spaces about buildings, the City of Urbana, Illinois, is hereby divided into districts of which there shall be six (6) known as:

- R-1 District—Single and Two Family Residence
- R-2 District—Multiple Family Residence
- B-1 District—Neighborhood Business
- B-2 District—Central Commercial
- I-1 District—Light Industrial
- I-2 District—Heavy Industrial

SECTION 2. ZONING MAP: The boundaries of the districts established in Section 1 of this Article IV are hereby established as shown on a map designated as the "Zoning Map of Urbana, Illinois." This map shall be signed and dated by the City Clerk of Urbana, Illinois. Said map and all notations, colors, dimensions, references, legends and symbols shown thereon pertaining to said districts shall be as much a part of this Ordinance as if fully described herein, and shall be filed as part of this Ordinance with the City Clerk of Urbana, Illinois. Such map, or a reproduction thereof, certified as showing the districts created and approved, shall be available for public reference in the office of the City Clerk of Urbana, Illinois, and in the office of the Commissioner of Public Works of Urbana, Illinois. Alterations of said map made from time to time and adopted by amendment as hereafter provided, shall be similarly signed, dated, filed and made available for public reference.

SECTION 3. UNCERTAINTY OF BOUNDARIES: When uncertainty exists with respect to the boundaries of the various districts, as shown on the zoning map accompanying and made a part of this Ordinance, the following rules shall apply:

- (a) The district boundaries are the center lines of either streets or alleys or the extensions thereof unless otherwise shown, and where the districts designated on the map accompanying and made a part of this Ordinance are bounded approximately by street or alley lines, the center line of the street or alley, or the extension thereof shall be construed to be the boundary of the district.
- (b) Where the district boundaries are not otherwise indicated, and where the prop-

Zoning Ordinance of 1950

Passed November 6, 1950
Approved November 15, 1950
Published January 15, 1951

ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS 1950

WHEREAS, to the end that adequate light, pure air and safety from fire and other dangers may be secured throughout the city of Urbana, Illinois, that the taxable value of land and buildings throughout the City may be conserved, that congestion in the public streets may be lessened or avoided, and that the public health, safety, comfort, morals and welfare may otherwise be promoted in accordance with a well considered and comprehensive plan for the use and development of all property throughout the City, the Council of the City of Urbana, Illinois, deems it necessary that an ordinance be passed to classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified uses; to regulate and determine the area of yards and other open spaces within and surrounding such buildings, and for said purposes, to divide the City into districts and prescribe penalties for the violation of its provisions; to provide for its enforcement and also for a Board of Appeals;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS:

ARTICLE I

SECTION 1. This ordinance shall be known and may be cited as the Zoning Ordinance of the City of Urbana, Illinois, of 1950.

ARTICLE II

DEFINITIONS

For the purpose of this ordinance certain terms and words are hereby defined; words used in the present tense shall include the future; words used in the singular number shall include the plural number; words used in the plural number shall include the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not directory.

Accessory Building: A building or a portion of the main building located on the same lot which is incidental to that of the main building or to the main use of the premises. An accessory use is one that is incidental to the main use of the premises.

Alley: A public or private thoroughfare that affords only a secondary means of access to property abutting thereon.

Apartment: A room or suite of rooms in a multiple or two-family dwelling, or, where more than one living unit is established above non-

residential uses, a room or suite of rooms intended or designed for use as a residence by a single family.

Basement: A story partly or wholly underground which, unless used for residence purposes by other than the janitor, or domestic servants, and family, shall not be included as a story for height purposes.

Boarding House: A building other than a hotel where, for compensation, meals, or lodging and meals, are regularly provided by prearrangement for more than five (5) persons.

Building: Any structure designed or intended for the support, enclosure, or shelter of persons, animals or chattels.

Building, Height of: The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest point of the roof for flat roofs; to the mean height level between eaves and ridge for gambrel, gable, and hip-roofs; to the deck-line for mansard roofs. Where a building is located upon a natural terrace or slope the height may be measured from the average ground level at the building wall.

District: A section or sections of the City of Urbana for which the regulations governing the use of buildings and premises, the height of buildings, the size of yards and the intensity of use are uniform for each class of use permitted therein.

Dwellings: Any building but not a trailer which is designed and used exclusively for residential purposes.

Dwelling, Single-Family: A building designed for or occupied exclusively by one family.

Dwelling, Two-Family: A building designed for or occupied exclusively by two families.

Dwelling, Duplex: A building having accommodations for but two families, designed for or occupied by one family on either side of a party wall.

Dwelling, Multiple: A building designed for or occupied exclusively by more than two families.

Family: Any number of individuals living together as a single house-keeping unit, including domestic servants for whom, subject to the provisions of this ordinance, separate living quarters may be provided, but excluding boarding houses, rooming houses, tourist houses, fraternities, sororities, residential clubs and homes of an institutional character.

Filling Station: Any building or premises used for the dispensing, sale or offering for sale at retail of automobile fuels or oil. When the dispensing, sale, or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.

Garage, Private: Any accessory building housing motor-driven vehicles which are the property of and for the use of the occupants of the lot on which the garage is located.

Garage, Public: Any building or premises except those used as private garages, used for equipping, repairing, hiring, selling or storing motor-driven vehicles.

Group or Row Houses: A group of two (2) or more single-family dwellings separated by walls without openings, not more than two (2) rooms deep.

Home Occupation: Any occupation or profession for gain or support carried on by a member or members of the immediate family, residing on the premises; in connection with which there is used no sign other than a name plate not more than one square foot in area or no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a residential building; and in which not more than one person is employed other than a member of the immediate family residing on the premises; and provided that no article is sold or offered for sale except such as may be produced in the household by members of the immediate family, and no mechanical equipment is used except such as is incidental to the same occupation, providing said equipment shall not be objectionable to the neighborhood or create a nuisance.

Hotel: A building in which lodging, or lodging and board, are provided and offered to the public for compensation and which is customarily open to transient guests.

Institution: A building occupied by a non-profit corporation or a non-profit establishment for public use.

Rooming House: A building where lodging is provided by prearrangement for definite periods for more than five (5) persons, not open to transient guests.

Lot: A parcel of land occupied or suitable for occupancy by a use permitted by this ordinance, including one (1) main building or use, with accessory buildings, the open spaces and parking spaces required by this ordinance, and having its principal frontage upon a street or upon an officially approved place.

Non-Conforming Uses: Any building or land lawfully occupied by a use or, in the case of a building, lawfully situated, at the time of the passage of this ordinance or amendments thereto, which does not conform after passage of this

ordinance or amendment thereto with the regulations of this ordinance.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it.

Story, Half: Space within or under a sloping roof, the floor area of which does not exceed two-thirds of the floor area of the story immediately below it and which does not contain an independent apartment.

Structure: Anything created or constructed, the use of which requires permanent location on the ground or attached to some thing having a permanent location on the ground, including but without limiting the generality of the foregoing, advertising signs, billboards, poster panels, and supports and frames thereof.

Structural Alteration: Any change in the supporting members of a building, such as but not limited to bearing walls, columns, beams or girders.

Tourist or Trailer Camp: An area containing one or more structures, designed, or intended to be used as temporary living facilities or providing spaces where one or more tents or auto trailers can be or are intended to be parked, and intended primarily and used for automobile transients.

Tourist House: A building originally designed for or occupied by a family or families in which there is provided lodging for transient guests.

Trailer: Any structure used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses or skirtings and which is, has been, or reasonably can be, equipped with wheels or other devices for transporting the structure from place to place.

Yard: An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

Yard, Front: A yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the street line and the main building or any projection thereof other than the projection of the usual steps and eaves as limited in Article XII, Section 4.

Yard, Rear: A yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and the rear of the main build-

erty has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines, and where the districts designated on the map accompanying and made a part of this Ordinance are bounded approximately by lot lines, the lot lines shall be construed to be the boundary of the districts.

SECTION 4. LAND SUBSEQUENTLY ANNEXED: All land which may hereafter become a part of the incorporated area of Urbana, Illinois, as a result of annexation shall automatically be classified as R-1 Residential District. Within three (3) months of the date of such annexation the City Plan Commission may call a public hearing, with notice as required for amendments to this Ordinance, and within thirty (30) days after such hearing shall recommend to the City Council that this Ordinance be amended so as to classify such property in accordance with such recommendations.

ARTICLE V

R-1 DISTRICT—SINGLE AND TWO-FAMILY RESIDENTIAL

SECTION 1. USE REGULATIONS: In the R-1 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, unless otherwise provided in this Ordinance, except for one or more of the following uses:

1. Single-Family Dwelling.
2. Two-Family or Duplex Dwelling.
3. Church.
4. School, Elementary and High.
5. Park and Playground.
6. Home Garden when the produce thereof is not sold or placed on the market.
7. Home Occupation.
8. Accessory buildings and uses not involving the conduct of a business and including one private garage for each family unit, but if such accessory building is not attached to the main building it shall be located not less than sixty (60) feet from the front line of the lot and not less than one and one-half (1½) feet from the rear line and side lines of the lot. Where garages and other accessory buildings are attached to the main structure or connected thereto by a breezeway, then such garage or accessory building shall be located not less than five feet from the side line of the lot.
9. One (1) sign on each lot not exceeding twelve (12) square feet in area, appertaining to the lease or sale of a building or premises.

10. Golf Courses, except miniature courses and driving tees operated for commercial purposes.

11. Farm, including the raising of livestock on adequately fenced tract containing not less than twelve (12) acres and having an average width of not less than three hundred fifty (350) feet and including the raising of poultry and small animals when the tract is adequately fenced and contains not less than three (3) acres, but in no event shall livestock, small animals or poultry be housed or confined within two hundred (200) feet of one (1) acre or less containing a dwelling.

12. Temporary buildings incidental only to the construction of a permitted use.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-1 District, there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XI hereof.

SECTION 3. HEIGHT REGULATIONS: No building shall exceed two and one-half (2½) stories, nor shall it exceed thirty-five (35) feet in height, except as provided in Article XII hereof.

SECTION 4. AREA REGULATIONS: Every dwelling hereafter erected, enlarged, relocated or reconstructed shall be located upon a lot having the following area and yard space:

1. INTENSITY OF USE:

(a) A lot on which there is erected a single-family dwelling shall contain an area of not less than six thousand (6,000) square feet, and an average width of not less than sixty (60) feet.

(b) A lot on which there is erected a two-family dwelling shall contain an area of not less than three thousand (3,000) square feet per family and an average width of not less than sixty (60) feet.

(c) Where a lot has less area or width than herein required, and was of public record at the time of the passage of this Ordinance, that lot may be used only for single-family dwelling purposes or for any of the non-dwelling uses permitted by this Article.

2. FRONT YARD:

(a) There shall be a front yard of not less than twenty-five (25) feet, provided, however, that where lots comprising more than forty (40) per cent of the frontage on the same side of the street between two (2) intersecting streets are improved with buildings, not less than the average depth of the front yards of such lots shall

be maintained by all new buildings, but this regulation shall not be interpreted to require a front yard of more than sixty (60) feet.

(b) Lots having a frontage on two (2) non-intersecting streets shall have the required front yard on both streets.

(c) Where a lot is located at the intersection of two (2) or more streets there shall be a front yard on each street side of the lot, except that the buildable width of such lot shall not be reduced to less than forty (40) feet. No accessory building shall project beyond the front yard line on either street.

3. SIDE YARDS: There shall be a side yard on each side of a building having a width of not less than ten (10) per cent of the width of the lot, but in no event shall each such side yard be less than five (5) feet.

4. REAR YARD: There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) per cent of the depth of the lot, whichever is smaller.

ARTICLE VI

R-2 DISTRICT—MULTIPLE FAMILY RESIDENTIAL

SECTION 1. USE REGULATIONS: In the R-2 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, except for one or more of the following uses:

1. Any use premitted in the R-1 District.
2. Multiple-Family dwelling.
3. Boarding and rooming house; tourist home.
4. Community buildings, museums, and libraries.
5. Private clubs and lodges, except skeet and gun clubs and those the chief activity of which is service customarily carried on as a business.
6. Fraternities, sororities and dormitories.
7. Group or row houses.
8. Undertaking establishment.
9. Hospitals and clinics; nursing home.
10. Institutions of an educational, philanthropic or eleemosynary nature.
11. Nurseries and greenhouses for the propagation and cultivation of plants only.
12. Accessory buildings and uses when located on the same lot and not involving the conduct of a business, including private garages, but if such accessory building is not attached to the main building it shall be located not less than sixty (60) feet from the front line and not less than one and one-half (1½) feet from the rear line and side

lines of the lot. Where garages and other accessory buildings are attached to the main structure or connected thereto by a breezeway, then such garage or accessory building shall be located not less than five feet from the side line of the lot.

SECTION 2. PARKING REGULATIONS:

Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-2 District, there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XI hereof.

SECTION 3. HEIGHT REGULATIONS: No building hereafter erected or altered shall exceed three (3) stories nor shall it exceed thirty-five (35) feet in height, except as provided in Article XII hereof.

SECTION 4. AREA REGULATIONS: Every dwelling hereafter erected, enlarged, relocated, or reconstructed shall be located upon lots containing the following areas and yards:

1. INTENSITY OF USE:

(a) A lot upon which there is located a single-family dwelling or a two-family dwelling shall contain an area and have a width as required for such dwelling in Section 4 of Article V hereof.

(b) A lot on which there is erected a multiple-family dwelling shall contain an area of not less than one thousand (1,000) square feet per family, but in no event a total area of less than six thousand (6,000) square feet, and an average width of not less than (60) feet except that this lot area per family shall not apply to dormitories, fraternities or sororities where no cooking is done in individual rooms or apartments.

(c) Where a lot has less area or width than herein required, and was of record at the time of the passage of this Ordinance, that lot may be used only for single-family dwelling purposes or for any non-dwelling use permitted by this Article.

2. YARDS: The front yard, side yard, and rear yard regulations are the same as those in the R-1 District.

ARTICLE VII

B-1 DISTRICT—NEIGHBORHOOD BUSINESS

SECTION 1. USE REGULATIONS: In the B-1 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, except for one or more of the following uses:

1. Apartments and multiple-family dwellings provided they are located on the second

floor and above a business use permitted in this district, except that all multiple-family dwellings and apartments in this district which are in existence on the date of the passage of this Ordinance may be enlarged or structurally altered.

2. Bakery whose products are sold only at retail on the premises.
3. Business or commercial school, or dancing or music academy.
4. Filling stations.
5. Personal service shop, such as shoe repair shops, beauty parlor and barber shop but expressly excluding those uses listed in the B-2, I-1 and I-2 Districts.
6. Professional or service office.
7. Restaurant, serving only within the building.
8. Shop or store for conduct of retail business only, but expressly excluding those uses listed in the B-2, I-1 and I-2 Districts.
9. Laboratories which do not emit noxious gases, unpleasant odors, smoke, fumes or noises and which do not use combustible or explosive materials.
10. Store for collection and distribution of laundry and dry cleaning articles, but not for the treatment, cleaning or processing of such articles.
11. Private garage incidental to main use and a sign or bulletin board relating only to services.
12. Temporary building incidental only to construction of a permitted use.
13. Printing shop using not more than three presses with a capacity for printing sheets not exceeding 17" x 22" in size.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted, or structurally altered for a use permitted in the B-1 District there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XI hereof.

SECTION 3. HEIGHT REGULATIONS: No building shall exceed three (3) stories nor shall it exceed thirty-five (35) feet in height except as otherwise provided in Article XII hereof.

SECTION 4. AREA REGULATIONS:

1. **FRONT YARD:** There shall be a front yard having a depth of not less than fifteen (15) feet. No display of merchandise shall be placed in the required front yard.

2. **SIDE YARD:** Where a lot or part thereof is used for any of the uses permitted in this District and is located at the intersection of two or more streets, the side yard on the side of a lot

adjacent to the street shall not be less than fifteen (15) feet in width, except that the buildable width of the lot shall not be reduced to less than thirty (30) feet. In all other cases a side yard is not required except on the side of a lot abutting on an R-1 or R-2 District, in which case there shall be a side yard of not less than five (5) feet.

3. **REAR YARD:** There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) per cent of the depth of the lot, whichever amount is smaller.

4. **INTENSITY OF USE:** When living facilities are erected above stores there shall be a lot area per family of not less than three thousand (3,000) square feet.

ARTICLE VIII

B-2 DISTRICT—CENTRAL BUSINESS

SECTION 1. USE REGULATIONS: In the B-2 District no building or land shall be used and no building shall be hereafter erected, enlarged, converted or structurally altered, except for one or more of the following uses:

1. Any use permitted in the B-1 District.
2. Multiple-family dwellings.
3. Hotels and Apartment Hotels.
4. Community buildings, museums and libraries.
5. Advertising signs and bulletin boards.
6. Hospitals and clinics; Nursing home.
7. Dyeing and cleaning works, laundry employing not more than six (6) persons.
8. Bakery.
9. Plumbing shop.
10. Printing shop.
11. Public garage; automobile sales room.
12. Private clubs and lodges, except skeet and gun clubs.
13. Institutions of an educational, philanthropic or eleemosynary nature.
14. Bus or taxi terminal station; railroad station.
15. Store for conduct of wholesale business, excluding a building the principal use of which is for a storage warehouse.
16. Telegraph service station.
17. Telephone exchange.
18. Theater, except open air drive-in theater.
19. Taverns as limited by the liquor ordinance of the City of Urbana, Illinois.
20. Amusement and recreation building.
21. Churches, and chapels.
22. Undertaking establishment.
23. Park and playground.

24. Boarding and rooming houses; tourist home.
25. Home occupations.
26. Municipal, state or federal building.
27. Residence of watchman or guard of a permitted use.
28. Parking lots.

SECTION 2. PARKING REGULATIONS:

The parking regulations for multiple-family dwellings shall be required for such uses by the applicable provisions of Article XI hereof. No parking space shall be required in the B-2 District in other instances.

SECTION 3. HEIGHT REGULATIONS: No building shall exceed six (6) stories in height nor shall it exceed seventy-five (75) feet in height, except as otherwise provided in Article XII hereof.

SECTION 4. AREA REGULATIONS:

1. FRONT YARD: The front yard requirements for multiple-family dwellings are the same as in the R-1 District. In all other cases no front yard is required.

2. SIDE YARD: The side yard regulations for multiple-family dwellings are the same as those in the R-1 District. In all other cases no side yard is required, except as necessary to permit required off-street parking.

3. REAR YARD: The rear yard regulations for multiple-family dwellings are the same as in the R-1 District. In all other cases a rear yard is not required, except as necessary to provide required off-street parking.

4. INTENSITY OF USE: When a lot is improved by a multiple-family dwelling, the intensity of use regulations are the same as those required in the R-2 District.

ARTICLE IX

I-1 DISTRICT—LIGHT INDUSTRIAL

SECTION 1. USE REGULATIONS: In the I-1 District no building or land shall be used and no building shall be hereafter erected, enlarged, converted or structurally altered, except for one or more of the following uses:

1. Any use permitted in the B-2 District.
2. Blacksmith shop.
3. Bottling plants.
4. Dyeing and cleaning establishments and laundries.
5. Building equipment and solid fuel storage and yards, and yards for contracting equipment, maintenance or operating equipment of public agencies or public utilities, or materials or equipment of a similar nature, provided that where such storage or yards are in the open, if any part of the land so

used lies within three hundred (300) feet of any residence district, or any park, or state or federal highway, the entire open area used shall be surrounded by a substantially built tight board or sheet metal fence, or masonry or other wall, or dense evergreen hedge not less than eight (8) feet high.

6. Bulk storage of gasoline, fuel oil or other inflammable or explosive liquids for retail or wholesale distribution.
7. Creameries and milk distributing stations.
8. Canning, packing, preserving or bottling of food products.
9. Grain elevators.
10. Open air lot for display and sale of automobiles or farm equipment expressly excluding auto wrecking and junk yards.
11. Warehouses and storage plants.
12. Truck or bus storage yards.
13. Ice plants or storage.
14. Electric transforming or converting station.
15. Tourist or trailer camp.
16. Food locker.
17. Animal hospital.
18. Drive-in restaurant.
19. Light industrial and manufacturing plants, expressly excluding those uses noted in the I-2 District, and where the scale of operations and process of manufacturing or treatment of materials is such that in the opinion of the Board of Appeals, the amount of dust, gas, smoke, odor or noise resulting therefrom will not be detrimental to property or to the health of persons residing in surrounding residential districts.

SECTION 2. PARKING REGULATIONS:

Whenever a building is erected, converted or structurally altered for a use permitted in the I-1 District there shall be provided an available and accessible off-street parking area in the following instances:

1. Multiple-family dwellings, hospitals, theaters, churches, hotels, boarding and rooming houses and places of assembly shall provide such parking area as shall be required by the applicable provisions of Article XI hereof.
2. Commercial and professional uses listed as permitted uses in Article VII or Article VIII hereof shall provide such parking area as shall be required for commercial and professional uses in a B-1 District by Section 7 of Article XI hereof.
3. In all other instances parking space shall be provided on the lot or on an adjacent lot adequate to accommodate the cars of employees engaged on the premises, as well as trucks and other vehicles of the establishment.

SECTION 3. HEIGHT REGULATIONS: A building designed for or occupied by uses listed as permitted uses in the B-1 or B-2 District shall not exceed six (6) stories nor shall it exceed seventy-five (75) feet in height, except as otherwise provided in Article XII hereof.

SECTION 4. AREA REGULATIONS: The front, side and rear yard regulations and the intensity of use regulations are the same as in the B-2 District.

ARTICLE X

I-2 DISTRICT—HEAVY INDUSTRIAL

SECTION 1. USE REGULATIONS: In the I-2 District no land shall be used and no building shall be hereafter erected or structurally altered, except for one or more of the following uses:

1. Any use permitted in the I-1 District except multiple-family dwellings, boarding and lodging houses and tourist houses.
2. Automobile wrecking yards and junk yards if enclosed with a tight fence not less than eight (8) feet high.
3. Brick, tile, glass and clay products manufacture.
4. Stone quarries and stone crushing, grading, washing and loading equipment.
5. Railroad shops and roundhouses.
6. Open air theaters.
7. Any heavy industrial and manufacturing use and any other use not in conflict with any ordinance of the City regulating nuisances; provided, however, that no building or occupancy permit shall be issued for any of the following uses until the location of such use shall have been authorized by the City Council after a public hearing conducted by the Plan Commission in accordance with the provisions of this Ordinance for amendments hereto.
 - (a) Acid manufacture.
 - (b) Cement, lime, gypsum or plaster of paris manufacture.
 - (c) Distillation of bones.
 - (d) Explosives, manufacture or storage.
 - (e) Fat rendering.
 - (f) Fertilizer manufacture.
 - (g) Garbage, offal or dead animal reduction or dumping.
 - (h) Glue manufacture.
 - (i) Petroleum refining.
 - (j) Smelting of tin, copper, zinc or iron ores.
 - (k) Stock yards or slaughter of animals.

SECTION 2. PARKING REGULATIONS: Whenever a building is erected, converted or

structurally altered for a use permitted in I-2 District there shall be provided an available and accessible off-street parking area in the following instances:

1. Hospitals, theaters, hotels, and places of assembly shall provide such parking area as shall be required by the applicable provisions of Article XI hereof.
2. Commercial service and professional uses listed as permitted uses in Article VII or Article VIII hereof shall provide such parking area as shall be required for commercial and professional uses in a B-1 District by Section 7 of Article XI hereof.
3. In all other instances parking space shall be provided on the lot or on an adjacent lot adequate to accommodate the cars of employees engaged on the premises, as well as trucks and other vehicles of the establishment.

SECTION 3. HEIGHT REGULATIONS: A building designed for or occupied by uses listed as permitted uses in the B-1 or B-2 District shall not exceed six (6) stories nor shall it exceed seventy-five (75) feet in height, except as otherwise provided in Article XII hereof.

SECTION 4. AREA REGULATIONS: No front, side or rear yard shall be required except as may be necessary to provide the required off-street parking space.

ARTICLE XI

COMPREHENSIVE PARKING REGULATIONS

SECTION 1. The regulations of this Article shall be part of the regulations in each district insofar as any use referred to in this Article is a permitted use in a district.

SECTION 2. TWO-FAMILY DWELLINGS: Whenever a structure is erected, converted, enlarged or structurally altered for two-family dwelling use, not less than two hundred (200) square feet of all-weather surfaced parking space or garage space for each dwelling unit in the building shall be provided during the existence of the use, on the lot or on an adjoining lot, together with adequate ingress and egress from and to the public street, highway or alley. Such surfaced parking space or garage space shall be for the sole use of the occupants of such building and visitors thereto. The surfaced parking space may be in a required rear yard.

SECTION 3. MULTIPLE-FAMILY DWELLINGS: Whenever a building or part thereof is hereafter erected, converted, enlarged or structurally altered for multiple-family dwelling, apartments or group or row houses for more

than two-family units, not less than three hundred (300) square feet of permanent surfaced parking space or garage space for every two (2) dwelling units, or fraction thereof, shall be provided, during the existence of the use, on the lot or on an adjoining lot, together with adequate ingress and egress from and to the public street, highway or alley. Such surfaced parking space shall be for the sole use of the occupants of such building or buildings and visitors thereto. The surfaced parking space may be in a required rear yard.

SECTION 4. HOTELS, ROOMING HOUSES: Whenever a building is hereafter erected, converted, enlarged or structurally altered for use as a hotel, apartment hotel, boarding or rooming house, or tourist home, not less than two hundred (200) square feet of all weather surfaced parking space or garage space for each three (3) guest rooms shall be provided, during the existence of the use, on the lot or within three hundred (300) feet thereof, together with adequate ingress and egress from and to the public street, highway or alley. Such surfaced parking space shall be for the sole use of the occupants of the building, guests thereof and visitors thereto. The surfaced parking space may be in a required rear yard.

SECTION 5. HOSPITALS: Whenever a building is hereafter erected, converted, enlarged or structurally altered for a hospital or sanitarium, not less than two hundred (200) square feet of all-weather surfaced parking space shall be provided, during the existence of the use, on the lot or within three hundred (300) feet thereof for each three hundred (300) square feet of sleeping room area for patients, together with adequate ingress and egress from and to the public street, highway or alley. Such parking space shall be for the sole use of the occupants of the building and visitors thereto. Such parking space may be in a required rear yard.

SECTION 6. THEATERS, AND PLACES OF ASSEMBLY: Whenever a building or part thereof is erected, converted, enlarged or structurally altered for a theater, auditorium, or place of amusement or of assembly, there shall be provided, during the continuance of the use, not less than two hundred (200) square feet of all-weather surfaced parking space on the lot or within three hundred (300) feet thereof, for each five (5) seats or similar vantage accommodations provided in such building, together with ingress and egress from and to the public street, highway or alley, provided, however, that an outdoor theater shall provide two hundred (200) square feet of surfaced parking space adjacent to the enclosure and to the public street or highway and outside the enclosure and off the street or highway for each two (2) automobile spaces

within the enclosure; and PROVIDED FURTHER that in the B-2 Districts the parking space regulations for such uses shall be as required by Section 2 of Article VIII hereof.

SECTION 7. COMMERCIAL USES IN B-1 DISTRICTS: Whenever any building is erected, converted, or structurally altered for a commercial or private service or professional use in a B-1 District, not less than two hundred (200) square feet of surfaced parking space shall be provided, during the existence of the use, on the lot or on an adjacent lot for each two hundred (200) square feet of floor space in the building, except that any restaurant or establishment whose primary use is to serve meals or refreshment to patrons, shall provide two hundred (200) square feet of permanent surface parking space on the same or adjacent lot for each one hundred (100) square feet of floor space in the building. Two (2) or more commercial establishments may provide the respective necessary permanent surfaced parking spaces upon a single lot in the B-1 Districts and within three hundred (300) feet of both establishments. There shall be provided a tight evergreen hedge or a masonry or stone wall not less than five (5) feet in height along each side of the required parking area that abuts upon an R-1 or R-2 District. The parking space may be in a required rear yard.

ARTICLE XII

HEIGHT AND AREA EXCEPTIONS

The district regulations hereinafter set forth in this Article qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Ordinance.

SECTION 1. Public buildings, hospitals, sanitariums, schools or institutions of an educational, philanthropic, religious or eleemosynary nature, in the R-1 and R-2 Districts may be erected to a height not exceeding seventy-five (75) feet if the building is set back from each yard line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is located.

SECTION 2. Chimneys, towers, elevator bulkheads, monuments, stacks, tanks, spires, church steeples, antennae, and necessary mechanical devices appurtenant to the principal use, may be erected to a height in accordance with existing or hereafter adopted ordinances of the City of Urbana, Illinois.

SECTION 3. Whenever the rear of a lot abuts upon a public alley, one-half ($\frac{1}{2}$) of the width of the public alley may be considered as a portion of the required rear yard.

SECTION 4. Every part of a required yard shall be open to the sky, unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of sills, cornices, chimneys, flues and ornamental features projecting not to exceed eighteen (18) inches and except for open or latticed-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers which may project not more than five (5) feet. No required parking space shall be in a required yard except as otherwise expressly permitted by this Ordinance.

SECTION 5. For the purpose of side yard regulations a two-family dwelling, duplex, a group house, or a multiple dwelling shall be deemed one (1) building occupying one (1) lot.

SECTION 6. The side, front and rear yard requirements shall not apply to steps, open terraces, underground structures and fences, provided any fences or other landscape improvements located on a corner lot with the vision triangle provided by the applicable front yard and side yard requirements of the district in which the lot is located shall preserve a clear view between points five (5) feet above the crown of each intersecting street or highway.

SECTION 7. Gasoline pumps and air and water services of retail gas service stations in the districts in which they are permitted shall be exempted from front and side yard requirements provided the centers thereof shall be at least twenty (20) feet from the street or highway right-of-way line.

ARTICLE XIII

NON-CONFORMING USES

SECTION 1. Any building or use of a building or land lawfully existing at the time of the passage of this Ordinance which does not conform to the regulations of this Ordinance, shall be known as non-conforming and may remain and the use or location thereof be continued, as hereinafter provided.

SECTION 2. No existing building which does not conform to the use, area or density regulations of the district in which such building is located shall be enlarged, extended, or structurally altered, unless such use or location is changed to a use or location permitted in the district in which such building or structure is located. A non-conforming use occupying a part of a building shall not be extended beyond that part of the building originally designed for such use and in no case shall any addition be made which will provide for the expansion of the non-conforming use. A non-conforming use of land shall not be extended.

SECTION 3. A non-conforming use which is

discontinued or its normal operation stopped for a period of twelve (12) months shall not thereafter be re-established.

SECTION 4. Only ordinary repairs and maintenance, including replacement of roof covering, shall be permitted on any building devoted to a non-conforming use. In no case shall such repairs include structural alterations.

SECTION 5. The provisions of Sections 2, 3 and 4 of this Article XIII shall not apply to a single-family or two-family dwelling that is a non-conforming use, provided, however:

- A. No non-conforming single-family or two-family dwelling shall be changed into a use not permitted in the district in which such non-conforming dwelling is located; and
- B. Any extension, structural alteration, enlargement or relocation of such single-family or two-family dwelling shall conform to the height, area and density regulations required of such dwellings in the R-1 District.

SECTION 6. The City Council of the City of Urbana, Illinois, may, after public notice and hearing, authorize in any district a structure or premises to be used by a public service corporation or for public utility or municipal, state or federal purposes which it deems reasonably necessary for the public convenience and welfare. Any right-of-way or passenger station grounds now used for railroad purposes or any right-of-way now used for public utility, municipal, state or federal purposes in any district shall be considered a conforming use.

SECTION 7. The foregoing provisions shall also apply to non-conforming uses in districts hereafter changed.

ARTICLE XIV

BOARD OF APPEALS

SECTION 1. CREATION AND MEMBERSHIP: A Board of Appeals is hereby authorized to be established. The word "Board" when used in this Article shall be construed to mean the Board of Appeals. The Board shall consist of five (5) members appointed by the Mayor of the City of Urbana and confirmed by the Council of the City of Urbana. The members of said Board shall serve respectively for the following terms (or until their respective successors are appointed and qualified): one for one year; one for two years; one for three years; one for four years; one for five years. The successor to each member so appointed shall serve for a term of five years. One of the members of the Board shall be designated as Chairman of the Board by the

Mayor of the City of Urbana, with the consent of the Council of the City of Urbana and shall hold his office as Chairman until his successor is appointed. Such Chairman, or, in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses. The Mayor of the City of Urbana shall have the power to remove any member of the Board for cause and after a public hearing. Vacancies upon the Board shall be filled for the unexpired term of the member whose place has become vacant, in the manner herein provided for the appointment of such member.

SECTION 2. MEETINGS: All meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. There shall be at least fifteen (15) days but not more than thirty (30) days notice of the time and place of such meeting published in a paper of general circulation in the City of Urbana, said notice to contain a statement of the particular purpose of such meeting and a brief description of the location of the property under consideration at such meeting. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or, if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions. Findings of fact shall be included in the minutes of each case of a requested variation, and the reasons for granting or denying such variation shall be specified. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Board shall immediately be filed in the office of the Board and shall be a public record. The Board shall adopt its own rules of procedure not in conflict with the statute in such case made and provided, and may select or appoint such officers as it deems necessary.

SECTION 3. JURISDICTION: The Board shall hear and decide appeals from and review any order, requirement, decision or determination made by the administrative official charged with the enforcement of this Ordinance. The Board may reverse or affirm, wholly or partly, or may modify or amend the order, requirement, decision or determination appealed from to the extent and in the manner that the Board may decide to be fitting and proper in the premises.

The Board shall also hear and decide all matters referred to it or upon which it is required to pass under this Ordinance.

Where there are practical difficulties or particular hardships in the way of carrying out the strict letter of this Ordinance the Board may authorize a variation in the application of the regulations of this Ordinance in harmony with

their general purpose and intent, in the following instances:

1. To permit a front yard, a side yard, and/or a rear yard less than that required by this Ordinance, but such variation shall not exceed twenty-five (25) per cent of the depth of the front yard, or the width of a side yard, as required by this Ordinance.
2. To permit a building to exceed the height limit by not more than ten (10) per cent of the height limit established by this Ordinance.
3. To permit the use of a lot less in area by not more than ten (10) per cent of the lot area required by this Ordinance.
4. To permit the use of a lot less in width by not more than fifteen (15) per cent of the lot width as required by this Ordinance.
5. To permit the use of a lot adjacent to a commercial or multiple dwelling use as parking space for such use provided that such lot shall have the area required by this Ordinance for parking space for such use.

In considering all proposed variations to this Ordinance the Board shall, before making any variation from the ordinance in a specific case, first determine and make a finding of fact, that the proposed variation will not (a) impair an adequate supply of light and air to adjacent property, (b) increase the congestion in public streets, (c) increase the danger of fire or endanger the public safety, and (d) unreasonably diminish or impair established property values within the surrounding area.

The Concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the administrative official charged with the enforcement of this Ordinance, or to decide in favor of the applicant any matter upon which the Board is authorized by this Ordinance to render a decision.

SECTION 4. APPEAL AND REVIEW: An appeal may be taken from the officer charged with the enforcement of this Ordinance by any person aggrieved or by an officer, department, or Bureau of the City of Urbana. Such appeal shall be taken within such time as shall be prescribed by the Board by general rule, by filing with the officer from whom the appeal is taken and with the Board, a notice of appeal, specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all of the papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the

Board after the notice of appeal has been filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.

The Board shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. Upon the hearing, any party may appear in person, or by agent, or by attorney.

All final administrative decisions of the Board of Appeals shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act," approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto.

ARTICLE XV

OCCUPANCY PERMITS

SECTION 1. Subsequent to the effective date of this Ordinance no change in the use of land, nor any change of use in an existing building shall be made, nor shall any new building be occupied for any purpose until a certificate of occupancy has been issued by the administrative official charged with the enforcement of this Ordinance, stating that the building and use comply with the provisions of this Ordinance.

SECTION 2. Certificates of occupancy shall be applied for coincidentally with the application for a building permit, and shall be issued within seven (7) days after the lawful erection or alteration of such building or buildings shall have been completed. No permit for excavation for, or the erection or alteration of any building shall be issued before application has been made for a certificate of occupancy. No building or premises shall be occupied until such certificate has been issued.

SECTION 3. A record of a certificate of occupancy shall be kept on file in the office of the administrative official charged with the enforcement of this Ordinance, and copies shall be furnished on request to any person having a proprietary or tenancy interest in land or in a building affected by such certificate of occupancy.

ARTICLE XVI

PLATS

Each application for a building permit shall be accompanied by a plat in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size and location of the

building or buildings to be erected or altered and such other information as may be necessary to provide for the enforcement of this Ordinance. A careful record of such applications and plats shall be kept in the office of the Commissioner of Public Works.

ARTICLE XVII

Fees for certificates of occupancy, appeals to the Board of Appeals and petitions for amendments shall be as established by action of the City Council from time to time. Such fees shall be paid to the Commissioner of Public Works who shall give a receipt therefor and account for same at regular intervals to the City Council.

ARTICLE XVIII

INTERPRETATION AND PURPOSE

It is not intended by this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with any existing provision of law or ordinance relating to the use of buildings or premises, now in force and effect in relation thereto except as expressly provided in Article XXII hereof; nor is it intended by this Ordinance to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises than are imposed or required by such existing provision of law, ordinance, rules, regulations, permits, easements, covenants or agreements, the provisions of this Ordinance shall control.

ARTICLE XIX

AMENDMENTS

The regulations imposed and the districts created under this Ordinance may be amended by ordinance, but no such amendments shall be made without a hearing before the City Plan Commission created pursuant to ordinance.

At least fifteen (15) days notice of the time and place of such hearing shall be published in a paper of general circulation in the City of Urbana, said notice to contain the particular location for which the amendment is requested as well as a brief statement describing the proposed amendment. In case of written protest against the proposed amendment signed and acknowledged by the owners of twenty (20) per cent of the frontage proposed to be altered or by the owners of twenty (20) per cent of the frontage directly opposite the frontage proposed to be altered as to such regulations or district, filed with the City Clerk, such amendment shall not be passed except by the favorable vote of two-thirds (2/3) of all of the members of the Council of the City of Urbana.

ARTICLE XX

ENFORCEMENT AND PENALTY

SECTION 1. It shall be the duty of the Commissioner of Public Works to enforce this Ordinance.

SECTION 2. Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance shall upon conviction, be fined not more than one hundred dollars (\$100.00) for each offense. Each day that a violation shall exist shall constitute a separate offense.

SECTION 3. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this Ordinance, the Building Inspector in addition to other remedies, may institute any proper action or proceedings in the name of the City of Urbana to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about said premises.

ARTICLE XXI

VALIDITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

ARTICLE XXII

REPEAL

An ordinance entitled Zoning Ordinance for the City of Urbana adopted the 16th day of September, 1940, and approved September 16, 1940, as amended from time to time, is hereby repealed.

ARTICLE XXIII

EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, approval, and due publication.

PASSED: November 6, 1950.

BESS M. HOLMES,
Clerk

APPROVED: November 15, 1950.

GLEN E. CHAPMAN,
Mayor

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF CHAMPAIGN } ss.

I, BESS M. HOLMES, City Clerk of the City of Urbana, Illinois, and keeper of the records, files, and seal of said City, do hereby certify that the foregoing is a true and exact copy of an ordinance entitled "Zoning Ordinance of the City of Urbana, Illinois," adopted by the City Council of the City of Urbana, Illinois, on the 6th day of November, A. D. 1950, as shown on the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 8th day of January, A. D. 1950.

Published in pamphlet form by authority of the City Council this 15th day of January, A. D. 1951.

BESS M. HOLMES
City Clerk

