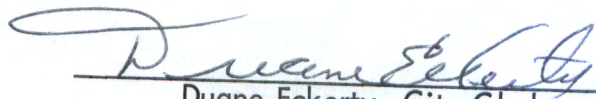


ORDINANCE NO. 7071-43

BE IT ORDAINED BY THE CITY COUNCIL OF URBANA, ILLINOIS,  
that the attached Chapter 34, Zoning, consisting of 22 Articles, is herewith adopted as  
the Zoning Ordinance of the City of Urbana, Illinois.


1970.

ADOPTED by the City Council this 21<sup>TH</sup> day of September,

  
\_\_\_\_\_  
Duane Eckerty, City Clerk

1970.

APPROVED by the Mayor this 21<sup>TH</sup> day of September,

  
\_\_\_\_\_  
Charles M. Zippodt, Mayor



STATE OF ILLINOIS )  
COUNTY OF CHAMPAIGN } SS.

I, DUANE ECKERTY, 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, "Ordinance Adopting Zoning Ordinance", adopted by the City Council of the City of Urbana, Illinois, on the 21st day of September, A.D. 1970; there being present and voting in favor of said ordinance were: Aldermen Russell Beaumont, Sam Dart, James A. Gentry, Verne N. Hoag, Robert V. Johnson, Hiram Paley, Joseph W. Phebus, Mark W. Reinhardt, Robert A. Shurts, Bernadine Stake, Frederic L. Walden and Jeanne-Marie Wyld. Aldermen Lloyd Carter, Jr. and Jack Hensler were absent.

That said ordinance was approved by the Mayor who signed the same on the 21st day of September, A.D. 1970, as appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 22nd day of September, A.D. 1970.

(SEAL)

DUANE ECKERTY  
City Clerk

STATE OF ILLINOIS )  
COUNTY OF CHAMPAIGN } SS.

I, DUANE ECKERTY, 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 the Zoning Ordinance of the City of Urbana, Illinois, including all amendments to the 4th day of April, 1972, as republished on the 1st day of September, 1972.

Given under my hand and seal of said City of Urbana, Illinois, this 1st day of September, A.D. 1972.

(SEAL)

DUANE ECKERTY  
City Clerk

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## CHAPTER 34

### ZONING

PURPOSE: The purpose of zoning is to provide that adequate light, pure air and safety from fire and other dangers may be secured throughout the City of Urbana, Illinois, and the contiguous unincorporated territory within one and one-half miles outside the corporate limits of the City, except in regard to the area and extraterritorial areas of the cities of Champaign and Savoy, that the taxable value of land and buildings 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, and the contiguous unincorporated territory, 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.

#### ARTICLE I

SECTION 34.1 SHORT TITLE: This ordinance shall be known and may be cited as the Zoning Ordinance of the City of Urbana, Illinois.



ARTICLE II

DEFINITIONS

SECTION 34.2 GENERAL: 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.

Accessory Use: A use that is incidental to the main use of the premises.

Adjoining: Bordering, touching, or contiguous. If two lots are separated by a street or a public alley greater than twenty-eight (28) feet wide, they shall not be deemed adjoining.

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

Animals, Small: All animals other than livestock and household pets.

Apartment: A room or suite of rooms in a multiple 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.

Apartment Hotel: A building which, in addition to apartments, also contains individual guest rooms or suites of rooms which are offered to the public for compensation for periods of time less than one month each without a written lease and which has a full time attendant.

Basement: A story partly or wholly underground which, unless used as a dwelling unit 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.

Dormitory: A structure for the housing or housing and boarding of students.

Dwelling: Any building, but not a travel trailer, which is exclusively designed for or used for one (1) or more dwelling units.

Dwelling Unit: One (1) room or a suite of rooms in a building and designed for or used by one (1) family for living and sleeping purposes.

Dwelling, Single-Family: A building designed for or occupied exclusively by one (1) family.

Dwelling, Two-Family: A building designed for or occupied exclusively by two (2) families.

Dwelling, Duplex: A building having accommodations for but two (2) families, designed for or occupied by one (1) family on each side of a party wall.

Dwelling, Multiple: A building designed for or occupied exclusively by more than two (2) families.

Family: An individual or a group of two (2) or more persons related by blood, marriage or adoption, together with not more than three (3) additional persons not related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit.

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 or designed to house motor-driven vehicles which are the property of, and for the use of, the occupants of the lot on which the garage is located. This term shall include, but not be limited to, such structures as "carports".

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 three (3) or more single-family dwellings separated by walls without openings, not more than two (2) rooms deep, and with each dwelling having independent access to the exterior of the building from the ground story.

Home for the Aged or Nursing Home: A private institution, residence, or other place used for the boarding and care of persons who by reasons of age

or infirmity are dependent upon maintenance and personal care of others and provides such services to adults who are not related by blood or marriage to the operators of such a facility.

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 or Motel: 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.

Kennel: Any structure or premises on which household animals are boarded for compensation or on which more than four (4) full grown household animals are offered for sale.

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.

Lot, Corner: A lot located at the intersection of two or more streets

where the corner interior angle formed by the intersection of the two streets is one hundred thirty-five (135) degrees or less; a lot abutting upon a curved street or streets if tangents to the curve, at the two points where the lot lines meet the curve, form an interior angle of less than one hundred thirty-five (135) degrees.

Lot, Interior: A lot other than a corner lot.

Lot Lines: The property lines or other lines bounding a lot.

Lot Line, Front: The line dividing a lot from a street from which legal access is available. In the case of multiple street frontages, the shortest, equaling or exceeding thirty (30) feet in length, shall be the front lot line.

Lot Line, Rear: The lot line opposite the front lot line. In the case of an irregular or three sided lot, it shall mean a line within the lot, ten (10) feet long, concentric with and at the maximum distance from the front lot line. A lot need not have a rear lot line.

Lot Line, Side: Any lot line other than a front or rear lot line. A side lot line separating a lot from a street shall be called a side street line.

Mobile Home: A structure used for or designed to be used for a dwelling unit, being over thirty-two (32) feet long and having no foundation other than wheels, blocks, skids, jacks, horses, or skirtings. When a mobile home is attached to the ground by a permanent foundation, it shall be deemed to be a building.

Mobile Home Park: An area used for the parking of one (1) or more mobile homes for occupancy by a family or families as living quarters.

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.

Parking Space: A space for parking a vehicle, having dimensions of 9' x 20', together with a means of ingress and egress from a public way.

Private Day Nursery: A building used for the day care of three (3) or more children under five (5) years of age who are not related by blood or legal adoption to the operators of such a facility.

Rooming House: A building, other than a hotel or a dormitory, where, for compensation and by pre-arrangement for definite periods, lodging or lodging and meals are provided for more than three (3) persons.

Store, Retail: A store from which eighty percent (80%) of the sales are of that type of goods which are received directly at the store by or which are delivered from the store to the ultimate consumer. The qualifying percentage for a retail store shall be based on total sales and sales subject to the Illinois Retailers Occupational tax.

Store, Wholesale: A store at which goods are sold for delivery on or from the premises to a person other than the ultimate consumer. Should a store not qualify as a retail store, it shall be deemed to be a wholesale store.

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 foundation 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 travel trailers can be or are intended to be parked, and intended primarily and used for housing travelers or visitors.

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.

Trailer, Travel: A trailer less than eight (8) feet in width and thirty-two (32) feet or less in length, and used primarily as a temporary residence.

Warehouse: A building used for the storage of goods for compensation or the storage of goods which will be sold elsewhere or subsequently transported to another location for sale.

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, Required: That minimum yard, the dimensions of which are set by various sections of this chapter with or without the presence of a building on the lot containing the yard.

Yard, Front: A yard extending across the front of a lot between the side lot lines.

Yard Line: That edge of a yard, as defined elsewhere, which does not coincide with a lot line.

Yard, Rear: A yard extending across the rear of a lot, measured between the side lot lines.

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

### ARTICLE III

#### Scope of Regulations

SECTION 34.3 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, and within the territory within one and one-half miles outside 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 or establish more than one (1) main building with one (1) or more principal uses, or one (1) principal use, or one (1) principal structure, on one (1) lot.

SECTION 34.4 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

##### District and Boundaries Thereof

SECTION 34.5 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 ten (10) known as:

- AG District --- Agriculture
- R-1 District -- Single and Two Family Residential
- R-2 District -- Multiple Family Residential
- R-3 District -- Multiple Family Residential Only
- R-4 District -- Multiple Family Residential - High Density

R-5 District -- Fraternities, Sororities and Dormitories

B-1 District -- Neighborhood Business

B-2 District -- Central Business

I-1 District -- Light Industrial

I-2 District -- Heavy Industrial

SECTION 34.6 ZONING MAPS. The boundaries of the districts established in Section 1 of this Article IV are hereby established as shown on (1) a map designated as the "Zoning Map of Urbana, Illinois," and (2) a map designated as the "Zoning Map of Urbana, Illinois--Unincorporated Jurisdictional Territory." These maps shall be signed and dated by the City Clerk of Urbana, Illinois. Said maps 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 maps, or reproductions 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 maps 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 34.7 UNCERTAINTY OF BOUNDARIES: When uncertainty exists with respect to the boundaries of the various districts, as shown on the zoning maps 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 maps 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 maps 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 34.8 LAND SUBSEQUENTLY WHICH FALLS WITHIN THE JURISDICTION OF THE CITY: All land which may hereafter become within one and one-half miles of the boundary of the incorporated area of Urbana, Illinois, as a result of annexation shall automatically be classified as AG - AGRICULTURE 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 IV A

##### AG District -- Agriculture

SECTION 34.9 USE REGULATIONS: In the AG District no land or building shall be used and no building or structure shall be hereafter erected or structurally altered, except for one or more of the following uses:

- A. Single Family Residence
- B. Church
- C. School
- D. Park or Playground
- E. Home Garden
- F. Home Occupation

- G. Accessory Building
- H. Golf Course or Country Club
- I. Fallout Shelter
- J. Conservation Areas
- K. Commercial Greenhouse or Nursery
- L. Private Day Nursery
- M. Grain Elevator
- N. Farm, including roadside stand provided that fifty (50) percent or more of the dollar volume of the goods sold are produced on the same premises where sold.
- O. Any of the following uses provided, however, that no building or occupancy permit shall be issued until the location and extent 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 or amendments hereto:
  - 1. Home for the Aged or Nursing Home
  - 2. Community and Governmental Building
  - 3. Mobile Home Park
  - 4. Artificial Lake of one or more acres
  - 5. Airport or Heliport
  - 6. Sanitary Fill, Dump or Disposal Plant
  - 7. Water Treatment Plant, Pumps or Reservoir
  - 8. Lodge or Private Club
  - 9. Electrical Substation and Telephone Exchange
  - 10. Public Camp
  - 11. Commercial Stable
  - 12. Hunting or Fishing Lodge

13. Cemetery or Crematory
14. Commercial Kennel
15. Commercial Breeding Facility
16. Livestock Sales Barn
17. Tourist Home
18. Fairground
19. Travel Trailer Park
20. Veterinary Hospital
21. Mineral Extraction and Processing
22. Radio or Television Station and Tower
23. Outdoor Commercial or Private Recreation such as Outdoor Theaters, Miniature Golf and/or Driving Ranges, Shooting and Archery Ranges, and similar uses.

SECTION 34.10 PARKING REGULATIONS: Whenever a building is erected, converted or structurally altered for a use permitted in the AG District there shall be provided an available and accessible off-street parking area in the following instances:

A. All commercial and professional uses permitted in the Ag District shall provide such parking area as shall be required by Section 34.57 of Article XI hereof.

B. In all other instances parking spaces shall be provided on the lot or an adjoining lot adequate to accommodate the cars of employees engaged on the premises, as well as trucks and other vehicles of the establishment and service vehicles. All residential uses shall have one (1) parking space per dwelling unit.

SECTION 34.11 HEIGHT REGULATIONS: No building shall exceed two and one-half (2 1/2) stories, nor shall it exceed thirty-five (35) feet in height, except for farm buildings and as provided in Article XII hereof.

SECTION 34.12 AREA REGULATIONS: Every building or use hereafter erected, enlarged, relocated, or reconstructed shall conform to the following standards:

A. INTENSITY OF USE:

1. A lot on which there is erected a single family dwelling shall contain an area of not less than fifteen thousand (15,000) square feet and an average width of not less than eighty (80) feet. This minimum lot area shall be reduced to ten thousand (10,000) square feet whenever public water supply or public sanitary service is available.

2. In Mobile Home Parks, each mobile home space shall contain an area of not less than two thousand five hundred (2,500) square feet and an average width of not less than thirty (30) feet. The boundaries of spaces offered for rental shall be clearly and permanently marked and the location of the spaces shall correspond with the drawings made a part, by reference, of the conditional use permit.

B. FRONT YARD: There shall be a front yard having a depth of not less than twenty-five (25) feet for all uses fronting collector and minor subdivision streets and not less than thirty-five (35) feet for all uses fronting major streets and highways. The classification of streets and highways is that adopted by the Urbana City Council as a part of the Comprehensive Plan of Urbana or which subsequently may be adopted as the Official Map. No display or merchandise shall be placed in the required front yard.

C. SIDE YARD: There shall be a side yard of not less than ten (10) feet.

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

E. LOT COVERAGE: All buildings and structures including accessory buildings and structures shall not cover more than thirty (30) percent of the total area of the lot.

SECTION 34.13 SUPPLEMENTARY REQUIREMENT FOR CONDITIONAL USES: The Plan Commission and City Council may, as a condition to the granting of a use under Subsection O of Section 34.9 of this Article, impose such additional requirements as are necessary for the public health, safety, and welfare, and to carry out the purposes of this Ordinance, as follows:

- A. Regulate the location, extent and intensity of such uses;
- B. Require the screening of such uses by means of fences, walls, or vegetation;
- C. Stipulate required minimum lot sizes;
- D. Regulate vehicular access;
- E. Require conformance to health, safety and sanitation requirements as necessary;
- F. Increase the required yards;

Use of property, except in full compliance with the requirements imposed under this Section, shall be a violation of the City Code; except that when a violation occurs because of a failure of the developer to meet a time or sequence schedule imposed as an additional requirement under this Section, no fine shall be imposed.

Instead, a revocation hearing to act upon a total or partial revocation of the issued use permit may be held by the City Council after the developer shall have received written notice fifteen (15) days prior to the hearing. Extensions may be granted by the corporate authorities of the City.

#### ARTICLE V

##### R-1 District -- Single and Two-Family Residential

SECTION 34.14 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:

- A. Single-Family Dwelling
- B. Two-Family or Duplex Dwelling
- C. Church
- D. School, Elementary and High
- E. Park and Playground
- F. Home Garden when the produce thereof is not sold or placed on the

market

- G. Home Occupation

H. 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 1/2) 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 breeze-way, then such garage or accessory building shall be located not less than five (5) feet from the side line of the lot, except the set back lines for private garages shall be the same as existing garages on said lots; and, except on a lot which does not have sufficient dimensions to meet the requirement of this ordinance as pertains to garage set back lines, the front line of the garage on any such lot shall not be set closer to the front line of the dwelling than one half (1/2) of the depth of the dwelling.

I. 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.

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

K. 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 the boundaries of any tract of one (1) acre or less containing a dwelling.

L. Temporary buildings incidental only to the construction, reconstruction or repair of a permitted use.

M. Fallout Shelters. The tops of the fallout shelters shall be no less than one (1) foot below grade line and have at least one (1) foot of earth cover, and any vent, pipe, aerial or any other projections above ground level should be within the set back lines of the lot, and not interfere in any way with utilities and to include sewers and drainage facilities, as well as water, electricity, gas, telephone and other utility lines and structures; and the fallout shelters shall be approved as to design, materials, location, ventilation, soil cover, and other features by the City Engineer in accordance with minimum accepted standards and specifications; and fallout shelters shall not be constructed any closer than two (2) feet to the lot boundaries.

SECTION 34.15 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 space for each dwelling unit, which space shall conform to the applicable provisions of Article XI hereof.

SECTION 34.16 HEIGHT REGULATIONS: No building shall exceed two and one-half (2 1/2) stories, nor shall it exceed thirty-five (35) feet in height, except as provided in Article XII hereof.

SECTION 34.17 AREA REGULATIONS: Every dwelling hereafter erected, enlarged, relocated or reconstructed shall be located upon a lot having the following area and yard space:

A. INTENSITY OF USE:

1. 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.

2. 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.

3. 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.

B. FRONT YARD:

1. 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 all lots on that side of the street 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, nor to permit a front yard of less than fifteen (15) feet. For the purposes of computing such an average depth, vacant lots within the frontage shall be considered as having the minimum required front yard of twenty-five (25) feet.

2. Lots having a frontage on two (2) non-intersecting streets shall have the required front yard on both streets. The averaging formula specified in 34.17 B.1. shall not apply to such front yards. Instead, there shall be minimum front yards of twenty-five (25) feet.

3. 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 into the front yard on either street.

C. SIDE YARDS: There shall be a side yard on each side of a building having a width of not less than five (5) feet.

D. 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, except on corner lots where buildings are erected to front on the long dimension of a lot, the allowable rear yard shall be not less than ten (10) feet.

#### ARTICLE VI

##### R-2 District -- Multiple Family Residential

SECTION 34.18 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:

- A. Any use permitted in the R-1 District.
- B. Multiple-Family dwelling.
- C. Boarding and rooming houses; tourist home.
- D. Community buildings, museums, and libraries.
- E. Private clubs and lodges, except skeet and gun clubs and those the chief activity of which is service customarily carried on as a business.
- F. Fraternities, sororities and dormitories.
- G. Group or row houses.
- H. Undertaking establishment.

- I. Hospitals and clinics; nursing home; doctor's office.
- J. Institutions of an educational, philanthropic or eleemosynary nature.
- K. Nurseries and greenhouses for the propagation and cultivation of plants only.

L. Depot or receiving place for accumulated parcels of laundry articles to be laundered off the premises; and a storage place for trucks or vehicles used in transporting the laundry articles to and from said receiving place; provided, that only one person shall be regularly employed on the premises; that not more than two (2) trucks shall be used for transporting articles from said depot to the laundry and return.

M. 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 1/2) 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 (5) feet from the side line of the lot.

N. Radio and television towers and stations as a Conditional Use in R-2 District (Multiple Family Residential); such Conditional Use shall be first considered in a hearing in the Plan Commission pursuant to a fifteen (15) day published notice, and then can be authorized as such Conditional Use by the City Council.

SECTION 34.19 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 34.21 AREA REGULATIONS: Every dwelling hereafter erected, enlarged, relocated, reconstructed shall be located upon lots containing the following areas and yards:

A. INTENSITY OF USE:

1. 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 34.17 of Article V hereof.

2. A lot upon which there is erected a multiple family dwelling shall contain an area of not less than 1,000 square feet per family and, except lots of record on December 17, 1956, an average width of not less than sixty (60) feet. The lot area per family requirement shall not apply to dormitories, fraternities or sororities where no cooking is done in individual rooms or apartments.

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

ARTICLE VI-A

R-3 District -- Multiple Family Residential Only

SECTION 34.22 USE REGULATIONS: In the R-3 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:

A. Any use permitted in the R-1 District -- Single and Two Family Residential.

B. Multiple Family Dwelling.

SECTION 34.23 PARKING REGULATIONS: Whenever a building is erected, converted, enlarged, or structurally altered for the use permitted in the R-3 District, there shall be provided and available an accessible off-street parking area as shall be required by the applicable provisions of Article XI hereof.

SECTION 34.24 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 34.25 AREA REGULATIONS: Every dwelling hereafter erected, enlarged, relocated or reconstructed shall be located upon lots containing the following areas and yards:

A. INTENSITY OF USE:

1. 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, as amended.

2. 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 and an average width of not less than fifty-seven (57) feet

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

ARTICLE VI-B

R-4 District -- Multiple Family Residential -- High Density

SECTION 34.26 USE REGULATIONS: In the R-4 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:

- A. Apartment and Multiple-Family Dwelling.
- B. Group Houses.
- C. Two-Family or Duplex Dwelling.
- D. Single-Family Dwelling.
- E. Church.

F. Public Building.

G. Park and Playground

H. Home garden when produce thereof is not sold or placed on market.

I. Home Occupation.

J. Accessory Building and uses when located on the same lot and not involving the conduct of a business and including one private garage, for each family unit.

K. Temporary buildings incidental only to the construction, reconstruction or repair of a permitted use.

L. The Following Conditional Uses When Authorized By the City Council. The Requirements Such As Screening, Parking, Height, Area, Yard, and Sign Regulations Will Be Individually Judged and Approved By Such Conditional Use Authority and the City Council; Section 34.27, 34.28, 34.29 and 34.30 of this Article shall not apply in cases of such conditional uses. Such conditional uses shall first be considered in a hearing in the Plan Commission, pursuant to a fifteen (15) day published notice.

1. Filling Station -- repealed January 7, 1963.

2. Undertaking Establishment.

3. Commercial Parking.

4. Restaurants, Shops, Personal Service Establishments in Apartment Buildings and Development Projects, and Recreation Buildings, Provided all Entrances Shall Be from Within Such Building or Project and No Exterior Advertising Shall Be Permitted (Except a Four Square Foot Name Plate) and Further Provided Building is Designated as a Supporting Facility.

5. Laboratories and incidental offices.

M. Fall-out Shelters.

SECTION 34.27 PARKING REGULATIONS: Whenever a building is erected, converted, enlarged or structurally altered for the use permitted in the R-4 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 34.28 HEIGHT REGULATIONS: No building hereafter erected or altered shall exceed ninety-nine (99) feet in height, except as provided in Article XII hereof.

SECTION 34.29 AREA AND YARD REGULATIONS: Every building hereafter erected, enlarged, relocated or reconstructed shall be located upon an area or lots containing the following minimum area and yards:

Lot Area . . . . .	.6,000 Square Feet
Lot Width . . . . .	57 Feet
Front Yard (Setback). . . . .	20 Feet
Side Yard . . . . .	5 Feet
Rear Yard . . . . .	20 Feet
Lot Coverage:	
Interior Lot. . . . .	30 Per Cent
Corner Lot. . . . .	35 Per Cent
Lot In Landscaping (Not Including Parking and Building Areas) . . . . .	40 Per Cent
Lot Area Per Dwelling Unit:	
Efficiency. . . . .	500 Square Feet
1 and 2 Bedrooms. . . . .	600 Square Feet
3 or more Bedrooms. . . . .	700 Square Feet

If a building exceeds two (2) stories in height, the side and rear yards shall be increased in relation to the overall building height by adding three (3)



feet per story to the minimum yard requirements. In the case of Group Houses, if built simultaneously, the side yard between dwellings is not required. The minimum lot area for each dwelling unit shall be three thousand (3,000) square feet. Lot width shall be at least thirty (30) feet and lot depth, one hundred (100) feet. The front yard shall be not less than thirty (30) feet, except that for the end dwelling units in Group Houses the side yard shall be not less than ten (10) feet and the lot width shall be not less than ten (10) feet and the lot width shall be not less than thirty-five (35) feet.

SECTION 34.30 SIGNS: No sign shall be permitted except as follows:

A. One lighted home professional office announcement sign for each office. Sign shall not exceed one square foot in area and shall be placed flush against building.

B. One lighted sign not to exceed twenty (20) square feet in area at each driveway to an apartment house; church; school; or similar use; plus signs each not to exceed four (4) square feet in area necessary to provide directions to specific buildings and to off-street parking areas. Such signs shall be so placed as to be clearly visible and effective, but not so placed as to be a hazard to traffic or pedestrians.

C. One unlighted real estate sign not over eight (8) square feet in area advertising the sale, lease or rental of the building or lot on which it is maintained.

#### ARTICLE VI-C

##### R-5 District -- Fraternities, Sororities, and Dormitories

SECTION 34.31 USE REGULATIONS: In the R-5 District, no building or land shall be used and no building shall hereafter be erected, converted, enlarged or structurally altered, except for one or more of the following uses:

A. **Fraternities and Sororities.** Such fraternities and sororities shall be national college and university fraternal and sorority chapter structures.

B. **Dormitories.**

SECTION 34.32 **PARKING REGULATIONS:** Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-5 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. Such surfaced parking space or garage space shall be for the sole use of the occupants of said building and guests and visitors. The surfaced parking space may be in a required rear yard.

SECTION 34.33 **HEIGHT REGULATIONS:** No building hereafter erected or altered shall exceed eighty (80) feet in height.

SECTION 34.34 **AREA REGULATIONS:** Every dwelling hereafter erected, enlarged, relocated, or reconstructed shall be located upon lots containing the following areas and yards:

A. **INTENSITY OF USE:** Frontage of street of at least sixty (60) feet, and tracts of at least six thousand (6,000) square feet.

B. **YARDS:** Any yards facing on streets shall be at least five (5) feet in width.

## ARTICLE VII

### B-1 District -- Neighborhood Business

SECTION 34.35 **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:

A. Apartments and multiple-family dwellings provided they are located on the second floor and/or third 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 6th day of November, 1950, may be enlarged or structurally altered. Apartments may be used on first floors provided there is compliance with the setback requirements, area regulations, height regulations, and motor vehicle parking requirements of R-2 districts, multiple family residential districts, and that there be at least one motor vehicle parking space for each apartment unit.

B. Bakery whose products are sold only at retail on the premises.

C. Business or commercial school, or dancing or music academy.

D. Filling stations.

E. 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.

F. Professional or service office.

G. Restaurant, but not a drive-in restaurant.

H. Shop or retail store, but expressly excluding those uses listed in the B-2, I-1 and I-2 Districts.

I. Laboratories which do not emit noxious gases, unpleasant odors, smoke, fumes or noises and which do not use combustible or explosive materials.

J. Store for collection and distribution of laundry and dry cleaning articles, but not for the treatment, cleaning or processing of such articles.

K. Private garage incidental to main use and a sign or bulletin board relating only to services.

L. Temporary building incidental only to construction, reconstruction or repair of a permitted use.

M. Printing shop using not more than three (3) presses with a capacity for printing sheets not exceeding 17" x 22" in size.

N. Coin Operated Laundries and Coin Operated Dry Cleaners.

SECTION 34.36 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 34.37 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 34.38 AREA REGULATIONS:

A. 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.

B. 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 (2) 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 in the case of lots abutting or adjacent to residential districts as provided in Subsection E.

C. 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.

D. INTENSITY OF USE:

1. 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.

2. Lots shall be of a minimum lot area of not less than six thousand (6,000) square feet each, and of a minimum lot width of not less than sixty (60) feet each.

E. SETBACK AND SCREENING:

1. Notwithstanding other provisions of this Ordinance, a building on any lot in this district abutting, adjacent to or situated opposite any residential district shall maintain the same side yards as those required in the adjacent residential district. When buildings are situated opposite, adjacent, or abutting residential properties the front yard shall be a minimum of fifteen (15) feet. For each story in height over two (2) stories, minimum yards shall be increased by three (3) feet when such yards are abutting, adjacent to or situated opposite any residential district.

2. All driveways, loading and parking areas and non-refuse storage areas abutting, adjacent to or situated opposite any residential district shall be screened with shrubs or evergreen trees planted and maintained at a minimum height of four (4) feet and of such density so as to obscure from the residential district such activities conducted on the lot. A solid wall or fence at a minimum height of four (4) feet may be erected along the rear lot line of the business property as a substitute for the required rear lot line landscaping.

3. All refuse storage areas abutting, adjacent to or situated opposite any residential district shall be contained in a vermin proof enclosure with walls and roof of solid construction except for screened openings for ventilation and access openings equipped with tight fitting doors. Such storage areas shall be located no closer than twenty (20) feet to the nearest residential property line.

ARTICLE VIII

B-2 District -- Central Business

SECTION 34.39 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:

- A. Any use permitted in the B-1 District.
- B. Multiple-family dwellings.
- C. Hotels and Apartment Hotels.
- D. Community Buildings, museums and libraries.
- E. Advertising signs and bulletin boards.
- F. Hospitals and clinics; Nursing home.
- G. Dyeing and Cleaning Works and Laundries, each employing not more than twelve (12) persons.
- H. Bakery.
- I. Plumbing shop.
- J. Printing shop.
- K. Public garage; automobile sales room.
- L. Private clubs and lodges, except skeet and gun clubs.
- M. Institutions of an educational, philanthropic or eleemosynary nature.
- N. Bus or taxi terminal station; railroad station.
- O. Store for conduct of wholesale business, excluding a building, the principal use of which is for a storage warehouse.
- P. Telegraph service station.
- Q. Telephone exchange.
- R. Theater, except open air drive-in theater.
- S. Taverns as limited by the liquor ordinances of the City of Urbana, Illinois.

- T. Amusement and recreation building.
- U. Churches, and chapels.
- V. Undertaking establishment.
- W. Park and playground.
- X. Boarding and rooming houses; tourist home.
- Y. Home occupations.
- Z. Municipal, state or federal building.
- AA. Residence of watchman or guard of a permitted use.
- BB. Parking lots.
- CC. Motels.
- DD. Radio and television towers and stations.

SECTION 34.40 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 34.41 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 34.42 AREA REGULATIONS:

A. 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.

B. 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.

C. 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.

D. INTENSITY OF USE:

1. 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.

2. Lots shall be of a minimum lot area of not less than two thousand (2,000) square feet each, and of a minimum lot width of not less than twenty (20) feet each.

E. SIZE AND APPEARANCE REGULATION: When a lot contains in this district a structure which is used exclusively for residential purposes on the date of the adoption of this amendment, on March 8, 1951, then no structure may be constructed, altered or remodeled for a business use on said lot unless the residential structure is completely demolished or removed from said lot prior to the creation of the business use or unless said residential structure is remodeled to such extent that the structure shall, in the discretion of the Commissioner of Public Works, reasonably conform in size, character and appearance to the average business or commercial building existing in said district.

F. SETBACK AND SCREENING:

1. Notwithstanding other provisions of this Ordinance, a building on any lot in this district abutting or adjacent to any residential district shall maintain the same side yard as those required in the adjacent residential district. Three (3) feet shall be added to the minimum yard requirements for buildings with two and one-half (2 1/2) or three (3) stories when such yards are abutting, adjacent to or situated opposite residential districts.

2. All driveways, loading and parking areas and non-refuse storage areas abutting, adjacent to or situated opposite any residential district shall be screened with shrubs or evergreen trees planted and maintained at a minimum height of four (4) feet and of such density so as to obscure from the residential district such activities conducted on the lot. A solid wall or fence at a minimum height of four (4) feet may be erected along the rear lot line of the business property as a substitute for the required lot line landscaping.



3. All refuse storage areas abutting, adjacent to or situated opposite any residential district shall be contained in a vermin proof enclosure with walls and roof of solid construction except for screened openings for ventilation and access openings equipped with tight fitting doors. Such storage areas shall be located no closer than twenty (20) feet to the nearest residential property line.

#### ARTICLE IX

##### I-1 District -- Light Industrial

SECTION 34.43 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:

- A. Any use permitted in the B-2 District.
- B. Blacksmith shop.
- C. Bottling plants.
- D. Dyeing and cleaning establishments and laundries.
- E. 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 seven (7) feet high.
- F. Bulk storage of gasoline, fuel oil or other inflammable or explosive liquids for retail or wholesale distribution.

- G. Creameries and milk distributing stations.
- H. Canning, packing, preserving or bottling of food products.
- I. Grain elevators.
- J. Open air lot for display and sale of automobiles or farm equipment expressly excluding auto wrecking and junk yards.
- K. Warehouses and storage plants.
- L. Truck or bus storage yards.
- M. Ice plants or storage.
- N. Electric transforming or converting station.
- O. Tourist or trailer camp.
- P. Food locker.
- Q. Animal hospital.
- R. Drive-in Restaurant.
- S. 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 Zoning 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 34.44 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:

- A. 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.

B. 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.

C. 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 34.45 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. Hospitals and Clinics shall be an exception to the height regulations in this section.

SECTION 34.46 AREA REGULATIONS: The front, side and rear yard regulations and the intensity of use regulations are the same as in the B-2 District. However, notwithstanding all other provisions of this Ordinance and all provisions of said such ordinances, in I-1 Districts, there shall be minimum lot areas of not less than ten thousand (10,000) square feet per lot, and minimum lot widths of not less than ninety-nine (99) feet per lot.

#### ARTICLE X

##### I-2 District--Heavy Industrial

SECTION 34.47 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:

A. Any use permitted in the I-1 District except multiple family dwellings, boarding and lodging houses and tourist houses.

B. Automobile wrecking yards and junk yards if enclosed with a tight fence not less than eight (8) feet high.

C. Brick, tile, glass and clay products manufacture.

D. Stone quarries and stone crushing, grading, washing and loading equipment.

E. Railroad shops and roundhouses.

F. Open air theaters.

G. 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 or amendments hereto.

1. Acid manufacture.
2. Cement, lime, gypsum or plaster of paris manufacture.
3. Distillation of bones.
4. Explosives, manufacture or storage.
5. Fat rendering.
6. Fertilizer manufacture.
7. Garbage, offal or dead animal reduction or dumping.
8. Glue manufacture.
9. Petroleum refining.
10. Smelting of tin, copper, zinc, or iron ores.
11. Stock yards or slaughter of animals.

SECTION 34.48 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:

A. Hospitals, theaters, hotels, and places of assembly shall provide such parking area as shall be required by the applicable provisions of Article XI hereof.

B. Commercial service and professional uses listed as permitted uses in Article VII and Article VIII hereof shall provide such parking area as shall be required for commercial and professional uses in a B-1 District by Section 34.57 of Article XI hereof.

C. In all other instances parking space shall be provided in 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 34.49 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 34.50 AREA REGULATIONS: No front, side or rear yard shall be required except as may be necessary to provide the required off-street parking space. However, in regard to intensity of use, in I-2 Districts, there shall be minimum lot areas of not less than eighteen thousand (18,000) square feet per lot, and minimum lot widths of not less than one hundred eighty (180) feet per lot.

ARTICLE XI

Comprehensive Parking Regulations

SECTION 34.51 APPLICABILITY: 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.

A. LOCATION: Off-street parking spaces, open to the sky, may be located in any yard except a front yard and a side yard adjoining a street; enclosed off-street parking spaces shall be located only in a rear yard, or under any building.

B. DESIGN AND MAINTENANCE OF PARKING AREAS:

1. Plot Plan: The applicant for a building permit for the installation of an off-street parking area shall present a parking plot plan with his application for the permit. In the event an owner is not required by the ordinance to provide off-street parking, but he desires, nevertheless, to provide off-street parking, he shall comply with the requirements herein set forth and shall submit a plot plan to the Commissioner of Public Works. The parking plot plan shall include the location for each parking stall.

2. Surfacing: All open off-street parking area shall be improved with an all-weather, dustless material as approved by the Commissioner of Public Works.

3. Screening and Landscaping: All open off-street parking areas containing more than four (4) parking stalls shall be effectively screened on any side and adjoining or fronting on any residence district by a wall, fence, or living hedge, not less than four (4) feet high or more than six (6) feet in height, and sufficient in density to shield from direct lighting; and wheelstops of masonry, steel or heavy timber shall be placed not nearer than five (5) feet from the street

line in districts where a front yard is not required or from side lot lines in any district.

4. Lighting: Illumination of an off-street parking area shall be arranged so as not to reflect direct rays of light into adjacent residential districts and streets. In areas adjoining residential districts, all lighting shall be extinguished no later than thirty (30) minutes after the close of business of the use being served, except as may otherwise be authorized by the Board of Zoning Appeals.

C. SINGLE FAMILY RESIDENCE PROPERTY EXCLUSION: A lot used for a single family residence may have parking as an accessory use in a required front yard, provided that the area devoted to parking shall not exceed forty-five (45) per cent of the required front yard or eight hundred fifty (850) square feet, whichever is smaller, and, further provided that the width of the driveway shall not exceed eighteen feet (18') measured at the front lot line.

D. EFFECTIVE DATE: All parking not conforming to the provisions of Article XI, Section 34.51, must be discontinued not later than September 1st, 1970.

SECTION 34.52 TWO-FAMILY DWELLINGS: Whenever a structure is erected, converted, enlarged or structurally altered for two-family dwelling use, not less than one (1) parking 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.

SECTION 34.53 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 one (1) parking space for each dwelling unit shall be provided, during the existence of the use, on the lot; on an adjacent lot, provided that the adjacent lot is not separated from the lot on which the principal use is located by other than an alley or minor street, and provided the adjacent lot is not so classified that the principal use would be prohibited on it; 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 34.54 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 one (1) parking 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.

SECTION 34.55 HOSPITALS: Whenever a building is hereafter erected, converted, enlarged or structurally altered for a hospital or sanitarium, not less than one (1) 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.



SECTION 34.56 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 one (1) 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 one (1) 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.

SECTION 34.57 COMMERCIAL USES IN AG AND 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 or an AG District, not less than one (1) 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 refreshments to patrons, shall provide one (1) 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.

SECTION 34.58 CHURCHES: Off-street parking areas are not required to be supplied by churches.

SECTION 34.59 HOUSING FOR THE ELDERLY: Off-street parking required for housing for the elderly pursuant to Section 23 of the United States Housing Act of 1937, as amended by the Housing and Urban Development Act of 1965, shall provide

for not less than one (1) parking space for every four (4) apartment units. At such time the Champaign County Housing Authority ceases to lease said housing for the elderly, off-street parking shall be provided as required by this ordinance.

## ARTICLE XII

### Height and Area Exceptions

SECTION 34.60 APPLICABILITY: 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 34.61 HEIGHT EXEMPTIONS - CERTAIN MAIN BUILDINGS: 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 34.62 HEIGHT EXEMPTIONS - CHIMNEYS, TOWERS, ETC.: 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 34.63 REAR YARD MODIFICATION: Whenever the rear of a lot abuts upon a public alley, one-half (1/2) of the width of the public alley may be considered as a portion of the required rear yard.

SECTION 34.64 STRUCTURAL PROJECTIONS INTO REQUIRED YARDS: 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, and except open but not enclosed porches, that is to say, porches with roofs which may be screened in but are not glassed in, and not to exceed five (5) feet.

SECTION 34.65 SIDE YARD INTERPRETATION: 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 34.66 YARD EXEMPTIONS FOR STEPS, TERRACES, UNDERGROUND STRUCTURES AND FENCES: 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 comply with requirements of Section 21.22 of this Code.

SECTION 34.67 YARD EXEMPTIONS FOR GASOLINE PUMPS ETC.: 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.

SECTION 34.68 DENSITY MODIFICATION FOR HOUSING FOR THE ELDERLY: A lot on which there is erected housing for the elderly pursuant to Section 23 of the United States Housing Act of 1937, as amended by the Housing and Urban Development Act of 1965 shall contain an area of not less than six hundred (600) square feet per apartment, provided, however, that housing for the elderly in any district in which

multiple-family dwellings are permitted shall comply with the area and yard regulations, Section 34.29, Article VI-B, R-4 District-Multiple Family Residential-High Density, of this ordinance.

### ARTICLE XIII

#### Non-Conforming Uses and Lots of Record

SECTION 34.69 CONTINUANCE OF NON CONFORMING BUILDINGS OR USES: 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 34.70 PROHIBITION OF ENLARGEMENT OR ALTERATION: 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 34.71 DISCONTINUED USES: A non-conforming use which is discontinued or its normal operation stopped for a period of twelve (12) months shall not thereafter be reestablished.

SECTION 34.72 REPAIR: 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 34.73 EXEMPTIONS FOR SINGLE FAMILY AND TWO FAMILY DWELLINGS:

The provisions of Sections 34.70, 34.71, and 34.72 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 34.74 UTILITY OR PUBLIC BUILDINGS EXEMPTION PROCEDURE: 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 not used for public utility, municipal, state or federal purposes in any district shall be considered a conforming use.

SECTION 34.75 DISTRICT RECLASSIFICATION: The foregoing provisions of this Article shall also apply to non-conforming uses in districts hereafter changed or created.

SECTION 34.76 LOTS OF RECORD, EXCLUSION: In all zoning districts, a building or structure for any of the uses permitted in the respective districts may be erected on a lot recorded before the adoption of the Zoning Ordinance of the City of Urbana, Illinois of 1950, November 6, 1950, which has less than the minimum lot area or width specified for the respective districts, provided that all other

requirements of this Ordinance including yard, height and off-street parking for the respective districts are complied with; provided further that such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. If two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record on June 3, 1968, or thereafter, and if all or part of the lots do not meet the requirements for lot area or width as established by this Ordinance, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall be used which does not meet the lot area or width requirements established by this Ordinance.

#### ARTICLE XIV

##### Board of Appeals

SECTION 34.77 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 Zoning Appeals. The Board shall consist of seven (7) 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 34.78 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 seven (7) 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, regulations, 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 with the administrative officer charged with enforcement of this chapter 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 34.79 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:

A. 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.

1. The Zoning Board of Appeals of the City of Urbana, Illinois, is hereby authorized to vary the rear yard requirements to reduce rear yard measurements to as low as ten (10) feet; except on corner lots where buildings are erected to front on the long dimension of a lot, and except on triangular, irregular and odd shaped lots, said Board is hereby authorized to vary the rear yard requirements to as low as five (5) feet.

2. The Zoning Board of Appeals of the City of Urbana, Illinois, also is hereby authorized, for multiple-family residential uses in light industrial areas, to vary or waive front and side yard requirements on corner lots for such front and side yards which are adjacent to one or more streets.



B. 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.

C. 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.

D. 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.

E. 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 chapter for parking space for such use.

In considering all proposed variations fo the 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 chapter or to decide in favor of the applicant any matter upon which the Board is authorized by this chapter to render a decision.

SECTION 34.80 APPEAL AND REVIEW: An appeal may be taken from the officer charged with the enforcement of this chapter 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 34.81 CERTIFICATION: 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. The administrative officer charged with enforcement of this chapter may issue a provisional certificate of occupancy of the premises,

for a definite period of time, less than ninety (90) days, provided they can be occupied without danger to health or safety under any of the following conditions:

A. All requirements of this chapter are likely to be met in ninety (90) days or less; or

B. That the administrative officer shall determine that strike, national emergency, weather or act of God has prevented or will delay completion of the building.

SECTION 34.82 CERTIFICATE APPLICATION AND ISSUANCE: 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 34.83 RECORDS AND FILES 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

SECTION 34.84 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

SECTION 34.85 FEES: 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 Municipal Collector, who shall give receipt therefor and account for same at regular intervals to the City Council.

#### ARTICLE XVIII

##### Interpretation and Purpose

SECTION 34.86 INTERPRETATION AND PURPOSE: It is not the intent of this chapter to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties; provided, however, that where this chapter 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 chapter shall control.

#### ARTICLE XIX

##### Amendments

SECTION 34.87 AMENDMENTS: The regulations imposed and the districts created under this chapter 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 34.88 ENFORCING OFFICER: It shall be the duty of the Commissioner of Public Works to enforce this Ordinance.

SECTION 34.89 PENALTY: 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 chapter shall be punished as provided in Section 1.6 of this Code.

SECTION 34.90 ENFORCEMENT: 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 chapter, the Commissioner of Public Works or the Building Inspector in addition to other remedies, may institute any proper action or proceeding 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

SECTION 34.91 VALIDITY: Should any section or provision of this chapter be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the chapter as a whole or any part thereof, other than the part so declared to be invalid.

ARTICLE XXII

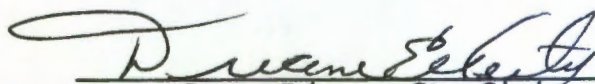
Presentation to the City Council of Recommendations or No Recommendations of the City Plan Commission to the City Council.

SECTION 34.92 ADDITIONAL HEARING: In the event the Plan Commission fails or refuses to recommend, or recommends against the reclassification of any tract of real estate in the City, such recommendation or lack of recommendation shall be reported to the City Council, and unless the petitioner or proponents of the zoning reclassification obtain an adopted ordinance for such rezoning classification by the first or second City Council meeting subsequent to the Plan Commission meeting at which the recommendation or non-recommendation occurred, the City Council cannot thereafter adopt an ordinance for such zoning reclassification in reference to such tract of real estate in the City, unless and until the proposal is subsequently again first presented to the Plan Commission at a future meeting of the Commission, pursuant to a future notice by publication, such as is provided in this Chapter prior to Commission hearings and to consider any proposal for reclassification of zoning.

BE IT ORDAINED BY THE CITY COUNCIL OF URBANA, ILLINOIS,  
that the attached Chapter 34, Zoning, consisting of 22 Articles, is herewith adopted as  
the Zoning Ordinance of the City of Urbana, Illinois.

1970.

ADOPTED by the City Council this 21<sup>TH</sup> day of September,

  
\_\_\_\_\_  
Duane Eckerty, City Clerk

1970.

APPROVED by the Mayor this 21<sup>TH</sup> day of September,

  
\_\_\_\_\_  
Charles M. Zippodt, Mayor

ORDINANCE NUMBER  
7172-69

ARTICLE XXVI  
COMPREHENSIVE SIGN REGULATIONS

PASSED by the City Council this 6th day of December, 1971.

APPROVED by the Mayor this 6th day of December, 1971.

PUBLISHED: January 7, 1972



entertainment sold, provided, or offered upon the premises where the sign is located.

2. Off-premise sign - a sign which directs attention to a use, business, commodity, service or activity not conducted, sold, or offered upon the premises where the sign is located.
3. Freestanding sign - a sign completely or principally self supported by posts or other supports independent of any building or other structure.
4. Wall or Wall mounted sign - a sign displayed on or visible through a wall of a building or structure so as to be seen primarily from the direction facing that wall of the building or structure. A wall sign attached to the exterior wall of a building or structure does not project more than 15 inches therefrom.
5. Roof sign - a sign erected, constructed, or maintained wholly upon or over the roof of a building or structure.
6. Projecting sign - a sign, other than a wall sign, which projects from and is supported by, or attached to, a wall of a building or structure.
7. Portable Sign - a free-standing sign not permanently anchored or secured to either a building or the ground such as, but not limited to, "A-frame" or inverted "T"-shaped signs.

the sign is placed unless the supports or uprights constitute part of the display.

B. Measurement of Free-standing Sign Height.

Free-standing signs shall be measured from the point where the sign is placed in the ground to the upward-most extremity of the sign.

C. Measurement of Business Frontage - Business frontage is the lineal footage of a lot, facing the public right of way, owned or rented by a person, business, or enterprise and intended for business usage.

Sec. 34.110 General Sign Provisions for Signs Allowed in Specific Districts with a Permit.

A. Signs in Planned Unit Developments

Signs located within a Planned Unit Development shall be subject to the provisions applicable to the zoning district in which the Planned Unit Development is located.

B. On-Premise Signs

(See page following)

§ 34.110B 2. Wall Signs & Wall Mounted Signs

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height and Location of Signs
B1 Neighborhood Business	no limit	10% of Wall Area, not to exceed 150 sq. feet maximum (ii)	Signs shall not extend beyond the top or ends of the wall surface on which they are placed.
B2 Central Business		10% of wall area, not to exceed 175 sq. ft. maximum (ii)	
I1 Light Industrial & I2 Heavy Industrial		15% of Wall Area, not to exceed 200 sq. feet maximum. (ii)	

(ii) Maximum area of signs to include the sum of the area of all wall signs per frontage.

§ 34.110B 4. Roof Signs

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
B2 Central Business	One per premise except no on-premise roof sign is permitted if an on-premise free-standing or projecting sign exists on the same premise.	75 Sq. feet	9 feet as measured from that part of the roof immediately below the sign, but in no case shall the height exceed the maximum height authorized in that zoning district. (v)	Sign must be located wholly within the roof area of the structure.
11 Light Industrial & 12 Heavy Industrial		100 sq. feet	11 feet as measured from that part of the roof immediately below the sign, but in no case shall the height exceed the maximum height authorized in that zoning district. (v)	

(v) See Section 1602-4(b) of the National Building Code.

C. Signs in the AG, Agriculture District.

On premise sign standards for permitted and conditional uses in the AG, Agriculture District, shall be identical to the standards for the same use in the most restrictive district within which the use is permitted by right.

Sec. 34.111 Regulations for Special Signs not Provided for in Section 34.110.

A. Signs Attached to Canopies and Entrance Structures.

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Height of Sign	Location of Sign
B1 Neighborhood Business	One sign per business frontage up to 100 feet. One additional sign for each 100 feet thereafter.	10 sq. feet	9' - 0" minimum clearance to ground	No sign may project more than 2 feet from any canopy, or other such structure.
B2 Central Business		15 sq. feet		
I1 Light Industrial & I2 Heavy Industrial		20 sq. feet		

B. Signs Allowed in all Districts without a Permit. Signs specified in this subsection are in addition to the signs permitted in the respective use districts, but are subject to the conditions and limitations set forth herein.

1. Public Signs. Signs of a public, non-commercial nature, to include safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques, and the like, and all signs erected by or on order of a public officer in the performance of a public duty.
2. Flags. Flags bearing the official design of a nation, state, municipality, or educational institution.
3. Identification Signs. Signs which identify the business, owner, manager, or resident and set forth the address of the premises where the sign is located, and which contain no other material. There may be two per premise, in accordance with Section 34.111 B15, and, if the sign is freestanding, the total height may not exceed 5 feet.
4. Integral Signs. Names of buildings, dates of construction, commemorative tablets and the like, when carved into stone, concrete,

person directly involved in the sale or rental of the property or announcing the purpose for which it is being offered.

- a. Signs may be freestanding or wall mounted only. Signs may not emit direct illumination and must be removed within 14 days after sale or rental of property.

10. Subdivision signs. Any sign announcing the names of architects, engineers, contractors, or other individuals or firms, involved with the subdivision of property (but not including any advertisement of any product) or announcing the character of the subdivision or the purpose for which it is intended.

a. These signs shall be confined to the site of the subdivision and shall be permitted for one year from the date of erection of the first of such signs. If development of the subdivision is not completed within one year after erection of the signs, the sign shall be permitted to exist an additional period not to exceed one year.

b. Standards

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
RS, Single Family Residence R1, Single & Two Family Residence	One sign per street bordering or entering the sub-division	50 sq. ft.	10 ft.	10 ft. minimum setback but wholly upon the premise
R2, RM, R3, R4, and R5, Multiple Family Residential		50 sq. ft.	10 ft. minimum setback but wholly upon the premise	
AG, Agriculture		50 sq. ft.	10 ft.	Signs shall conform to the setback requirements for structures in the applicable districts.
B1-Neighborhood Business		50 sq. ft.	10 ft.	
B-2 Central Business		75 sq. ft.	15 ft.	
I1 Light Industrial & I2, Heavy Industrial		100 sq. ft.	20 ft.	

Sec. 34.112 Shopping Centers - Special Provision for Free-standing Signs.

In lieu of the general sign provisions enumerated in Section 34.110, shopping centers may elect the sign regulations in this Section. Election to erect signs authorized under this Section 34.112 precludes the erection of any free standing signs authorized under Section 34.110 A.1.

Type of Sign	Districts Permitted	Maximum Number of Signs Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
On-premise freestanding signs -these signs may only identify the shopping center as a whole and not individual businesses therein.	B1 Neighborhood Business	Two signs per frontage	75 sq. ft. (ix)	30 ft. at the minimum setback line and one additional foot per 2 feet additional setback thereafter up to 40 ft. maximum	15 ft. minimum setback in all districts. No freestanding sign is permitted within 100 ft. of any residential district, school, park, hospital or nursing home.
	B2 Central Business, I1 Light Industrial & I2 Heavy Industrial		150 sq. ft. (ix)		

(ix) Combined area of both signs, or of one sign if only one sign is used.



Sec. 34.114 Non-Conforming Signs.

A. Signs which do not conform to the provision of this Article as of date of adoption or thereafter are nonconforming uses.

B. A non-conforming sign may not be:

1. Changed to another non-conforming sign;
2. Structurally altered so as to prolong the life of the sign;
3. Expanded;
4. Re-established after its removal for 90 days; or
5. Re-established after damage or destruction if the estimated expense of reconstruction exceeds 50% of appraised replacement cost at the time of the damage or destruction.
6. Routinely maintained where the costs of such repair or maintenance exceeds 5% of the current replacement costs for any period of 12 consecutive months. However, nothing in this Section shall be deemed to prevent the strengthening or restoring to a safe condition of any sign or part thereof declared to be unsafe by any official charged with protecting the public safety.

C. All non-conforming signs shall be removed or brought into conformity with this ordinance within the following time periods.

1. Any sign which exists in violation of Section 34.113 (A) (1) through Section 34.113 (A) (5) of this article and any non-conforming portable sign: 30 days after the enactment of this Article.
2. For all other non-conforming signs: five years from the date of passage of this amendment for signs subject to the zoning jurisdiction of the city at that time, or five years from the date the sign becomes so subject; however, no sign controlled by this section need be removed sooner than ten years from the date the building permit authorizing the erection of the sign was issued.

Sec. 34.115 Permits and Fees.

A. Requirements.

5. Name of person, firm, corporation or association erecting sign.

6. Evidence of written consent of the owner of the building, structure or land to which or on which the sign is to be erected.

7. Such other information as the enforcement official shall require to show full compliance with this and all other laws and ordinances of the City.

C. Fees.

For each sign requiring a permit under this ordinance, a fee shall be paid prior to the issuance of a permit. The fee charged shall be \$2 per thousand dollars or fraction thereof of installed cost, with a minimum of \$5.00.

D. Inspection upon Completion.

The applicant who has been issued a permit for construction, installation, erection, relocation, or alteration of a sign, shall, upon completion of the work, notify the enforcement official who shall inspect the condition of the sign with respect to its safety and location and if he finds that the same has been constructed in compliance with the ordinances of the City, he shall then issue such applicant a permit in writing, authorizing such applicant to operate and maintain the sign.

E. Nullification.

If the work authorized under a permit to build has not been substantially completed within six months after the date of issuance, the permit shall become void.

F. Revocation.

Permits granted under the terms of this ordinance are not transferable. The enforcement official is hereby authorized and empowered to revoke any permit issued by him if the holder of the permit fails to comply with any provision of this ordinance.

administer and enforce all the provisions of this Article. Whenever necessary, the officials of other departments of the City shall give such assistance as is consistent with the usual duties of their respective departments.

Upon presentation of proper credentials, the enforcement official or his duly authorized representative may enter at reasonable times any premises when necessary to perform any duty imposed upon him by this Article.

B. Whenever it shall appear to the enforcement official that any sign has been constructed or erected, or is being maintained in violation of any of the terms of this ordinance, or after a permit for a sign has been revoked or become void, or that a sign is unsafe or in such condition as to be a menace to the safety of the public, the enforcement official shall issue a notice in writing to the owner or lessee of the sign or the owner of the premises upon which the sign is erected or maintained. Such notice shall inform such person of the violation and shall direct him to make such alteration, repair, or removal as is necessary to secure compliance with the ordinance, within a reasonable time limit which shall be not less than twenty days nor more than sixty days.

Upon failure of the sign owner to comply with the terms of the notice of violation, the enforcement official is authorized and empowered to remove, alter, or repair the sign in question so as to make it conform with this ordinance, and charge the expenses for such work to the person named in the notice.

Except as otherwise provided, the enforcement official may remove or cause to be removed a sign immediately and without notice if, in his opinion, the condition of the sign is such as to present an immediate threat to the safety of the public.

AN AMENDMENT TO THE ZONING ORDINANCE  
OF THE CITY OF URBANA, ILLINOIS

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

1. By adding to the existing Ordinance Article XXV, consisting of Articles 34.102, 34.103, 34.104 and 34.105 as follows:

R-M District - Multiple Family Residential - Medium Density

SECTION 34.102 USE REGULATIONS: In the R-M 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:

- A. Any use permitted in the R-1 District - Single and Two Family Residential.
- B. Multiple Family Dwelling.

SECTION 34.103 PARKING REGULATIONS: Whenever a building is erected, converted, enlarged, or structurally altered for the use permitted in the R-M District, there shall be provided and available an accessible off-street parking area as shall be required by the applicable provisions of Article XI hereof, as amended.

SECTION 34.104 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, as amended.

SECTION 34.105 AREA REGULATIONS: Every dwelling hereafter erected, enlarged, relocated or reconstructed shall be located upon lots containing the following areas and yards:

A. INTENSITY OF USE:

- 1. 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 Article V, hereof, as amended.
- 2. A lot on which there is erected a multiple family dwelling shall contain an area of not less than two thousand, two hundred and fifty (2,250) square feet per family and an average width of not less than fifty-seven (57) feet.
- 3. Landscaping requirement: A minimum of forty (40) percent of a lot upon which a building is erected shall be devoted to landscaping treatment. Landscaped areas shall include lawns, planted or gravelled areas, and any other area of permeable ground cover but shall not include paved areas such as drives, parking spaces, patios or buildings.

B. YARDS: The front yard, side yard and rear yard regulations are the same as those in the R-1 District except that if a building exceeds one (1) story in height all yards shall be increased in relation to the overall building height by adding three (3) feet for each additional story over one to the minimum yard requirements.

2. By deleting Section 34.53 in its entirety and substituting therefore, the following new Article

34.53:

SECTION 34.53 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 one (1) parking space for each dwelling unit shall be provided, except in the R-M, Multiple Family Residential-Medium Density District where two (2) parking spaces for each dwelling unit shall be provided, during the existence of the use, on the lot, or on an adjacent lot, provided that the adjacent lot is not separated from the lot on which the principal use is located by other than an alley or minor street, and provided the adjacent lot is not so classified that the principal use would be prohibited on it; 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 thereof. The surfaced parking space may be in a required rear yard.

3. By adding to the existing Article XXIV (P.U.D.) Table 1 after R-1, the additions indicated

in the following:

ORDINANCE NO. 7172-60

AN ORDINANCE AMENDING SECTION 34.17 B(3) OF  
THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS

WHEREAS, the Urbana Plan Commission has forwarded to this Council Case #854, recommending that the Zoning Ordinance of the City of Urbana, Illinois, be amended as suggested therein.

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

Section 1. The entire Section 34.17 B(3), as it presently reads, shall be deleted.

Section 2. A new Section 34.17 B(3) shall be inserted in the place of the deleted Section, which new Section shall read as follows:

Where a lot is located at the intersection of two (2) or more streets, no building shall be built within a triangular area having as vertices the following three points: the point of intersection of the center lines of the two intersecting streets and, measured from the point of intersection of the two street center lines, the point on each street centerline located, in the direction of the subject property, a distance of seventy-five (75) feet plus one-half of the width of the other street measured at a point one hundred (100) feet in the direction of the subject property, from the point of intersection of the two street centerlines. But in no case shall the front yard be less than fifteen (15) feet. No accessory building shall project into the front yard on either street.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1 - 2 - 4 of the Illinois Municipal Code. (11-1-71)

ARTICLE XXIV

PLANNED UNIT DEVELOPMENTS

SECTION 34.97 DEFINITION AND GOALS:

A. DEFINITION: The term "Planned Unit Development" means an area for which a unitary site plan has been prepared establishing, among other things, land uses, open space allocations, onsite circulation for both pedestrians and automobiles, parking, setbacks, housing densities, building spacings, land coverage, landscaping relationships with adjoining areas and streets, building heights, accessory uses, and architectural treatment.

B. GOALS: The general goals of Planned Unit Developments are:

1. To promote flexibility in design and land development.
2. To promote an efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land uses and utilities.
3. To preserve to the greatest extent possible the existing landscape features and amenities and to utilize such features in a harmonious fashion.
4. To provide for more usable and suitably located recreation facilities and other public and common facilities that would otherwise be provided under conventional land development procedures.
5. To combine and co-ordinate architectural styles, building forms and building relationships within the planned unit development.

C. PLANNED UNIT-DEVELOPMENT procedures allow developers several specific advantages over zoning standards applied to conventional developments:

1. Land need not be subdivided into separate lots for the construction of multiple-building developments.
2. Individual lots need not be directly serviced by public streets.
3. More than one main building or structure may be placed on a single lot.
4. Many of the use restrictions relating to residential types and other uses are relaxed as provided for in this Article.
5. Yard, height and setback regulations with the planned unit development are relaxed as provided for in this Article.
6. Housing density "bonuses" are possible by permitting a variety of housing types and increased densities in all residential districts.
7. Customary and related accessory uses are permitted on a conditional basis thus promoting the design of total self-contained residential neighborhoods.

SECTION 34.98 QUALIFICATION AND GENERAL REVIEW CRITERIA:

A. QUALIFICATION FOR RESIDENTIAL PLANNED UNIT DEVELOPMENTS:

To qualify as a Residential Planned Unit Development, the parcel of land to be developed must comprise a total area of 200,000 square feet of adjoining land under the same or joint ownership.

However, on any lot or adjoining group of lots recorded prior to May 17, 1971, a Residential Planned Unit Development is permitted if:

1. The lot or lots are surrounded on all sides by public streets or other public land or
2. The lot or lots exceed 200 feet in depth measured from the public street right-of-way to the rear lot line.

Residential Planned Unit Developments may be permitted in one or more of the following zoning districts in accordance with the provision of this Article:

1. AG, Agriculture
2. RS, Single Family Residence
3. R-1, Single and Two Family Residence
4. R-2, Multiple Family Residence
5. R-3, Multiple Family Residence Only
6. R-4, Multiple Family Residence - High Density

Nothing in this section shall be interpreted to prohibit the sale of all or portions of the developed project provided that the requirements of Section 34.99 are met. Existing buildings may be included within a Residential Planned Unit Development, but the floor area thereof shall not comprise more than 10 percent of the total floor area of all the buildings in the entire project.

B. GENERAL REVIEW CRITERIA: The review and recommendation of the City Plan Commission shall be guided by the following general criteria:

1. That the plan of the area proposed for the Residential Planned Unit Development be in general conformance with the



adopted Comprehensive Plan for the City of Urbana;

2. That the use or uses within the Planned Unit Development be compatible with surrounding land uses;

3. That the intensity of development be such that there are no adverse effects on surrounding areas;

4. That ingress and egress to the Planned Unit Development be provided in such a manner to facilitate access by emergency vehicles, efficient and safe traffic circulation in the vicinity, and be consistent with the adopted Comprehensive Plan.

5. That all other Articles of the Zoning Ordinance, other than those exceptions made in this Article, be met.

SECTION 34.99 APPLICATION PROCEDURE:

The designation and approval of an area as a "Planned Unit Development" may be accomplished in accordance with the procedures indicated herein and as a conditional use within the zones designated herein above.

A. PRELIMINARY CONFERENCE: Prior to the preparation of a formal application, the applicant shall meet with the planning staff to discuss the proposed development. Staff shall inform the applicant of the City's policies which may affect the development, the specific requirements and procedures involved in submitting a petition to establish a Planned Unit Development. The applicant shall then meet with the Plan Commission prior to submitting an application to discuss affected community policies.

B. PRELIMINARY DEVELOPMENT PLAN SUBMISSION:

1. The applicant shall submit a preliminary development plan with the Planned Unit Development Application accompanied

by an application fee of the same amount required to petition for an amendment to this ordinance.

2. Five copies of a preliminary development plan with supporting data shall be submitted through the planning staff to the Plan Commission. Of these copies, two shall be retained by the planning staff, one given to the city engineer, one to the city clerk and one returned to the petitioner after the Commission's review.

3. The preliminary development plan must include all of the following information:

a. Name, location or address, owner and designer of the proposed development in the form of drawings or written statements:

b. A legal description of the site proposed for development;

c. A general area plan drawing reflecting the intended use and future street locations for adjacent areas when the proposed planned unit development is intended to represent a single phase of a longer-range development.

d. Location of all property lines, existing streets, easements, utilities, and any other significant physical feature.

e. Date, north arrow and graphic scale (not less than 1" = 100') on all drawings submitted,

f. Present and proposed zoning (if applicable);

g. Indication and location of existing conditions on the tract including:

1. Contour lines at a minimum of five (5) foot intervals
2. Water courses and existing drainage facilities
3. Wooded areas and isolated trees of six (6) inches or more in diameter
4. Existing structures with an indication of those that will be removed and those that will be retained as a part of the development;

h. Indication of the area surrounding the tract with respect to land use, peculiar physical conditions, public facilities and existing zoning;

i. A site plan indication, among other things, the general location of the following:

1. All buildings, structures and other improvements
2. Common open spaces
3. Off-street parking facilities and number of spaces to be provided
4. Sidewalk
5. Illuminated areas
6. Use of open space being provided
7. Screening or buffering of the tract perimeters
8. Indication as to which streets will be public and which streets will be private

9. All utilites including storm drainage, sanitary sewers and water service

10. Such other documents explaining unusual circumstances as the Plan Commission may require;

j. Quantitative data indicating the following;

1. Total number of dwelling units

2. Proposed lot coverage of buildings and structures (percent of total)

3. Approximate gross and net residential densities (excluding all streets and roadways)

4. Total amount of open space area provided in the tract (percent of total)

5. Such other calculations as the Plan Commission may require;

k. Elevation or perspective drawings of all buildings and improvements. The drawings need not be final architectural plans or engineering plans;

1. A development schedule indicating (1) the approximate date when construction of the project can be expected to begin; (2) the stages in which the project will be built and the approximate date when construction of each stage can be expected to begin; (3) the approximate dates when the development of each of the stages in the development will be completed; and (4) the area and location of common open space that will be provided at each stage;

m. A statement as to the applicant's intention of selling or leasing all or portion of the Planned Unit Development after the project is developed. If applicable the conditions of sale and maintenance of such developed properties shall be stipulated. Any covenants, deed restrictions or other similar agreements between the applicant and future owners shall be presented.

C. PRELIMINARY DEVELOPMENT PLAN REVIEW: Upon receipt of the Planned Unit Development Application, the required material to be presented and the payment of applicable fees, the Chairman of the Plan Commission shall set a public hearing date in accordance with the procedures for considering a conditional use. Within 30 days after the public hearing the Plan Commission shall recommend approval or disapproval, or, at the request of the applicant, continue discussion pertaining to the preliminary development plan. The Plan Commission shall consider the proposed Planned Unit Development in accordance with: a) the definitions and goals of this Article, b) the report and recommendations of the planning staff, c) the minimum requirements as set forth in Section 34.100. The City Plan Commission shall forward the preliminary plan and its recommendation to the City Council.

D. PRELIMINARY PLAN APPROVAL: Approval of the preliminary plan by the City Council shall constitute approval of the basic provisions and outline of the plan and approval of the representations and provisions of the applicant regarding the plan. Approval shall not be construed as an implied waiver of any matter. A waiver of any requirement shall be express

and in written form. Council approval shall be valid for six (6) months.

E. FINAL DEVELOPMENT PLAN SUBMISSION:

1. Within six (6) months following the approval of the preliminary development plan by the City Council the applicant shall file the plan in accordance with the procedures for filing zoning amendments. Five (5) copies of the final development plan shall be filed containing all information, plans and data as required herein. Such submission shall be accompanied by a second fee equal to that required for petitioning for amendment to this ordinance.

2. The final Planned Unit Development plan shall include but not be limited to the following:

a. All of the material listed in Section 34.99 for Preliminary Plan Submission in addition to the following:

b. An accurate legal description and property survey of the entire area included within the planned development;

c. Designation of the location of all buildings to be constructed and the specific internal uses to which each building shall be put.

d. Architectural elevations, pavement types, culverts, common open space, recreation facilities, sidewalks, illumination, landscaping and any other pertinent features of the planned development;

e. Certificates, seals and signatures required for the dedication of land, recording the documents, and such other legal documents as may be required.

f. Accurate tabulations on the use of the area including land area, number of buildings, number of dwelling units per acre, total common open space, percent of building coverage of the total area, percent of landscaping provided and total number of parking spaces provided.

g. Any other plans or specifications may be necessary for final engineering evaluation of drainage. Street design and other facilities by the city engineer or Plan Commission.

F. FINAL DEVELOPMENT PLAN REVIEW: Upon receipt of the final Planned Unit Development Plan, the Plan Commission shall review the submitted documents and ascertain whether or not the final plans substantially conform to the approved preliminary development plan. Upon review of the final development plan, the Plan Commission shall forward to the City Council along with the Plan Commission's recommendation, the final plan and any other necessary supporting information.

G. FINAL DEVELOPMENT PLAN APPROVAL: Upon approval by a majority vote of the City Council, the City Clerk, upon direction of the applicant, shall deliver for recording all dedications, covenants and such other documents as may be required by the City. The Enforcement Official shall then issue a conditional use permit for the approved plan. No construction shall begin upon such project until the provisions of this section are met along with other applicable City codes and ordinances.

H. CONFORMITY TO DEVELOPMENT SCHEDULE OF PLANNED UNIT DEVELOPMENT: The applicant must conform to the development schedule as required herein above. If no construction has begun or no

approved use established in the Planned Unit Development within one (1) year from the approval of the final development plan by the City Council, the approval of the final development plan shall lapse and be voided and no longer in effect. In its discretion and for good cause, the City Council may extend for one (1) additional year the period for the beginning of construction, the establishment of an approved use, or completion of a phase of development as indicated in the development schedule. If a final development plan lapses under the provisions of this section, the enforcement official shall notify the applicant at the address given on the plan submittal of the revocation of approval of the Planned Unit Development.

SECTION 34:100 STANDARDS FOR RESIDENTIAL PLANNED UNIT DEVELOPMENTS:

A. HEIGHT, AREA, PLACEMENT AND DENSITY STANDARDS:

Table 1 indicates the standards applicable to all Residential Planned Unit Developments.

B. MISCELLANEOUS STANDARDS: The following additional provisions are applicable to all Residential Planned Unit Developments:

1. Developments comprised of two or more multiple-family buildings on a single lot, the minimum space between buildings shall be calculated as follows:

a. Walls containing windows or doors: Twenty five (25) feet plus two (2) feet for each story over one (1) story of the maximum building height plus two (2) feet for each fifteen (15) feet of horizontal wall overlap.



b. Walls containing no windows or doors:

Twelve (12) feet plus one (1) foot for each story over one (1) story of the maximum building height plus one (1) foot for each fifteen (15) feet of wall overlap.

c. Adjacent buildings having walls which are not parallel or which are irregularly shaped shall maintain a minimum distance between buildings of twenty five (25) feet plus two (2) feet for each story over one(1) story of the maximum building height.

2. Two (2) off-street parking spaces shall be provided for each dwelling unit included in the development. Such spaces shall be located not further than 300 feet from a ground floor entrance of the building in which the dwelling unit is located, but within the planned unit development boundaries.

3. Provisions for fire protection and emergency access shall be subject to applicable codes and be reviewed by the Fire Chief and Police Chief. The Fire Chief and Police Chief may submit in writing, his recommendations, if any, to the Plan Commission.

4. Street construction, regardless of ownership, shall be made in conformance with Chapter 30 of the Urbana City Code. Minimum pavement widths for private streets shall be thirteen (13) feet for the first lane of traffic in each direction and eleven (11) feet for each additional lane. Street construction plans and details shall be submitted to the City Engineer for his review. The City Engineer may submit, in writing, his recommendations, if any, to the Plan Commission.

5. Exterior lighting facilities within the Planned Unit Development shall be of such quality to promote safety and convenience and shall conform to city ordinances.

6. The minimum proportion of the total site area of a Residential Planned Unit Development which is required as commonly owned and maintained open space is indicated in Table 1. The area of each contiguous parcel of open space shall be not less than 16,000 square feet in area nor less than thirty (30) feet in width.

7. Residential Planned Unit Development, irrespective of zoning district, shall be provided with adequate public sanitary sewer service prior to occupancy. Refuse removal shall be provided to the entire Development.

8. All other codes, ordinances and rulings of the city, unless specifically modified by this Article, shall be fully complied with by the applicant.

SECTION 34.101 ISSUANCE OF PERMITS: Prior to final approval of the Planned Unit Development the applicant must comply with the following:

A. REQUIRED CERTIFICATES AND BONDS:

1. Common Open Space Documents: All common open space, upon mutual agreement of the City and the applicant, shall be:

a. Conveyed to a municipal or public corporation, or conveyed to a not-for-profit corporation or entity established for the purpose of benefiting the owners and residents of the planned development or adjoining property owners or any one

of more of them by providing perpetual maintenance of all lands in common to the project. All lands so conveyed shall be subject to the right of the grantee or grantees to enforce maintenance and improvement of the common open space; or

b. Guaranteed by a restrictive covenant describing the open space and its maintenance and improvement running with the land for the benefit of residents of the Planned Unit Development or adjoining property owners or both.

2. Public Facilities - All public facilities and improvements which are part of the Planned Unit Development shall be guaranteed in a form approved by the City Attorney or bonds shall be delivered to guarantee construction of the required improvements. Any such guarantee shall be at a rate of 120% of the estimated cost of construction as determined by the City Engineer.

3. Guarantee Deposit - In addition to the guarantee required, a deposit shall be made to the City in cash or maintenance bond equal to fifteen (15) percent of the estimated cost of public facility installations. This deposit shall be a guarantee of satisfactory performance of the facilities constructed within the Planned Unit Development and satisfactory maintenance operation of such facilities necessary to the health, safety and convenience of the tenants or successors to the applicant. Such cash or bonds shall be held by the City for a period of eighteen (18) months after final acceptance of such facilities by the City. After such eighteen (18) months, the deposit shall be refunded if no defects have developed, or if any defects have developed, then the balance of such deposit shall be refunded after reimbursement for amounts expended in correcting defective facilities. The

deposit under this Paragraph shall be made immediately upon completion and approval of the construction of said public facilities, and the performance guarantee for the public facilities shall thereupon be released.

4. Delinquent Taxes - The applicant shall submit a certificate from the County Clerk stating that no delinquent taxes or unpaid special assessments constituting a lien on the whole or any part of the property of the Planned Unit Development are unpaid or exist. Such certificate shall be made a part of the Planned Unit Development documents prior to its submission to the City Council for final review.

5. Covenants - Final agreements, provisions, or covenants shall govern the use, maintenance and continued protection of the Planned Unit Development.

B. DEDICATION PROCEDURE:

1. Public street right-of-way dedications shall be made in conformance with Chapter 30 of the Urbana City Code, and the approved plan.

2. Common open space to be dedicated in accordance with this section shall be designated by the applicant with the required documents for such dedication.

C. PERMITS: The Enforcement Official shall issue a building permit for the buildings and structures in the area approved for a Planned Unit Development within the city and a use permit in its extraterritorial zoning area. He shall also issue a certificate of occupancy for any completed building or structure located in the area covered by the approved Planned Unit Development

only if the completed building or structure conforms to the approved final development plan and to all other applicable ordinances and regulations, and provided further that sufficient site development is completed to present no health or safety hazard to the occupants.

D. CHANGES IN FINAL DEVELOPMENT PLAN: No changes may be made in the final development plan during the construction of a Planned Unit Development except upon application to the appropriate agency under the procedures provided below:

1. Minor changes in the location, siting and height of buildings and structures may be authorized by the Plan Commission if required by engineering or other circumstances not foreseen at the time the final plan was approved. No change authorized by this Subsection may increase the volume of any building or structure, add any use or increase the density of the project, or be made without first being reviewed and reported by the planning staff.

2. All other changes in use, or re-arrangement of lots, blocks and buildings tracts, or any changes in the provision of common open spaces and changes other than listed above, must be made by the City Council after report of the planning staff and recommendation by the Plan Commission. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the final plan was approved or by changes in community policy. Any changes which are approved in the final plan must be recorded as amendments in accordance with the procedure established for the recording of the initial final plan documents.

TABLE 1

## RESIDENTIAL PLANNED UNIT DEVELOPMENT STANDARDS

Zoning District	Maximum Building Height	Minimum Lot Area (1)	Minimum Area in Landscaping (2)	Minimum Area in Common Space (3)	Maximum Lot Coverage (4)	Maximum Net Density in Dwelling Units per acre (5)	Minimum Yards (Exterior) (6)		
							Front	Side	Rear
AG	35 feet or 3 stories	200,000 Sq.Ft.	50%	15%	20%	6	25	10	25
RS	" "	"	50%	15%	20%	7	25	10	25
R-1	" "	"	50%	15%	20%	13	25	10	25
R-2	" "	"	45%	10%	25%	55	25	10	25
R-3	" "	"	45%	10%	25%	55	25	10	25
R-4	None	"	45%	10%	25%	90	25(7)	10(7)	25(7)

1. 60,000 sq. ft. minimum permitted if lot is surrounded on all sides by public streets or public land.
2. Does not include paved areas, parking lots or buildings.
3. Such common open space may be dedicated to the public. Not less than ten (10) percent of such common open space shall be devoted to active recreational use in single and two family developments and not less than fifteen (15) percent of such common open space shall be devoted to active recreational use in multiple family developments.
4. Percent of total area of Residential Planned Unit Development.
5. Total site area exclusive of public and private streets and roadways divided by total number of dwelling units.
6. Around perimeter of entire Planned Unit Development.
7. Required yards in R-4 Districts must be increased by 3 feet for each story in height over 3 stories. For any side of a Residential Planned Unit Development that fronts on a street, a minimum setback of 25 feet shall be provided.

AN AMENDMENT TO THE  
ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS

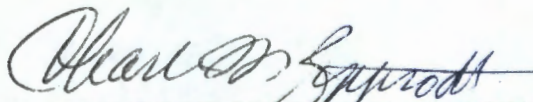
BE IT ORDAINED BY THE CITY COUNCIL OF URBANA, ILLINOIS, that the attached Article XXIV, Planned Unit Developments, be and is herewith adopted.

This Amendment shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1 - 2 - 4 of the Illinois Municipal Code.

PASSED by the City Council of Urbana, Illinois this 17th day of May, 1971.

  
\_\_\_\_\_  
Duane Eckerty, City Clerk

APPROVED by the Mayor this 17th day of May, 1971.

  
\_\_\_\_\_  
Charles M. Zippodt, Mayor

ORDINANCE NO. 7071-99

AN ORDINANCE AMENDING THE URBANA ZONING ORDINANCE  
WITH RESPECT TO NON-CONFORMING USES

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

Section 1. The present Section 34.70 be amended to add the following words immediately after the Section title and preceding the words "No existing building.....", to-wit:

Except as provided for in Section 34.70-A, and the word "No" should no longer be capitalized.

Section 2. A new Section to be numbered 34.70-A shall be inserted in the Urbana Zoning Ordinance following Section 34.70 and preceding 34.71, which said new Section shall read as follows:

Section 34.70-A - Change of Non-Conforming Use:

The substitution of one non-conforming use for another, or the addition of another non-conforming use to a present non-conforming use may be permitted when such substitution or addition is equal to, or is more restricted than, the classification of the former use and such substitution or addition does not increase congestion in the streets, endanger the health, safety, morals, or general welfare of the district in which it is located, and complies with all parking regulation applicable to the new use. In Order to have such a proposed change reviewed, the Petitioner shall submit a fee equal to that required for an amendment to the Zoning Ordinance to the Administrative Officer. In considering such substitution or addition, the Administrative Officer charged with the enforcement of this Chapter shall submit the request to the Board of Appeals, and the Board of Appeals shall, within thirty (30) days after receiving the request, return to the Officer charged with the enforcement of this Chapter, recommendation of acceptance or denial. If a building is occupied by a non-conforming commercial or



BE IT ORDAINED BY THE CITY COUNCIL OF URBANA, ILLINOIS, that the amendments to Chapter 34, Zoning, of the Zoning Ordinance of the City of Urbana, Illinois, are herewith adopted, being to-wit:

Section 1. That Article II, Definitions, Section 34.2, be amended as follows:

That the following definition:

Private Day Nursery: A building used for the day care of three (3) or more children under five (5) years of age who are not related by blood or legal adoption to the operators of such a facility; is repealed upon the taking of effect of these amendments.

That the following definition be added to Article II, Section 34.2, after the definition Building, Height of:

"Day Care Facility: Any facility for the care of 3 or more children during all or part of a day of a commercial nature of a type commonly called "Day nurseries," "nursery schools" or "private kindergartens, etc.," which provide essential personal care, protection, supervision, or training of preschool children;"

Section 2. That Article V, R-1 District-Single and Two Family Residential, be amended as follows:

By adding the following paragraph "N" to Section 34.14:

"N. Any of the following uses, provided, however, that no building or occupancy permit shall be issued until the location and extent 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 or amendments hereto."

1. Elementary or High School.

2. Day Care Facility subject to the following:

(a) Evidence that the minimum requirements for a State of

## Article XXIII. RS District -- Single Family Residential

## Sec. 34.93. Use regulations.

In the RS 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:

- A. Single-Family Dwelling
- B. Community Building Serving the Neighborhood
- C. Church
- D. Park and Playground
- E. Home Garden when the produce thereof is not sold or placed on the market
- F. Home Occupation
- G. 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 breeze-way then such garage or accessory building shall be located not less than five (5) feet from the side line of the lot, except the set back lines for private garages shall be the same as existing garages on said lots; and, except on a lot which does not have sufficient dimensions to meet the requirement of this ordinance as pertains to garage set back lines, the front line of the garage on any such lot shall not be set closer to the front line of the dwelling than one-half of the depth of the dwelling.
- H. 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.
- I. Golf Courses, and Private Country Clubs except miniature courses and driving tees operated for commercial purposes.
- J. 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 the boundaries of any tract of one (1) acre or less containing a dwelling.
- K. Temporary buildings incidental only to the construction of a permitted use.
- L. Fallout Shelters. The tops of the fallout shelters shall be no less than one (1) foot below grade line and have at least one (1) foot of earth cover, and any vent, pipe, aerial or any other projections above ground level should be within the set back lines of the lot, and not interfere in any way with utilities and to include sewers and drainage facilities, as well as water, electricity, gas, telephone and other utility lines and structures; and the fallout shelters shall be approved as to design, materials, location, ventilation, soil cover, and other features by the City Engineer in accordance with minimum accepted standards and specifications; and fallout shelters shall not be constructed any closer than two (2) feet to the lot boundaries.

## Sec. 34.94. Parking regulations.

Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the RS District, there shall be provided an available and accessible off-street parking space for each dwelling unit which space shall conform to the applicable provisions of Article XI hereof.

## Sec. 34.95. 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.

## Sec. 34.96. Area regulations.

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

A. Intensity of use:

1. A lot on which there is erected a single-family dwelling shall contain an area of not less than nine thousand (9,000) square feet, and an average width of not less than eighty (80) feet.
2. Where a lot has less area or width than herein required, and was of public record before December 21, 1970, that lot may be used for any of the uses permitted by this Article.

B. Front yard:

1. 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 all lots on the same side of the street 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, nor to permit a front yard of less than fifteen (15) feet. For the purpose of computing such an average depth, vacant lots within the frontage shall be considered as having the minimum required front yard of twenty-five (25) feet.
2. Lots having a frontage on two (2) non-intersecting streets shall have the required front yard on both streets. The averaging formula specified in 34.96 B.1 shall not apply to such front yards. Instead, there shall be minimum front yards of twenty-five (25) feet.
3. 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 into the front yard on either street.

C. Side yards:

There shall be a side yard on each side of a building having a width of not less than five (5) feet, but the sum of both side yards shall not be less than fifteen (15) feet.

D. Rear yard:

There shall be a rear yard having a depth of not less than ten (10) feet.

E. Landscaping requirement:

A minimum of fifty(50) per cent of a lot upon which a building is erected shall be devoted to landscaping treatment. Landscaped areas shall include lawns, planted or gravelled areas, and any other area of permeable ground cover but shall not include paved areas such as drives, parking spaces, patios or buildings.

## Article V. R-1 District -- Single and Two-Family Residential

## Sec. 34.14. 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:

- A. Single-Family Dwelling
- B. Two-Family or Duplex Dwelling
- C. Community Building Serving the Neighborhood
- D. Church
- E. Park and Playground
- F. Home Garden when the produce thereof is not sold or placed on the market
- G. Home Occupation
- H. 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 breeze-way, then such garage or accessory building shall be located not less than five (5) feet from the side line of the lot, except the set back lines for private garages shall be the same as existing garages on said lots; and, except on a lot which does not have sufficient dimensions to meet the requirement of this ordinance as pertains to garage set back lines, the front line of the garage on any such lot shall not be set closer to the front line of the dwelling than one-half of the depth of the dwelling.
- I. 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.
- J. Golf Courses and Private Country Clubs, except miniature courses and driving tees operated for commercial purposes.
- K. 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 the boundaries of any tract of one (1) acre or less containing a dwelling.
- L. Temporary buildings incidental only to the construction of a permitted use.
- M. Fallout Shelters. The tops of the fallout shelters shall be no less than one (1) foot below grade line and have at least one (1) foot of earth cover, and any vent, pipe, aerial or any other projections above ground level should be within the set back lines of the lot, and not interfere in any way with utilities and to include sewers and drainage facilities, as well as water, electricity, gas, telephone and other utility lines and structures; and the fallout shelters shall be approved as to design, materials, location, ventilation, soil cover, and other features by the City Engineer in accordance with minimum accepted standards and specifications; and fallout shelters shall not be constructed any closer than two (2) foot to the lot boundaries.

## Sec. 34.15. 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 space for each dwelling unit which space shall conform to the applicable provisions of Article XI hereof.

## Sec. 34.16. 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.

## Sec. 34.17. Area regulations.

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

## A. Intensity of use:

1. A lot on which there is proposed to be 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.
2. All lots platted after December 21, 1970, on which there is proposed to be erected a two-family dwelling, shall contain an area of not less than four thousand five hundred (4,500) square feet per family and an average width of not less than eighty (80) feet.
3. A lot platted before December 21, 1970, on which there is proposed to be 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.
4. Except as noted above 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.

## B. Front yard:

1. There shall be a front yard of not less than fifteen (15) 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 all lots on the same side of the street 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 nor less than fifteen (15). For the purpose of computing such an average depth, vacant lots within the frontage shall be considered as having the minimum required front yard of fifteen (15) feet.
2. Lots having a frontage on two (2) non-intersecting streets shall have the required front yard on both streets. The averaging formula specified in 34.17 B.1 shall not apply to such front yards. Instead, there shall be minimum front yards of fifteen (15) feet.
3. Where a lot is located at the intersection of two (2) or more streets no building shall be built within a triangular area having as vertices the following three points: The point of intersection of the center lines of the two intersecting streets and the point on each street centerline located seventy-five (75) feet plus one-half of the average right-of-way of the other street. But in no case shall the front yard be less than fifteen (15) feet. No accessory building shall project into the front yard on either street.

## C. Side yards:

There shall be a side yard on each side of a building having a width of not less than five (5) feet, but the sum of both side yards shall not be less than twelve (12) feet.

## D. Rear yard:

There shall be a rear yard having a depth of not less than ten (10) feet.

## E. Landscaping requirement:

A minimum of forty (40) per cent of a lot upon which a building is erected shall be devoted to landscaping treatment. Landscaped areas shall include lawns, planted or gravelled areas, and any other area of permeable ground cover but shall not include paved areas such as drives, parking areas, patios or buildings. (12-21-70)

C. A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which the sign advertises, no longer is conducted on the premises. If the owner or lessee fails to remove the sign, the enforcement official shall notify the owner or lessee in writing, and allow 15 days for removal. Upon failure of the owner or lessee to comply with the notice, the enforcement official may remove the sign at cost to the owner or lessee.

D. Signs may be inspected periodically by the enforcement official for compliance with this ordinance, and with other ordinances of the City. All signs and their component parts are to be kept in good repair, and in safe, sanitary condition.

E. Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with Article XX of this zoning ordinance.

G. Permit Exceptions.

The following operations shall not be considered as creating a sign and shall not require a sign permit:

1. The changing of the advertising copy or message on an approved painted or printed sign or on changeable letter panels or bulletin boards specifically designed for the use of replaceable copy.
2. Painting, repainting, cleaning, and other normal maintenance and repair of a sign or sign structure.

H. Issuance of Permit.

The permit shall be issued by the enforcement official within thirty days of application once all of the above requirements are met.

Sec. 34.116 Appeals

Any person aggrieved by any decision of the enforcement official relative to the provisions of this Article, may appeal such decision to the zoning board of appeals as provided in Article XIV § 4, of this Zoning Code.

Sec. 34.117 Variances.

Variances as described hereinafter may be permitted by the zoning board of appeals in appropriate cases, subject to the legislative intent specified in Section 34.106 of this Article, and the standards established by § 3 of Article XIV. In all cases the scope of authority which the zoning board of appeals shall have to grant sign variances from the provisions of this Article is limited to variances as to maximum height, maximum area, and minimum setbacks. In no case shall a variance exceed 15% of specified requirement.

Sec. 34.118 Enforcement and Penalties.

- A. The enforcement official is hereby authorized and directed to

It shall be unlawful for any person to install, construct, erect, alter, reconstruct, relocate, or cause to have these done within the jurisdictional area of the City of Urbana, any sign or signs, without obtaining a valid permit, in writing from the enforcement official and making payment of the fees required by Paragraph C of this Section, unless such signs are permitted without a permit by Section 34.111B.

Relocation or reconstruction of signs to conform with the requirements of this ordinance, when such signs existed at the time of enactment of this ordinance, is excepted from the requirement for a permit as described provided such signs conform to all requirements of this ordinance thereafter.

B. Application for Permit.

Application for a sign permit shall be filed by the owner of the sign or his agent with the enforcement official of the City of Urbana. The application shall contain the following information:

1. Name, address and telephone number of the owner of the sign, and agent, if any.
2. Location of building, structure or lot to which or upon which the sign is to be attached or erected.
3. Position of the sign in relation to nearby buildings or structures.
4. Two (2) prints or ink drawings of the plans and specifications indicating the method of construction and attachment to the buildings or in the ground. No such prints or ink drawings shall be required for Section 34.111A signs, for signs, the fair market value of which is less than \$500, and which are erected in compliance with a standard method, the plans for which are now with the city or for signs where such drawings are already on file with the enforcement official.



Sec. 34.113 Prohibited Signs.

A. the following signs are specifically prohibited by this ordinance:

1. Any sign which, by reason of its size, location, movement, content or coloring or manner of illumination, constitutes an obvious traffic hazard or a detriment to traffic safety by obstructing, or detracting from the visibility of any official traffic control device;
2. Any sign which contains or is an imitation of an official traffic sign or signal, except for private traffic direction signs specifically permitted in Section 34.111 B (6);
3. Any sign which moves or rotates in any way, provided, however, that a sign which revolves 360° but does not exceed 8 rpm and provided further that the sign is not located within 100 feet of any residential district, public street, park, hospital or nursing home, is permitted;
4. Any sign, other than a time or temperature device, which contains blinking, flashing, lights, unless such lights are permitted in Section 34.111;
5. Any sign which contains or consists of banners, pennants, ribbons, streamers, strings of light bulbs, spinners, or similar devices, unless such signs are permitted in Section 34.111;
6. Any sign which for thirty consecutive days has directed attention to a product, place, activity, person, institution, or business which is no longer in operation or existence;
7. Any sign not in compliance with the requirements of Sections 34.110, 34.111 and 34.112 of this ordinance.

B. Removal of Prohibited Signs.

1. If a sign shall become prohibited under Section 34.113 A.6, notice shall be given to the land owner, sign owner, or lessee, under Section 34.118 B, and he shall have 30 days from the date of notice in which to remedy or remove the sign.
2. All other signs prohibited by this Section shall be brought into conformity as provided for in Section 34.114.

11. Construction Signs: Any sign announcing the names of architects, engineers, contractors, or other individuals or firms involved with the construction, alteration, or repair of a building (but not including any advertisement of any product) or announcing the character of the building enterprise or the purpose for which the building is intended, or to indicate the presence of underground public utility structures to avoid damage to structures by excavation.
  - a. Such signs shall be confined to the site of the construction, alteration or repair and shall be removed within 21 days after completion of the work.
  - b. Standards: Signs shall conform with the standards provided for Individual, Property Sale or Rental Signs, above.
12. Street Clock/Temperature Signs. Any sign which displays the time or outdoor temperature, or both, and which displays no other matter.
13. Holiday Signs. Signs or displays either illuminated or unilluminated which contain or depict a message pertaining to a national, state, community, or religious holiday, and no other matter, and which are displayed for a period not to exceed 45 days.
14. Underground Public Utility Warning Signs. Standard types of warning signs marking the routes of underground public utility pipes, conduits, and cables.
15. House or Building Address. Any sign which sets forth the house or building address, provided that the individual characters of the signs do not exceed six inches in height.

b. Standards:

District Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Freestanding Sign (viii)	Location of Sign
RS, Single Family Residence R1, Single & Two Family Residence	1 per dwelling	3 sq. ft.	5 feet	10 ft. minimum setback from curb line but wholly upon the premises
R2, RM, R3, R4, R5, Multiple Family Residential	1 per apt. building	10 sq. ft.	10 feet	10 ft. minimum setback from curb line but wholly upon the premises
AG, Agriculture	1 per 660 ft. frontage	32 sq. feet	15 feet	Signs shall conform to the setback requirements for structures in the applicable districts.
B1, Neighborhood Business	1 per frontage	32 sq. feet	15 feet	
B2, Central Business	1 per frontage (vii)	50 sq. feet	25 feet	
I1, Light Industrial	1 per frontage (vii)	150 sq. feet	25 feet	
I2, Heavy Industrial	1 per frontage (vii)	300 sq. feet	25 feet	

(vii) An apartment complex, shopping center, highway plaza or industrial complex is permitted one sign per frontage up to 200 feet and one additional sign for each 300 feet thereafter.

(viii) Wall signs shall not extend beyond the top or ends of the wall surface on which they are placed.

or similar material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the building or structure.

5. Institutional Signs. Any sign or bulletin board setting forth or denoting the name of or simple announcement for any public, charitable, educational, or religious institution when located on the premises of such institution, provided such sign or bulletin board or both shall not exceed a total of 20 square feet in display surface.

If building mounted, these signs shall be flat wall signs and shall not project above the roof line or front facade of the building. If freestanding, the total height shall not exceed 6 feet.

6. Private Traffic Direction Signs and Related Signs. Signs directing traffic movement onto a premise or within a premise, when such signs are located on the premise, do not exceed 5 square feet in area for each sign and, if freestanding, do not exceed 5 feet in total height.

Such signs are considered to include parking directions, exit or entrance signs, drive-up window signs, rest-room signs, and the like.

Horizontal directional signs on and flush with paved areas are exempt from these standards.

7. Community Event Signs. Signs advertising a public entertainment or event of public interest, provided the placing of the signs shall be approved and the locations designated by the Enforcement Official. These signs shall remain in place for no more than 21 days before and 14 days after the event and may not exceed 10 square feet in area.
8. Political Campaign Signs. Signs or posters announcing the candidates seeking public political office and/or political issues, and data pertinent thereto, up to an area of 10 square feet.

These signs shall be confined to private property, and shall be removed within 14 days after the election for which they were erected.

9. Individual Property Sale or Rental Signs. Any on-premise sign announcing the name of the owner, manager, realtor or other

D. Off-Premise Free Standing Sign

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
I1 Light Industrial & I2 Heavy Industrial	One per business frontage up to 100 feet, and one additional sign may be placed each 200 feet of business frontage thereafter.	300 sq. feet (vi)	40 feet (vi)	Sign shall not extend over the public right-of-way, and shall conform to the setback requirements for structures in applicable district. No free standing signs permitted within 100 feet of any residential district, public school, park, hospital or nursing home.

(vi) If a sign is: 1) directed primarily toward users of an Interstate Highway, 2) within 2000 feet of the centerline of the highway and 3) more than 500 feet from any residential district, school, park, hospital or nursing home; then:

- a) A maximum area of 1200 sq. ft. is permitted, or
- b) The sign may be erected to such height to be visible from within one-half mile away along the highway, but not to exceed a height of 75 feet and an area of 300 sq. ft.

§ 34.110B 3. Projecting Signs

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height and Projection of Sign	Location of Sign
B1 Neighborhood Business	One per business frontage, except that no on-premise projecting sign is permitted if an on-premise free standing or roof sign exists on the same frontage. (iii)	32 sq. feet	9 feet minimum clearance above ground. No sign shall extend above that portion of the roof immediately adjacent to the sign. No sign shall project more than five feet from the face of the building to which it is attached.	Not to extend over any public right of way, except that if a business located in a B2 district is within a building the face of which is less than 5 feet from the property line, the projecting sign may extend up to 3 feet over the public right of way. (iv)
B2 Central Business		50 sq. feet		
I1 Light Industrial & I2 Heavy Industrial		100 sq. feet		

(iii) Upper level businesses are not allowed projecting signs.

(iv) See section 1602.2 of the National Building Code.

§ 34.110B 1. Freestanding Signs

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
B1 Neighborhood Business	Each business is permitted one sign per business frontage up to 300 feet, and one additional sign for each 300 feet of business frontage thereafter; except that no on-premise free-standing sign is permitted if an on-premise projecting or roof sign exists on the same frontage.	32 sq. feet	15 feet at minimum setback line & 1 foot per 2 feet additional setback up to 25 feet maximum.	Signs shall not extend over the public right of way, and shall conform to the setback requirements for structures in the applicable district. No free standing signs permitted within 100 feet of any residential district, public school, park, hospital or nursing home.
B2 Central Business		50 sq. feet	25 feet at minimum setback line & 1 foot per 2 feet additional setback up to 35 feet maximum	
I1 Light Industrial		150 sq. feet	25 feet at minimum setback line & 1 foot of height per 2 feet additional setback up to maximum height of 40 feet (i)	
I2 Heavy Industrial		300 sq. feet		

(i) If a sign is: 1) directed primarily toward the uses of an interstate highway, 2) within 2000 feet of the centerline of an Interstate Highway, and 3) more than 500 feet from any residential district, school, park, hospital or nursing home; it may rise only to such height to be visible from within one-half mile away along the highway, but not to exceed a height of 75 feet.

B. Canopies and Entrance Structures - a shelter or overhang projecting from a wall or doorway.

C. Shopping Center - a single unified complex of businesses, shops, or offices, developed or managed by a single person or management, sharing common parking facilities.

D. Enforcement Official - the official designated in Article XX, Section 34.88 to administer and enforce this Article.

Sec. 34.108 General Prohibition.

Any sign not expressly permitted by this ordinance is prohibited in the City of Urbana and the outlying area within its statutory zoning jurisdiction.

Sec. 34.109 Measurement Standards.

A. Measurement of Area of Sign - The area of a sign shall be computed as:

- (1) flat sign - the area of the smallest convex geometric figure encompassing the sign: or,
- (2) Volumetric sign - the area of the smallest convex geometric figure encompassing the maximum projected area of the volume on a flat plane:  
which completely encloses the extreme limits of the sign including any frame, structural trim, or other material forming an integral part of the display as used to differentiate such sign from the background against which it is placed. Such measurement shall exclude the necessary supports or uprights on which



ARTICLE XXVI

COMPREHENSIVE SIGN REGULATIONS

Sec. 34.106 Legislative Intent.

The purpose of this article is to promote and protect the general health, safety, comfort, and welfare by regulating outdoor signs of all types.

It is intended to promote the public health and safety by reducing the distractive characteristics of signs along public streets and highways, by prohibiting all signs which interfere with public traffic control devices, and by assuring adequate standards for the erection and maintenance of signs and/or sign structures.

It is intended to promote the public comfort and welfare by reducing the number of signs in the community and insuring adequate spacing of such signs so that confusion is reduced and so that businesses can more effectively communicate with the public. It is further intended to promote the public comfort and welfare by regulating the size, height, location and general characteristics of signs to protect and enhance the physical appearance of the community and the scenic value of the surrounding area, and by regulating signs located near to or visible from public property such as streets, highways, parks, schools and hospitals where such signs could jeopardize the public's investment in these facilities.

Sec. 34.107 Definitions Specially Applicable to this Article.

A. Sign - Any name, identification, description, display, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land in view of the general public and which directs attention to a product, place, activity, person, institution or business.

1. On-premise sign - a sign which relates solely to a use, business, or profession conducted or to a principal commodity, service, or