

ORDINANCE NO. 9192-33

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

(Ordinance to Correct Errors in Ordinance No. 9091-137)

WHEREAS, the City of Urbana Zoning Administrator submitted a petition to amend Article VIII, entitled "Parking and Access", and other sections of the Urbana Zoning Ordinance; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1424-T-91; and

WHEREAS, after due publication in accordance with Section XI-7, entitled "Amendments" of the Urbana 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 amendments on February 7, April 18, and May 9, 1991; and

WHEREAS, the Urbana Plan Commission voted on May 9, 1991 to forward Plan Case #1424-T-91 to the Urbana City Council with a recommendation for approval; and

WHEREAS, after due and proper consideration, the Urbana City Council passed Ordinance No. 9091-137 on June 3, 1991 which ordinance was approved by the Mayor on June 17, 1991 and which ordinance amended the Urbana Zoning Ordinance by adopting the amendments proposed in Plan Case #1424-T-91; and

WHEREAS, it has been determined that said Ordinance No. 9091-137 contained a number of errors which caused said ordinance to effect certain unintended amendments to the Urbana Zoning Ordinance because of inadvertent deletions and incorrect references; and

WHEREAS, said errors make it desirable to repeal Ordinance No. 9091-137 in its entirety and to then re-adopt the amendments to the Urbana Zoning Ordinance as originally intended in Plan Case #1424-T-91 as well as the amendments needed to correct the inadvertent errors which occurred when Ordinance No. 9091-137 was adopted.

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

Article I

Section 1. Ordinance No. 9091-137 passed by the Urbana City Council on June 3, 1991 and approved by the Mayor on June 17, 1991 is hereby repealed.

Article II

WHEREAS, Section 1 of Ordinance No. 9091-137 correctly amended Section VIII-2-A of the Urbana Zoning Ordinance but because all of Ordinance No. 9091-137 has been repealed, it is necessary to now re-adopt said Section 1.

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

Section 1. Article VIII, entitled "Parking and Access", is hereby amended to change Section VIII-2-A to read as follows:

A. *Design and Construction Requirements.*

1. Adjacent residential uses shall be shielded from direct rays of light from the illumination of any off-street parking areas except as otherwise provided herein.
2. All off-street parking lots, access drives, off-street loading areas and parking spaces shall be paved with a suitable form of hard surface, including oil-and-chip, Portland Cement, asphalt and brick, so that the environment created is dust free and conforms to the following criteria:
 - a. The pavement design shall be such that any material composing the pavement and the soil underneath is not displaced by traffic movement in a manner that generates pollution in the air due to flying particles and causes damage, injury or nuisance to the people/vehicles which use the facility.
 - b. The design and construction of the pavement shall be such that the physical appearance, characteristics, performance and rigidity of the surface that comes into direct contact with vehicles does not change with varying weather conditions. The form and texture of the surface shall be conducive to safe flow of traffic.
 - c. Notwithstanding normal wear and tear, the surface and appearance of the parking lot shall be maintained to perform as originally designed.

Driveways and access drives existing as of March 1, 1990 which are not improved with a surface specified above shall not be required to be paved unless a new structure intended to be occupied by a principal use is constructed. Where a garage is not provided in new construction of single or two family dwellings, a paved driveway and access drive shall be provided to accommodate a minimum of two (2) off-street parking spaces

per dwelling unit which will not encroach on the public right-of-way.

Article III

WHEREAS, Section 2 of Ordinance No. 9091-137 amended Section VIII-2-C of the Urbana Zoning Ordinance but in so doing inadvertently deleted two sentences from Table VIII-2 in Section VIII-2-C; and

WHEREAS, it is necessary to correct said Section VIII-2-C to include the two sentences in Table VIII-2 that were inadvertently deleted and to now re-adopt said Section 2 to read as intended.

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

Section 1. Article VIII, entitled "Parking and Access", is hereby amended to change Section VIII-2-C to read as follows:

C. Standards for Parking Space, Aisle Widths and Module Width Design

1. Off-street parking lots and parking spaces shall meet the standards in Table VIII-2 regarding minimum space length, space width, aisle and module widths. Structural elements of buildings, fences, signs, utility poles, etc. shall not be allowed to encroach into these required parking space dimensions. The table contains two options for space width and corresponding aisle and module width. Either option will satisfy the requirements of the code. (See, also, Figure VIII-1):

TABLE VIII-2 PARKING LOT AND PARKING SPACE STANDARDS

PARKING ANGLE	SPACE		AISLE WIDTH	MODULE WIDTH (2 ROWS OF PARKING)
	WIDTH	LENGTH		
0 DEGREES (PARALLEL)	8.5'	22.0'	13.0'	30.0'
	9.0'	22.0'	11.5'	29.5'
15 DEGREES	8.5'	18.5'	14.0'	40.0'
	9.0'	18.5'	12.5'	39.5'
30 DEGREES	8.5'	18.5'	14.0'	47.2'
	9.0'	18.5'	12.5'	46.6'
45 DEGREES	8.5'	18.5'	14.0'	52.2'
	9.0'	18.5'	12.5'	51.4'

60 DEGREES	8.5'	18.5'	16.0'	56.5'
	9.0'	18.5'	14.5'	55.5'
75 DEGREES	8.5'	18.5'	18.5'	58.6'
	9.0'	18.5'	17.0'	57.4'
90 DEGREES	8.5'	18.5'	23.0'	60.0'
	9.0'	18.5'	21.5'	58.5'

Aisle widths are for one-way aisles except for 90 degree parking which must provide a two-way aisle.

Any proposed parking angle not shown in Table VIII-2 is subject to review and approval of the Zoning Administrator.

Article IV

WHEREAS, Section 3 of Ordinance No. 9091-137 amended Section VIII-2-E of the Urbana Zoning Ordinance but in so doing inadvertently deleted Sections VIII-2-E(2), VIII-2-E(3) and VIII-2-E(4); and

WHEREAS, it is necessary to correct said Section VIII-2-E to include the three sections that were deleted and to now re-adopt said Section 3 to read as intended.

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

Section 1. Article VIII, entitled "Parking and Access", is hereby amended to change Section VIII-2-E and Table VIII-3 to read as follows:

E. Access Drives.

1. Any access drive shall have one of the minimum clear widths outlined in Table VIII-3.

Table VIII-3. WIDTHS FOR ACCESS DRIVES

	MINIMUM WIDTH IN FEET	
	ONE-WAY	TWO-WAY
Single Family Dwelling Units	9.0'	9.0'
Two to Four Dwelling Units	12.0'	20.0'
Five to Twenty-Four Dwelling Units	12.0'	23.0'

Twenty-Five or more Dwelling Units	12.0'	23.0'
Commercial and Industrial Use	12.0'	23.0'

2. No zoning lot shall have more than two (2) driveways per frontage, unless the City Engineer approves additional driveways. The Urbana City Engineer approves all driveway locations within the public right-of-way as provided for in Chapter 20 of the Urbana City Code.
3. When the access drive for ninety (90) degree parking is a permanent dead-end, a turn-around shall be provided. The turn-around shall be designed with a minimum radius of fifteen (15) feet, a minimum width of twenty-three feet (23) and a minimum depth of six (6) feet. Comparable turn-around designs may be approved by the Zoning Administrator. (See Figure VIII-2 for reference.)
4. In order to improve the visibility for vehicles exiting from parking structures or parking lots that have a mean elevation below that of the adjacent right-of-way, the access driveway shall be constructed in conformance with the dimensions illustrated in Figure VIII-3.

Article V

WHEREAS, Section 4 of Ordinance No. 9091-137 amended Section VIII-2-F of the Urbana Zoning Ordinance but in so doing inadvertently deleted Sections VIII-2-F(1), VIII-2-F(2) and VIII-2-F(4) and Table VIII-4; and

WHEREAS, it is necessary to correct said Section VIII-2-F include the table and three sections that were deleted and to now re-adopt said Section 4 to read as intended.

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

Section 1. Article VIII, entitled "Parking and Access" is hereby amended to change Section VIII-2-F to read as follows:

F. Screening of Off-Street Parking.

1. Off-street parking which is located along any setback line and which directly adjoins a residential zoning district or residential use shall be screened. No screening is required, however, between adjacent parking lots serving separate multi-family structures or when a parking lot is adjacent to a public alley except that screening is required when parking

faces a public alley (see Figure VIII-4). On-site or off-site screening existing at the time when approval for construction of new parking is sought may satisfy this requirement subject to the approval of the Zoning Administrator.

2. Design of Parking Screening, Materials and Maintenance

- a. Landscaped screening will be no less than three (3) feet in height; except that in order to enhance visibility along the right-of-way, shrub planting adjacent to an access driveway shall not exceed three (3) feet in height along the lot line adjacent to the right-of-way. If screening for off-street parking is in the form of a wall or fence, the requirements of this article shall supersede the requirements of Chapter 7 of the Urbana City Code, entitled "Fences".

The requirements of the visibility triangle set forth in Article VI of Chapter 20 of the Urbana City Code shall supersede the provisions of this Article.

Species and planting size acceptable for such hedge plantings are shown in Table VIII-4. The Zoning Administrator may approve landscape berms or types of plant material other than those specified in Table VIII-4 upon recommendation of the City Arborist.

- b. Where off-street parking areas are to be screened by means of a shrub planting hedge, a three (3) feet wide planting area is required at the end of the paving surface.
- c. All parking screening shall be maintained to effectively function as a direct headlight screen. All plant materials shall be maintained as living plant material and promptly replaced within ninety (90) days when any such foliage dies.

TABLE VIII-4. PARKING SCREENING SHRUBS

<i>Species</i>	<i>Minimum Spacing Requirement*</i>	<i>Planting Height</i>
Mint Julep Juniper	3'	18"-24"
Sea Green Juniper	3'	18"-24"
Brown Yew	3'	18"-24"
Hicks Yew	3'	18"-24"
Boxwood Species	30"	15"-18"
Holly Species	3'	18"-24"
Euonymus Alatus Compactus	3'	18"-24"
Compact American Cranberry Bush Viburnum	3'	18"-24"

* Measured from center to center at planting grade

3. Special Conditions Requiring Shade Tree Planting

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

- a. One tree shall be provided for every nine (9) parking spaces. Trees may be planted at intervals of less than nine (9) spaces to achieve a more even spacing along the row. Where this ratio results in a fraction, the fraction shall always be rounded upward to the next highest number (e.g. 11.1 trees = 12 trees to be planted.)
- b. Tree plantings shall begin within twenty (20) feet from the ends of adjoining parking rows.
- c. Trees shall have a minimum planting size of two (2) inch caliper. Acceptable tree species are shown in Table VIII-5. The minimum planting area for trees shall be eight (8) feet by six (6) feet and the maximum distance between trees shall be ninety (90) feet. Trees shall be located behind bumper stops or integral curbing, no closer than three (3) feet and no farther than eight (8) feet from the face of the bumper stop or the curb. Existing trees may satisfy the tree planting requirement if approved by the City Arborist.
- d. The Zoning Administrator, upon the City Arborist's recommendation, may approve alternate tree species or alternate tree planting plans which differ from these requirements but which substantially conform with the intent of Sec. VIII-2.F.
- e. All trees and shrubs shall be maintained as living vegetation and promptly replaced within ninety (90) days when any such vegetation dies.

TABLE VIII-5 SHADE TREE SPECIES

Green Ash-Male Cultivars
White Ash-Male Cultivars
Male Ginkgo
Linden Species
Red Maple Species
Sugar Maple Species

English Oak
Bald Cypress
Hackberry
Honey Locust (Seedless/Thornless) Cultivars

4. As required in Sec. VI-6-C, when parking is provided at ground level below any part of a principal structure in the Residential Districts or the MOR District, said parking shall be effectively screened by extending the facade of said structure to ground level or by installing fencing, landscaping or other suitable screening around the perimeter of the structure in accordance with the provisions of this Sec. VIII-2-F.

Article VI

WHEREAS, Section 5 of Ordinance No. 9091-137 correctly amended Section VIII-2-G of the Urbana Zoning Ordinance but because all of Ordinance No. 9091-137 has been repealed, it is necessary to now re-adopt said Section 5.

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

Section 1. Article VIII, entitled "Parking and Access", is hereby amended to change Section VIII-2-G to read as follows:

G. *Wheelstops and Sidewalks.*

In any zoning district, for any parking space (except parallel spaces) a minimum space (paved or unpaved) of eighteen (18) inches shall be maintained from the nearest edge of the parking space to the property line. A minimum space of three (3) feet (unpaved) is required only in cases when the parking area is to be screened by means of a shrub planting hedge [see Sec. VIII-2 (2-b)]. In cases of parking next to public alleys and common access drives an 18" space for screening purposes shall only be required for head-in parking facing the alley. Wheelstops of masonry, steel or heavy timber shall be placed two (2) feet from the end of the parking space. When a private walkway or sidewalk is located at least four (4) inches but no more than six (6) inches above the grade of the adjoining parking spaces and said sidewalk is a minimum width of five (5) feet, the sidewalk may act as a wheelstop. A two (2) foot area of the sidewalk into which the vehicle extends must remain unobstructed and available for the vehicle at all times. If a private sidewalk serves as a wheelstop as described herein, the length of adjoining parking spaces may be reduced by two (2) feet.

Article VII

WHEREAS, Section 6 of Ordinance No. 9091-137 amended Section VIII-3-F of the Urbana Zoning Ordinance but in so doing inadvertently deleted Section VIII-3-F(3); and

WHEREAS, it is necessary to correct said Section VIII-3-F to include the section that was deleted and to now re-adopt said Section 6 to read as intended.

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

Section 1. Article VIII, entitled "Parking and Access", is hereby amended to change Section VIII-3-F to read as follows:

F. Parking in a required yard is prohibited except as follows:

1. Access drives clearly serving single family dwelling units, individual townhouses or duplex dwelling units may contain required parking for licensed passenger vehicles in the required front or side yard except that such area devoted to parking and access thereto shall not exceed forty-five (45) percent of the total lot width. Such spaces may be stacked.
2. Accessory off-street parking may encroach into the required side yard and rear yard, provided that the parking is located behind the rear face of the principal structure and the parking complies with the provisions of Sec. VIII-2-G.
3. Off-street parking in a required rear yard is prohibited in the MOR District unless it is determined by the Development Review Board that a combination of fencing and/or vegetation have been installed and maintained to meet the requirements of Sec. VIII-2-F and which can reasonably be expected to shield such parking from view from adjacent residential structures within five years of the date on which such parking is allowed.

Article VIII

WHEREAS, Section 7 of Ordinance No. 9091-137 amended Section VIII-4-E of the Urbana Zoning Ordinance; and

WHEREAS, the reference to said Section VIII-4-E was incorrect and should have been a reference to Section VIII-4-D; and

WHEREAS, the incorrect reference to said Section VIII-4-E caused errors to be made in the amendment of both Section VIII-4-D and VIII-4-E; and

WHEREAS, it is necessary to correct the errors in Section VIII-4 and now re-adopt said Sections VIII-4-D and VIII-4-E to read as intended.

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

Section 1. Article VIII, entitled "Parking and Access", is hereby amended to change Section VIII-4-D to read as follows:

- D. Provisions must be made for the parking of bicycles for multiple family residential or commercial uses in those instances where ten (10) or more automobile parking spaces are required. Bicycle racks with a minimum capacity for four bicycles shall be provided for bicycle parking. Parking areas for bicycles are permitted wherever automobile parking is allowed, and shall be paved with an all-weather dustless material approved by the Zoning Administrator. Bicycle parking areas shall not obstruct walkways or other pedestrian areas. Inclines shall be provided wherever there are curbs, stairways, or other grade separations between bicycle parking areas and the street or driveway.

Section 2. Article VIII, entitled "Parking and Access", is hereby amended to readopt Section VIII-4-E as follows:

- E. Drive-in facilities shall provide a lane(s) for the stacking of motor vehicles waiting to drive through the facility. The minimum length of each stacking lane for drive-in facilities other than restaurants (such as automobile washes, banks) shall be sixty (60) feet per drive-up facility or window. The minimum total capacity of each stacking lane for restaurants shall be ninety (90) feet per drive-up facility or window. Each stacking lane shall have a minimum width of seven and one-half (7 1/2) feet. Such stacking lane(s) shall not include any portion of any access aisles for off-street parking lots. This subsection shall not apply to gas stations.

Article IX

WHEREAS, Section 8 of Ordinance No. 9091-137 correctly amended Section V-3-E of the Urbana Zoning Ordinance but because all of Ordinance No. 9091-137 has been repealed, it is necessary to now re-adopt said Section 8.

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

Section 1. Article V, entitled "Use Regulations" is hereby amended to change Section V-3-E to read as follows:

E. In any zoning district, accessory off-site parking associated with a permitted principal use, other than a nonconforming use, may be located on any separate zoning lot within 600 feet (exclusive of rights-of-way) of the principal use, subject to the following:

1. If the principal use and the off-site parking are located in the same zoning district, the off-site parking is permitted under the same terms as the principal use. Conditional use or special use permits for the off-site parking, if applicable, may be requested simultaneously with the conditional use or special use permit for the principal use.
2. If the principal use and the off-site parking are located in separate zoning districts, the off-site parking shall be permitted according to the following rules:
 - a. The off-site parking shall be permitted by right if either the principal use or "parking lot," or both, are principal uses permitted by right at the location of the off-site parking, according to Table V-1 Table of Uses.
 - b. The off-site parking shall require a special use permit if "a" above is not applicable.
3. In all cases in which off-site parking is permitted, the Certificate of Occupancy for the principal use shall specify the required number of parking spaces to be maintained in the accessory off-site parking. The Certificate of Occupancy shall state that the Certificate of Occupancy is valid only as long as a number of parking spaces sufficient to meet ordinance requirements is maintained on and/or off-site. If parking is maintained off-site, the petitioner must demonstrate to the Zoning Administrator that the number of off-site parking spaces, plus any parking spaces maintained on-site, satisfies parking requirements for the principal use, and that said parking spaces are dedicated to serve the principal use.
4. The Certificate of Occupancy shall be recorded at the Office of the Champaign County Recorder. If the location of the off-site parking changes, the petitioner must notify the Zoning Administrator of said change and must demonstrate that off-site parking at the new location satisfies parking requirements for the principal use as required by the parking standards under which the principal use was established.

Article X

WHEREAS, Section 9 of Ordinance No. 9091-137 amended Section VI-5-D of the Urbana Zoning Ordinance and incorrectly omitted references to the R-7 (University Residential) and MOR (Mixed Office Residential) zoning districts and inadvertently deleted Section VI-5-D(2); and

WHEREAS, it is necessary to correct said Section VI-5-D to correct the errors and include said Section VI-5-D(2); and

WHEREAS, it is necessary to now re-adopt said Section 9 to read as intended.

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

Section 1. Article VI, entitled "Development Regulations", is hereby amended to change Section VI-5-D(1) to read as follows:

D. Front yards.

1. In the R-1, R-2, R-3, R-4, R-5, R-7 and MOR Districts, where lots comprising more than forty (40) percent of the frontage in a block are improved with buildings, not less than the average depth of the front yards of all lots in the block shall be maintained by all new buildings and by all alterations of the existing buildings in the block, except that this provision shall not require a front yard of more than sixty (60) feet, nor less than the minimum required in the district in which they are located, nor shall it reduce the buildable dimension of the lot to less than thirty (30) feet. For the purpose of computing such an average depth, vacant lots within such frontage shall be considered as having the minimum front yard required in the district.

Section 2. Article VI, entitled "Development Regulations", is amended to readopt Section VI-5-D(2) to read as follows:

2. No display of merchandise shall be placed in any required front yard.

Article XI

WHEREAS, Sections 10 and 11 of Ordinance No. 9091-137 correctly amended Figure VIII-1 and Figure VIII-2 in Article VIII of the Urbana Zoning Ordinance, but because all of Ordinance No. 9091-137 has been repealed, it is necessary to now re-adopt said Sections 10 and 11.

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

Section 1. Figure VIII-1, entitled "Parking Modules with Flexible Aisle Widths" is hereby amended to insert the dimensions 20'-3" and 20'-6" on the parking space segments of the Module Widths as shown in the attached Figure VIII-1 marked Exhibit A.

Section 2. Figure VIII-2, entitled "Typical Turnaround Design for 90 Degree Parking Access Drive" is hereby amended to insert the dimensions 15'-0" Minimum Radius, 6'-0" Minimum Depth, and 23'-0" Minimum Width in the appropriate spaces as shown in the attached Figure VIII-2 marked Exhibit B.

Article XII

Section 1. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with 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 City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 3rd day of September, 1991.

PASSED by the City Council on this 3rd day of September, 1991

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the MAYOR this 10th day of September, 1991.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Ruth S. Brookens, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 3rd day of September, 1991, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9192-33, entitled _____

An Amendment To The Zoning Ordinance Of The City
Of Urbana, Illinois (Ordinance to Correct Errors
In Ordinance No. 9091-137)

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9192-33 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 12th day of September, 1991, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this 24th day of September, 1991.



Ruth S. Brookens
Ruth S. Brookens, City Clerk

(new9091.137)