

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

WHEREAS, after due publication, a public hearing was held on the 8th day of December, 1983 and continued on the 22nd day of December, 1983, concerning a proposed amendment to the text of the Zoning Ordinance of the City of Urbana, Illinois, in Plan Case #1166-T-83, and

WHEREAS, the Urbana Plan Commission has recommended the adoption of the following changes to the text of the Zoning Ordinance of the City of Urbana, Illinois,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS that the amended Zoning Ordinance of 1979, is hereby amended as follows:

Section 1.

A. Article II, Section II-3 (Definitions) is amended to add the following:

"Adult Entertainment Use

Sex-related and oriented business establishments providing adult services, products or entertainment including but not limited to those uses defined as follows:

A. Adult Entertainment Activity. An establishment having as a substantial or significant portion of its business involving the sale, rental, display, exhibition, or viewing of books, magazines, films, photographs, sexual paraphernalia or other materials distinguished by or characterized by an emphasis on matter depicting, describing, or relating to sexual conduct and specified anatomical areas and which excludes minors by virtue of age.

B. Adult Entertainment Cabaret. A nightclub, theater, or other establishment which features live performances by topless and/or bottomless dancers, "go-go" dancers, exotic dancers, strippers or similar entertainers where such performances are distinguished by or characterized by an emphasis on sexual conduct or specified anatomical areas.

C. Model Studios. Any establishment where for any form of consideration or gratuity, models who display specified anatomical areas to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by persons paying such consideration or gratuity, except that this provision shall not apply to any activity sponsored by an educational institution recognized by the State of Illinois in the course of its educational activities.

D. Sexual Encounter Center. Any business, agency or person who, for any form of consideration or gratuity, provides a place where three or more persons, not all members of the same family, may congregate, assemble or associate for the purpose of engaging in sexual conduct or exposing specified anatomical areas.

E. Adult Massage Parlor. Any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as part of or in connection with sexual conduct or where any person providing such treatment and manipulation or service thereto exposes specified anatomical areas.

F. Adult Motion Picture Arcade. Any place to which the public is permitted or invited where coin or slug operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images so displayed are distinguished or characterized by an emphasis on matters depicting, describing or relating to sexual conduct or specified anatomical areas, and which excludes minors by virtue of age.

G. Adult Motion Picture Theater. An enclosed building with a capacity for more than fifty persons which excludes minors by virtue of age for a substantial or significant portion of its presentations to the public because such presentations contain material distinguished or characterized by an emphasis on matters depicting, describing or relating to sexual conduct or specified anatomical areas for observation by patrons therein.

H. Further definitions:

1. Sexual Conduct:

- (a) The fondling or other touching of human genitals, pubic region, buttocks or female breasts;
- (b) Ultimate sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, sodomy;
- (c) Masturbation; and
- (d) Excretory functions as part of or in connection with any of the activities set forth in (a) through (c) above.

2. Specified Anatomical Areas:

A. Less than completely or opaquely covered:

- (1) human genitals;
- (2) pubic region;
- (3) buttocks;
- (4) female breasts below a point immediately above the top of the areola; and

B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered."

B. Article II, Section II-3 (Definitions) is further amended to add the following:

"Massage Parlor. Any establishment where for pay, massage, alcohol rub, administration of fomentations, electric or magnetic treatments or any other treatment or manipulation are practiced on the human body. This term shall not apply to adult massage parlors as defined and permitted as an adult entertainment use, nor shall it apply to a place where therapeutic massage or manipulation is conducted by a licensed physician, osteopath, chiropractor, registered or practical nurse operating under a physician's direction, registered speech pathologist or physical and occupational therapists."

Section 2. Article V (Use Regulations) is amended to add the following new section:

"Section V-4 Regulation of Adult Entertainment Uses

A. Adult Entertainment Uses listed as permitted in Table V-1 shall only be permitted as provided herein so that these uses will not unduly interfere with or adversely affect the public health, safety, comfort, morals, adjacent land uses, property values or general welfare of the community.

1. No Adult Entertainment Use shall be located or established within one-thousand feet (1,000') of another Adult Entertainment Use, the distance being measured between the nearest lot lines.

2. No Adult Entertainment Use shall be located or established on any lot that is within two hundred feet (200') of any AG, CRE, R-1, R-2, R-3, R-4, R-5, R-6, R-7 or R-6B zoning district.

3. No Adult Entertainment Use shall be located or established within two hundred feet (200') of any lot within which the principal use is a hospital."

Section 3. In Article V (Use Regulations), Table V-I (Table of Uses), paragraph 5 is amended to add the following:

<u>"Business Uses - Adult Entertainment</u>	B-3	B-4
Adult Entertainment Uses	P	P
(See Article II, Section II-3)		
(See Article V, Section V-4)"		

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.

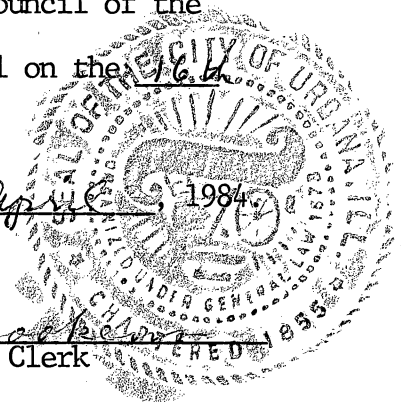
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the Members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 16th day of April, 1984.

PASSED by the City Council on this 16th day of April, 1984.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 18th day of April, 1984.

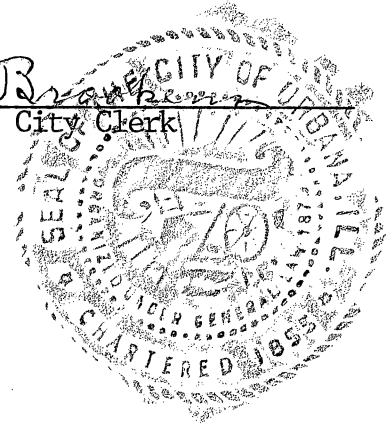
Jeffrey T. Markland
Jeffrey T. Markland, Mayor



CERTIFICATE OF PUBLICATION

I, Ruth S. Brookens, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the News-Gazette on the 23rd day of April, 1984, and a Certificate of Publication is attached hereto.

Ruth S. Brookens
Ruth S. Brookens, City Clerk



ORDINANCE NO. 8384-46
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CERTIFICATE OF PUBLICATION IN The News-Gazette

The undersigned, M. J. Duca, THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED, by its controller, does hereby

certify that said Corporation is the publisher of The News-Gazette and that the same is a daily secular newspaper of general circulation published in Champaign, Champaign County, Illinois, and which said newspaper had been regularly published for more than six months prior to the first publication of the annexed notice; said publisher further certifies that the annexed notice was published once each week for _____ consecutive weeks in said newspaper, namely on the following dates:

Apr 23, A. D. 1984

, A. D. 19

, A. D. 19

, A. D. 19

, A. D. 19

CITY OF URBANA, ILL.
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APR 26 1984

CITY CLERK'S OFFICE

Said publisher further certifies that the date of the first paper containing the said notice was on the first date hereinabove set forth, and that the date of the last paper containing the said notice was on the last date hereinabove set forth.

The Champaign News-Gazette, Incorporated

By _____

Controller

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