

ORDINANCE NO. 9394-104

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

(Elimination of the B-2, Highway Business District)

(Plan Case #1538-T-94)

WHEREAS, the City Council of the City of Urbana, Illinois, adopted Ordinance #9293-124 on June 21, 1993 which adopted the 1993 Comprehensive Amendment to the 1979 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend the Urbana Zoning Ordinance; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1538-T-94; 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 to consider the proposed amendment on May 19, 1994; and

WHEREAS, the Urbana Plan Commission voted at its regular meeting on May 19, 1994 to forward Plan Case #1538-T-93 and the proposed amendments to the Urbana City Council with a recommendation for approval; 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:

In Section IV-1 on page 31 of the ordinance, the text "B-2 Highway Business" will be deleted from the list of zoning districts, and the text "B-1A Neighborhood Business-Arterial" in that list will be changed to "B-2 Neighborhood Business-Arterial".

Section IV-2-D, paragraph 2, will be amended to read as follows:

The B-2 Neighborhood Business -Arterial District is intended to provide areas of limited size along arterial streets in proximity to low density residential areas for a limited range of basic commercial trade and personal services. This district is also intended to provide areas for new high density residential uses. These business and residential uses may occur in the same structure. Due to the location of arterial streets in many residential neighborhoods where commercial and high density residential uses would not be appropriate, the B-1A District shall be limited to only those areas that have been so designated to the City's adopted Comprehensive Plan and related amendments.

Section IV-2-D, paragraph 3, will be deleted, and paragraphs 4, 5, 6 and 7 in that section will be renumbered paragraphs 3, 4, 5 and 6 respectively.

The list of former zoning districts and new zoning districts in Section IV-5 will be amended to read as follows:

<i>Former Zoning District Champaign County</i>	<i>New Zoning District City of Urbana</i>
CR -----	CRE
AG-1 -----	AG
AG-2 -----	AG
R-1 -----	R-1
R-2 -----	R-2
R-3 -----	R-3
R-4 -----	R-4
R-5 -----	AG
B-1 -----	B-1
B-2 -----	B-1
B-3 -----	B-3
B-4 -----	B-3
B-5 -----	B-4
I-1 -----	IN
I-2 -----	IN

Section V-3-D will be amended to read as follows:

D. In the R-6B, B-1, 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 the right (P) within the district in which the lot or parcel of land is located.

Section V-4-A, paragraph 2 will be amended to read as follows:

2. No adult entertainment use shall be located or established on any lot that is within two hundred (200) feet of any AG, CRE, R-1, R-2, R-3, R-4, R-5, R-6, R-6B, R-7, B-2, B-3U or MOR Zoning District.

Section V-6-B will be amended 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-2, B-3U, B-4E and MOR zoning districts, except by special use permit.

Section V-7-A and V-7-B will be amended to read as follows:

A. In the B-2 District, if the floor area of a principal structure is to be occupied by a residential use of more than three thousand (3,000) square feet, a business use shall also be established on the zoning lot. When a business use is required, the floor area devoted to the business use shall be equal to or greater than twenty-five percent (25%) of the total floor area that is occupied by the residential use on the zoning lot. When a business use is required, the use shall conform to the list of uses permitted in the B-2 District as designated in Table V-1.

B. Section VIII-4-D, regarding collective off-street parking for mixed uses in principal structures, shall not apply to residential uses in the B-2 District. In the case of mixed uses involving residential uses in this district, there shall be no reduction in the parking as required in Section VIII-4.

Section V-9-C, paragraph 2-d will be amended to read as follows:

- d. For lots that are zoned R-4, R-5, R-6, R-6B, B-2 or MOR, of which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of thirty (30) feet.

The column for the current B-2, Highway Business District in Table V-1, the Table of Uses, will be deleted, and the Column for the B-1A Neighborhood Business-Arterial District will be relabeled "B-2."

Section VI-5-E, paragraph 2 will be amended to read as follows:

2. In the AG, CRE, R, B-1, B-2 and MOR Districts, and for residential uses in the B-3 and B-4 Districts, each required side yard shall be increased by three (3) feet for each ten (10) feet or fraction thereof over twenty-five (25) feet in height, whichever is greater.

Section VI-5-F, paragraph 1 will be amended to read as follows:

1. In the AG, CRE, R, B-1, B-2, and MOR Districts, and for residential uses in the B-3 and B-4 Districts, the required rear yard shall be increased by three (3) feet for each ten (10) feet or fraction thereof over twenty-five (25) feet in height.

The row for the current B-2 Highway Business District in Table VI-1 will be deleted, and the row for the current B-1A, Neighborhood Business-Arterial District will be relabeled "B-2."

The row for the current B-2 Highway Business District in Table VII-2 will be deleted, and the row for the current B-1A, Neighborhood Business-Arterial District will be relabeled "B-2."

The text "B-2" and "Highway Business" will be deleted wherever it now appears in the "Districts Permitted" columns of Table IX-1 through and including Table IX-9, and the text "B-1A" will be replaced, wherever it appears in those columns, with the text "B-2."

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

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 6th day of June, 1994.

PASSED by the City Council on this 6th day of June, 1994.

AYES: Hayes, Pollock, Ryan, Taylor

NAYS:

ABSTAINED:


Phyllis D. Clark, City Clerk



APPROVED by the Mayor this 7th day of June, 1994.


Tod Satterthwaite, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 6th day of June, 1994, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS (Off-street Parking of Recreational Vehicles) which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9394-104 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 1st day of July, 1994, 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 11th day of July, 1994.

Phyllis D. Clark
Phyllis D. Clark, City Clerk

