

ORDINANCE NUMBER 9293-72

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

(Adoption of the B-4E Central Business Expansion Zoning District)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #7980-68 on December 17, 1979 which adopted the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and

WHEREAS, the purpose of the Urbana Zoning Ordinance is to implement the policies of the City of Urbana as expressed in the 1982 Comprehensive Plan as adopted by the City Council on September 7, 1982 and as said Comprehensive Plan is amended from time to time; and

WHEREAS, the Urbana City Council approved Resolution No. 8384-R3 on August 1, 1983 which accepted the Streetscape Design Manual that was prepared by the Downtown Development and Redevelopment Commission and contained goals and guidelines intended to improve the identity and image of Downtown Urbana by emphasizing better design, streetscape improvements, landscaping, and coordinated signs; and

WHEREAS, the Urbana City Council approved Resolution No. 9192-R31 on April 20, 1992 which directed the Zoning Administrator to submit a petition to amend the Urbana Zoning Ordinance by creating a new zoning district to encourage the attractive and compatible development of new buildings, parking lots and landscaping around Downtown Urbana; and

WHEREAS, said petition was presented by the Urbana Zoning Administrator to the Urbana Plan Commission for consideration in Plan Case #1481-T-92; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on the proposed amendment on September 10 and 24, October 8, and November 5, 1992; and

WHEREAS, the Urbana Plan Commission voted on November 5, 1992 to forward Plan Case #1481-T-92 and the amendment described herein to the Urbana City Council with a recommendation for approval; and

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the zoning amendment described herein

conforms to the goals, objectives and policies of the City's 1982 Comprehensive Plan as amended from time to time; and

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

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

Section 1. Section IV-1, entitled "Number and designation of districts", is hereby amended to change the phrase which now reads "*is hereby divided into twenty (20) zoning districts*" to read "*is hereby divided into twenty-one (21) zoning districts*" and to insert a reference to the B-4E Central Business Expansion District into the list of Zoning Districts immediately following the reference to the B-4 Central Business District and immediately preceding the reference to the IN Industrial District.

Section 2. Section IV-2, entitled "Purpose of districts", is hereby amended to insert a new Section IV-2-D(7) immediately following Section IV-2-D(6), which new Section IV-2-D(7) shall read as follows:

7. The purpose of the B-4E Central Business Expansion District is to provide areas in proximity to Downtown Urbana for a wide range of retail business, office, and service uses. This District is also intended to allow high density residential uses to insure an adequate supply of housing for persons who desire to reside near Downtown. The development regulations in this District are designed to encourage the construction of new buildings which are comparable with the size and scale of the buildings allowed in the B-4 Central Business District and which are also sensitive to nearby residential neighborhoods. The B-4E District is not intended to replace the existing B-4 zoning in Downtown Urbana but is to supplement it by encouraging the expansion of Downtown Urbana with new, attractive, and well-landscaped buildings and off-street parking lots. The purpose of this District is accommodate the growth of Downtown Urbana with new developments that provide landscaping, setbacks, and off-street parking greater than that required in the B-4 District and less than that required in the B-3 General Business District.

Section 3. Section V-3, entitled "Table of permitted uses, by district", is hereby amended to change Section V-3-D to read as follows:

- D. In the R-6B, B-1, B-1A, B-2, B-3, B-3U, B-4, B-4E, IN and MOR Zoning Districts, more than one (1) principal use may be allowed in a single building without zoning board of appeals approval if the uses are permitted by right (P) within the district in which the lot or parcel of land is located.



Section 4. Section V-6, entitled "Regulation of community living facilities", is hereby amended to change section V-6-B to read as follows:

- 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, R-7, B-1, B-1A, B-2, B-3U, B-4E and MOR Zoning Districts, except by special use permit.

Section 5. Section V-3, entitled "Table of permitted uses, by district", and Table V-1, entitled "Table of Uses", are hereby amended to designate the following land uses in the B-4E Zoning District as Permitted Uses by inserting a "P" in Table V-1; or as Special Uses by inserting an "S" in Table V-1; or as Conditional Uses by inserting a "C" in Table V-1, as follows:

PRINCIPAL USES	B-4E
<i>Public and Quasi-Public Facilities</i>	
Institution of an Educational, Philanthropic or Eleemosynary Nature	P
Church or Temple	P
Municipal or Government Building	P
Penal or Correctional Institution	S
Police Station or Fire Station	P
Public Library, Museum or Gallery	P
Public Park	P
Parking Garage or Lot	P
Radio or Television Tower and Station	S
Electrical Substation	P
Telephone Exchange	P
Hospital or Clinic	P
Telegraph Office	P
University or College	P
<i>Commercial Transportation Uses</i>	
Motor Bus Station	P
<i>Residential Uses</i>	
Boarding or Rooming House	P
Dwelling, Multifamily	P
Dwelling, community living facility, Category II	P
Dwelling, community living facility, Category III	P
Dwelling, home for adjustment	P
Dormitory	C
Home for the Aged	C
Nursing Home	C
Hotel or Motel	P
Bed and Breakfast	P
<i>Resource Production and Agricultural Uses</i>	
Greenhouse (not exceeding 1,000 sq.ft.)	P
Garden Shop	P
<i>Business Uses - Personal Services</i>	
Ambulance Service	P
Barber Shop	P
Beauty Shop	P
Reducing Salon	P

Dry Cleaning or Laundry Establishment	P
Laundry and/or Dry Cleaning Pickup	P
Self-service Laundry	P
Shoe Repair Shop	P
Tailor and Pressing Shop	P
Mortuary	P
Massage Parlor	P
Medical Carrier Service	P
<i>Business Uses - Agricultural</i>	
Feed and Grain (Sales only)	C
<i>Business Uses - Business, Private Educational and Financial Services</i>	
Bank, Savings and Loan Association	P
Professional and Business Office	P
Day Care Facility	C
Vocational, Trade or Business School	P
<i>Business Uses - Food Sales and Services</i>	
Meat and Fish Market	P
Restaurant	P
Fast-food Restaurant	P
Cafe	P
Supermarket or Grocery Store	P
Tavern or Night Club	P
Bakery (Less than 2,500 sq.ft.)	P
Dairy Store	P
Confectionery Store	P
Retail Liquor Sales	P
Locker, Cold Storage for Individual Use	P
<i>Business Uses - Vehicular Sales and Service</i>	
Automobile, Truck, Trailer or Boat Sales	C
Gasoline and Service Station	P
Automobile Accessories (New)	P
<i>Business Uses - Retail Trade</i>	
Building Material Sales (All Indoors Excluding Concrete or Asphalt Mixing)	P
Hardware Store	P
Electrical or Gas Appliance Sales and Service	P
Department Store	P
Apparel Shop	P
Electronic Sales and Services	P
Shoe Store	P
Jewelry Store	P
Stationery-Gift Shop-Art Supplies	P
Florist	P
Bookstore	P
Tobacconist	P
Variety-Dry Goods Store	P
Music Store	P
Drugstore	P
Photographic Studio and Equipment Sales and Service	P
Furniture Store - Office Equipment Sales and Service	P
Antique or Used Furniture Sales and Service	P
Pet Store	P
Bicycle Sales and Service	P
Fuel Oil, Ice, Coal, Wood (Sales Only)	P
Monument Sales (Excludes Stone Cutting)	P
Pawn Shop	P
Sporting Goods	P

Heating, Ventilating, Air Conditioning Sales and Service	P
Lawnmower Sales and Service	P
Art and Craft Stores and Studios	P

*Business Uses - Recreational*

Bait Sales	P
Billiard Room	P
Bowling Alley	P
Dancing School	P
Lodge or Private Club	P
Outdoor Commercial Recreation Enterprise (Except Amusement Park)	P
Private Indoor Recreational Development	P
Theater, Indoor	P

*Business Uses - Miscellaneous*

Wholesale Business	C
Warehouse	C
Auction Sales (Nonanimal)	P
Radio or TV Studio	P
Shopping Center - Convenience	S
Shopping Center - General	S

*Industrial Uses*

Confectionery Products Manufacturing and Packaging	C
Engineering, Laboratory, Scientific and Research Instruments Manufacturing	C
Surgical, Medical, Dental and Mortuary Instruments and Supplies Manufacturing	C
Printing and Publishing Plants for Newspapers, Periodicals, Books, Stationery, and Commercial Printing	P
Bookbinding	C
Motion Picture Production Studio	C
Nonprofit or Governmental, Educational and Research Agencies	C
Signs and Advertising Display Manufacturing	C

Section 6. Section VI-5, entitled "Yards", is hereby amended so that Section VI-5-A shall read as follows:

A. In a B or IN District, any yard which adjoins, abuts, or is situated across a dedicated right-of-way of one hundred (100) feet or less in width from a Residential zoning district shall be the same as that required in that Residential zoning district. In the B-4E District, this provision shall apply only to yards on lots that are directly adjoining and not to any yards on lots that are separated by a public right-of-way of any kind. The yards required in the B-4E District will be those specified in Table VI-1, entitled "Development Regulations by District" except where they may be modified by this section or other sections of this Ordinance.

Section 7. Section VI-5-D, entitled "Front Yards", is hereby amended to add a new Section VI-5-D(3) to read as follows:

3. In the B-4E District, the front yard required by Table VI-1 for all structures, parking lots, and signs, shall be landscaped, except for allowed access drives and sidewalks, with a combination of grass or other suitable ground cover, flowers, shrubs and trees or decorative pavement, walls or fences in conformance with the following subsections and with other provisions of this Ordinance.

a. The shrubs and shade trees required shall be among the species listed in Section VIII-2-F of this Ordinance except where alternative species may be approved by the Zoning



Administrator upon the recommendation of the City Arborist and in conformance with the Urbana Arboricultural Specifications Manual. At a minimum, these shrubs and trees shall be provided in the amount of one tree and three shrubs for every forty (40) linear feet or fraction thereof along the front yard of the zoning lot. The trees and shrubs utilized shall meet the minimum size and spacing requirements contained in Section VIII-2-F. However, these shrubs and trees may be grouped together in a natural manner on the site or evenly spaced along the front yard to create a well-landscaped appearance along the adjacent public right-of-way. Where the number of trees required in this section differs with the number of shade trees required to be installed in parking lots by Section VIII-2-F(3), the larger number of trees shall be required.

- b. A ground cover with living grass or other ground cover type plant material shall be required on a minimum of 75% of the square footage in the front yard area, excluding the access drives that may cross the front yard. The remaining 25% of the front yard area may be non-living landscaping materials including bark or wood chips, rock, stone, decorative pavement, landscaping timbers or other similar material.
- c. A decorative wall no more than two (2) feet in height may be located within the required front yard setback. It shall consist of landscaping timbers, stone, brick, or finished masonry materials. Said wall may be provided as a supplement to the landscaping required herein but shall not be considered as a substitution for the type or amount of landscaping required in this section.
- d. A retaining wall to support a raised planting area for landscaping shall be no more than four (4) feet in height and the width of such a raised planting area shall be greater than its height.
- e. All off-street parking lots shall be screened with an adequate screen fence or screen planting as required in Section VIII-2-F and Section VI-6-D of this Ordinance.
- f. All plant materials required by this section shall be maintained as living vegetation and shall be promptly replaced within a reasonable period of time, based on seasonal conditions, following notice that such vegetation needs to be replaced. Such notice shall be provided in writing to the owner of the property by the Zoning Administrator upon the recommendation of the City Arborist.

Section 8. Section VI-5-E, entitled "Side Yards", is hereby amended so that Section VI-5-E(3) shall read as follows:

- 3. The side yard of a lot which immediately adjoins or is directly opposite property in another district which requires a greater side yard shall not be less than that required in the adjoining or opposite district. In the B-4E District, this provision shall apply only to yards on lots that are directly adjoining and not to any yards on lots that are separated by a public right-of-way of any kind. The side yard required in the B-4E District will be as specified in Table VI-1, entitled "Development Regulations by

District" except where it may be modified by this section or other sections of this Ordinance.

Section 9. Section VI-5-F, entitled "Rear Yards", is hereby amended so that Section VI-5-F(4) shall read as follows:

4. The rear yard of a lot which immediately adjoins or is directly opposite property in another district which requires a greater side yard shall not be less than that required in the adjoining or opposite district. In the B-4E District, this provision shall apply only to yards on lots that are directly adjoining and not to any yards on lots that are separated by a public right-of-way of any kind. The rear yard required in the B-4E District will be as specified in Table VI-1, entitled "Development Regulations by District" except where it may be modified by this section or other sections of this Ordinance.

Section 10. Section VI-6, entitled "Screening", is hereby amended to add a new Section VI-6-D to read as follows:

- D. When off-street parking is provided in the B-4E District, the parking lot(s) shall be screened with an adequate screen fence or screen planting in conformance with the provisions of Section VIII-2-F.

Section 11. Table VI-1, entitled "Development Regulations by District", is hereby amended to insert the development regulations for the B-4E District into Table VI-1 immediately following the B-4 District as follows:

District	Minimum Lot Size	Min./Avg. Lot Width	Max. Height	Max. FAR	Min. OSR	<u>Required Yards</u>		
						Front	Side	Rear
B-4E	4,000	40	None	6.00	None	6	5	5

Section 12. Table VII-2, entitled "PUD Standards", is hereby amended to insert the PUD standards for the B-4E District into Table VII-2 immediately following the standards for the B-4 District as follows:

District	Minimum Lot Size	Max. Height	Max. FAR	Min. OSR	Min. Common Open Space	<u>Required Yards</u>		
						Front	Side	Rear
B-4E	200,000	None	6.00	None	None	6	5	5

Section 13. Section VIII-4, entitled "Amount of parking required" is hereby amended to renumber the remaining subsections in Section VIII-4 and to insert a new Section VIII-4-C immediately following Section VIII-4-B, said Section VIII-4-C shall read as follows:

- C. The off-street parking required by Section VIII-4 for land uses that are located in the B-4E Central Business Expansion Zoning District shall be provided at a rate equal to fifty percent (50%) of the amount required by Table VIII-6, entitled "Parking Requirements by Use". The intent of this provision is to require developments to provide one-half the off-street parking that is normally required for the same land uses, except in



the B-4 District where no off-street parking is required. However, this reduction in parking within the B-4E District shall not apply to all residential uses which shall be required to provide the full amount of off-street parking as required in Table VIII-6.

Section 14. Table IX-1, entitled "Standards for Freestanding Signs", is hereby amended to insert the sign regulations for the B-4E Central Business Expansion Zoning District into Table IX-1 as follows:

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
B-4E Central Business Expansion	Each business is permitted one sign per frontage up to 300 feet, and one additional sign for each 300 feet of frontage thereafter; except that no free-standing sign is permitted if a projecting or roof sign exists on the same frontage.	50 square feet	5 feet within front setback; 19 feet at minimum setback line and 1 foot per 2 feet additional setback, up to a maximum of 30 feet.	Signs shall not extend over the public right-of-way. No free-standing signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home.

Section 15. Table IX-2, entitled "Standards for Wall Signs and Wall-mounted Signs", is hereby amended to insert the name "B-4E Central Business Expansion District" into the same category as the B-4 Central Business District in the column entitled "Districts Permitted" within Table IX-2.

Section 16. Table IX-3, entitled "Standards for Projecting Signs", is hereby amended to insert the name "B-4E Central Business Expansion District" into the same category as the B-4 Central Business District in the column entitled "Districts Permitted" within Table IX-3.

Section 17. Table IX-4, entitled "Standards for Roof Signs", is hereby amended to insert the name "B-4E Central Business Expansion District" into the same category as the B-4 Central Business District in the column entitled "Districts Permitted" within Table IX-4.

Section 18. Table IX-5, entitled "Standards for Future Outdoor Advertising Sign Structures", is hereby amended to insert the sign regulations for the **B-4E Central Business Expansion Zoning District** into Table IX-5 as follows:

- a. In the column entitled "Districts Permitted", the regulations shall read: Such new OASS's shall be allowed only along FAP or FAI routes, as designated by IDOT as of March 1, 1981, in areas zoned B-3 (General Business), B-2 (Highway Business), B-4E (Central Business Expansion) and



IN (Industrial) and within 660 feet of either side of such FAP/FAI routes; in B-2, B-3, B-4, B-4E, and IN districts along Vine Street between Main Street and University Avenue.

b. In the column entitled "Maximum Height of OASS", the maximum height of a Freestanding OASS in the B-4E District shall be 35 feet.

c. In the column entitled "Location of OASS and Separation", the regulations shall read: OASS shall conform to the setback requirements for buildings in the IN, B-2, B-3 and B-4E zoning districts. No OASS shall be permitted within 50 feet of any residential, CRE or AG zoning district. Further, such OASS's shall not be located within 250 feet of any freestanding or wall mounted OASS.

Section 19. Table IX-6, entitled "Standards for Signs Attached to Canopies and Entrance Structures", is hereby amended to insert the name "B-4E Central Business Expansion District" into the same category as the B-4 Central Business District in the column entitled "Districts Permitted" within Table IX-6.

Section 20. Table IX-7, entitled "Standards for Property Sale and Rental Signs", is hereby amended to add the name "B-4E Central Business Expansion District" to the same category as the B-4 Central Business District in the column entitled "Districts Permitted".

Section 21. Table IX-8, entitled "Standards for Subdivision Signs", is hereby amended to add the name "B-4E Central Business Expansion District" to the same category as the B-4 Central Business District in the column entitled "Districts Permitted".

Section 22. Table IX-9, entitled "Freestanding Shopping Center Signs", is hereby amended to add the name "B-4E Central Business Expansion District" to the same category as the B-4 Central Business District in the column entitled "Districts Permitted" for both the General Shopping Center category and the Convenience Shopping Center category.

Section 23. Section IX-6, entitled "Use of noncommercial signs in business and industrial zoning districts", is hereby amended to add a new Section IX-6-C-2(b) immediately following Section IX-6-C-2(a) which Section IX-6-C-2(b) shall read as follows:

b. B-4E Central Business Expansion District

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 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 City

Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 1st day of February, 1993.

PASSED by the City Council on this 1st day of February, 1993.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 8<sup>th</sup> day of February, 1993.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

**CERTIFICATE OF PUBLICATION IN PAMPHLET FORM**

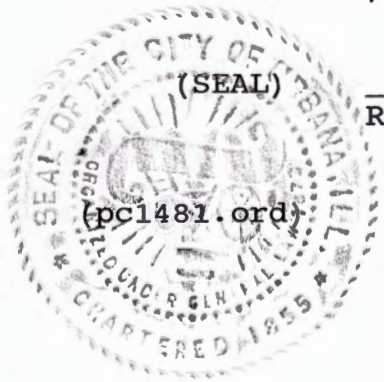
I, Ruth S. Brookens, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 1st day of February, 1993, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9293-72, entitled AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF URBANA, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9293-72 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 9th day of February, 1993, 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 19th day of February, 1993.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk



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