

ORDINANCE NO. 8889-44

AN AMENDMENT TO THE ZONING ORDINANCE  
OF THE CITY OF URBANA, ILLINOIS  
(GROUP HOMES)

WHEREAS, The Champaign County Mental Health Board submitted a petition to amend the Zoning Ordinance of Urbana to include a provision for Community Living Facilities for service dependent populations; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1287-T-88; and

WHEREAS, after due publication in accordance with Section XI-7, entitled "Amendments" of the Zoning Ordinance and Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on the proposed amendment on August 4, 1988, which hearing was continued to August 18, 1988, and September 8, 1988; and

WHEREAS, after proper consideration, the Urbana Plan Commission deemed it necessary to supplement the petition originally submitted by the Champaign County Mental Health Board with a provision to allow Homes for Adjustment; and

WHEREAS, the Urbana Plan Commission voted to forward the amendment described herein, and as Plan Case #1287-T-88, to the Urbana City Council with a recommendation for approval; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, that the Zoning Ordinance of the City of Urbana, Illinois is amended as follows:

Section 1. That the following definitions are hereby added to Article II, Section II-3 entitled "Definitions":

Service Dependent Population: Groups who by reason of mental or physical disability require supervision offered in connection with residence in a community living facility as herein defined, but do not require medical or nursing care on site. Such groups shall reside as members of a single housekeeping unit in a quasi-parental relationship with staff. Said groups shall not include persons for whom such services are a requirement of a sentence upon conviction of a criminal offense or whose need for such services arises during or immediately following a sentence of incarceration for a criminal offense.

Dwelling, Home for Adjustment (e.g., halfway houses, rehabilitation centers, crisis centers, etc.):

1. A dwelling in which persons live while receiving therapy and counseling to assist them in recovering from the effects of chemical or alcohol dependency; and
2. A dwelling to provide emergency shelter.

Dwelling, Community Living Facility: A dwelling operated under State license or certification, or contract to provide supervision, food, lodging and other services to a service dependent population as herein defined, living and cooking together in a single cooperative housekeeping unit, consisting of (1) A basic group of members of a service dependent population and (2) Additional staff persons providing supervision of service to the basic group, as specified in aforesaid licensing, certification or contract regulations.

Dwelling, Community Living Facility, Category I (CLF I): A Dwelling, Community Living Facility with a basic group limited to not more than four (4) service dependent individuals plus a maximum of two resident (live-in) staff at any given time, subject to a higher number of staff if required to meet state or federal regulations. Said facility is intended for permanent placements, and shall not be for crisis or short term, transient placements.

Dwelling, Community Living Facility, Category II (CLF II): A Dwelling, Community Living Facility with a basic group limited to not more than eight (8) service dependent

individuals plus a maximum of two resident (live-in) staff at any given time, subject to a higher number of staff if required to meet state or federal regulations. Said facility is intended for permanent placements, and shall not be for crisis or short term, transient placements.

**Dwelling, Community Living Facility, Category III (CLF III):**

A Dwelling, Community Living Facility with a basic group limited to not more than fifteen (15) service dependent individuals plus staff. Said facility may be used for temporary placement of service dependent individuals.

Section 2. That the following definitions in Article II, Section II-3 entitled "Definitions" which currently read as follows:

**Dwelling, Single Family (Extended Group Occupancy):**

2. Such additional persons who are permanent members of a housekeeping unit, and in a loco parentis relationship with one (1) or more members of the basic group such as foster children or persons in a group home licensed by the State of Illinois.

**Dwelling, Duplex (Extended Group Occupancy):**

2. Such additional persons who are permanent members of the housekeeping unit, ordinarily in a loco parentis

relationship with one (1) or more members of the basic group such as foster children or persons in a group home licensed by the State of Illinois.

**Nursing Home:** Defined in three (3) classes according to state nursing home licensing requirements, generally as follows:

1. Sheltered Care Facility. A care facility used for boarding and care of not less than three (3) persons, where the residents are not in need of nursing care, but are in need of assistance, supervision and/or oversight in meeting their daily personal needs.

are hereby amended to read as follows:

**Dwelling, Single Family (Extended Group Occupancy):**

2. Such additional persons who are permanent members of a housekeeping unit, and in a loco parentis relationship with one (1) or more members of the basic group such as foster children in a home licensed by the State of Illinois.

**Dwelling, Duplex (Extended Group Occupancy):**

2. Such additional persons who are permanent members of a

housekeeping unit, and in a loco parentis relationship with one (1) or more members of the basic group such as foster children in a home licensed by the State of Illinois.

Nursing Home: Defined in three (3) classes according to state nursing home licensing requirements generally as follows:

1. Sheltered Care Facility. A care facility used for boarding and care of not less than three (3) persons, where the residents are not in need of nursing care, but are in need of assistance, supervision, and/or oversight in meeting their daily personal needs. This definition does not include community living facilities, as defined herein.

Section 3. That Article V, Table V-1, entitled "Table of Uses" is amended to include the following in "Residential Uses":

- A. Dwelling, Community Living Facility Category I as a use permitted by right (P) in the AG Agriculture, R-1 Single-Family Residential, R-2 Single-Family Residential, R-3 Single- and Two-Family Residential, R-4 Medium Density Multiple-Family Residential, R-5 Medium High Density Multiple-Family Residential, R-6

High Density Multiple-Family Residential, R-6B High Density Multiple-Family Residential-Restricted Business zoning districts; and permitted as a Conditional Use (C) in the B-1 Neighborhood Business and B-2 Highway Business zoning districts.

B. Dwelling, Community Living Facility, Category II as a use permitted by right (P) in the R-4 Medium Density Multiple-Family Residential, R-5 Medium High Density Multiple-Family Residential, R-6 High Density Multiple-Family Residential, R-6B High Density Multiple-Family Residential - Restricted Business, B-3 General Business, B-4 Central Business zoning districts; and permitted as a Conditional Use (C) in B-1 Neighborhood Business, and B-2 Highway Business zoning districts.

C. Dwelling, Community Living Facility, Category III as a use permitted by right (P) in the R-4 Medium Density Multiple-Family Residential, R-5 Medium High Density Residential, R-6 High Density Multiple-Family Residential, R-6B High Density Multiple-Family Residential - Restricted Business, B-3 General Business, B-4 Central Business zoning districts; and as a Conditional Use (C) in the B-1 Neighborhood Business and B-2 Highway Business zoning districts.

D. Dwelling, Home for Adjustment as a use permitted by right (P) in the R-5 Medium High Density Multiple-Family Residential, R-6 High Density Multiple-Family Residential, R-6B High Density Multiple-Family Residential - Restricted Business, B-3 General Business and B-4 Central Business zoning districts; and as a Special Use (S) in the R-4 Medium Density Multiple-Family Residential zoning district.

Section 4. That Article VIII, Table VIII-1 entitled "Parking Requirements by Use" is amended to include the following:

<u>USE</u>	<u>NUMBER OF SPACES REQUIRED</u>
2. Residential and Related Uses	
Group #9:	
Dwelling, CLF I, II, III	One for every employee on maximum shifts, plus one for every four (4) members of the service dependent population.
Home for Adjustment	

Section 5. That Article V. Use Regulations is amended to include the following:

Section V-6. Regulation of Community Living Facilities.



Community living facilities listed as permitted in Table V-I shall be restricted as follows:

- A. No community living facility shall be located or established within one-thousand five hundred (1,500) feet of another community living facility when located in the AG, R-1, R-2 and R-3 zoning districts.
  
- B. No community living facility shall be located or established within one thousand (1,000) feet of another community living facility when located in the R-4, R-5, R-6, R-6B, B-1 and B-2 zoning districts.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 3rd day of January, 1989.

PASSED by the City Council on this 3rd day of January, 1989.

  
Ruth S. Brookens, City Clerk

APPROVED by the MAYOR this 5<sup>th</sup> day of January, 1989.

  
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 12th day of January, 1989, and a Certificate of Publication is attached hereto.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk



# CERTIFICATE OF PUBLICATION

## IN

# The News-Gazette

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The undersigned, THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED, by Mrs. Ovca, its secretary, 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:

\_\_\_\_\_ , A. D. 19 89

\_\_\_\_\_ , A. D. 19 \_\_\_\_\_

\_\_\_\_\_ , A. D. 19 \_\_\_\_\_

\_\_\_\_\_ , A. D. 19 \_\_\_\_\_

\_\_\_\_\_ , A. D. 19 \_\_\_\_\_

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.

*pd 12/18/89  
PO # 358605*

**The Champaign News-Gazette, Incorporated**

CITY OF URBANA, ILL.   
**RECEIVED** Secretary

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