

ORDINANCE NO. 9697-154

**AN ORDINANCE APPROVING MISCELLANEOUS AMENDMENTS TO THE
ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS**

(Plan Case No. 1647-T-97)

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 text of the Urbana Zoning Ordinance; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case No. 1647-T-97; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing to consider the proposed text amendment on June 5, 1997; and

WHEREAS, the Urbana Plan Commission voted at its regular meeting on June 5, 1997 to forward Plan Case No. 1647-T-97 and the proposed amendment to the Urbana City Council with a recommendation for approval of a modified version of said proposed amendment; and

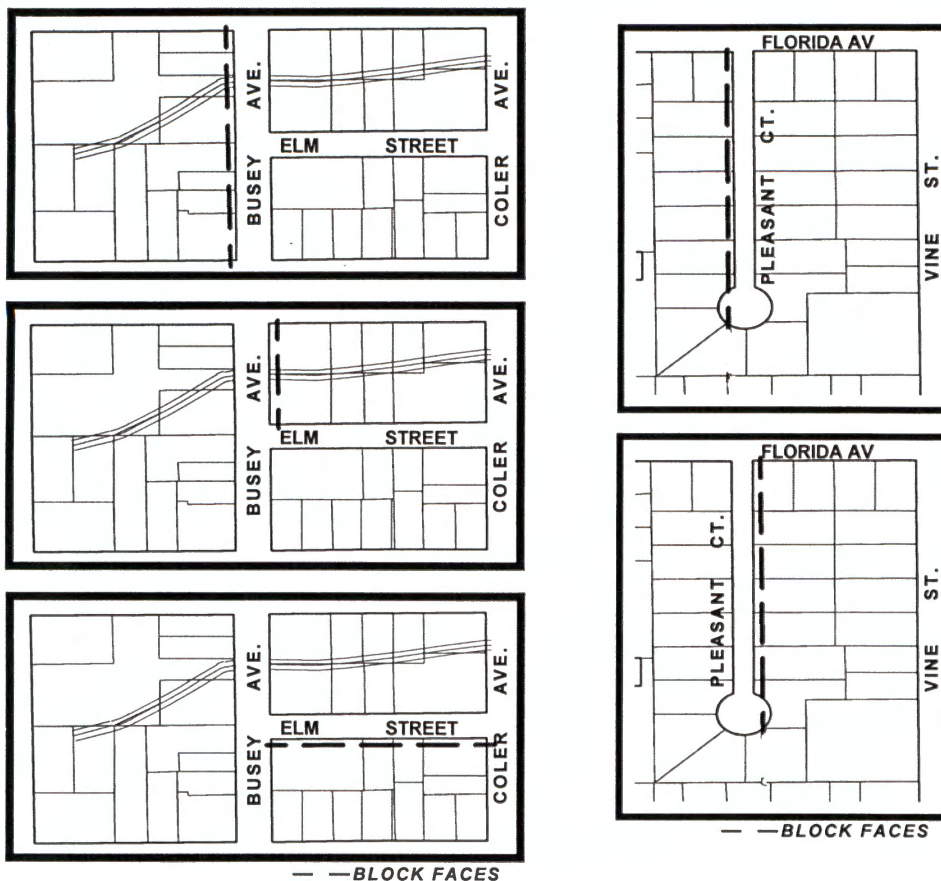
WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interests of the City of Urbana to amend the text of the Urbana Zoning Ordinance as recommended by the Urbana Plan Commission in Plan Case No. 1647-T-97, and as described herein.

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

Section 1.

Amend Section II-3, Definitions, of the Urbana Zoning Ordinance to read as follows:

Block Face: The total frontage measured in linear feet of lots on the same side of the street between the nearest intersecting streets. The concept being illustrated by the following.



The block face shall be considered to run from one cross street to the next cross street. A block face adjacent to an intersection which forms a “T” intersection shall be considered to be a single block face and not two separate block faces. In the case of corner lots, the block face shall be measured using the longest frontage only, and the lot is a part of two separate block faces. In the case of a cul-de-sac, the block face shall be said to begin at the entrance to the cul-de-sac and continue along the same side of the street to the end of the cul-de-sac.

Amend Table V-1, Tables of Uses, to read as follows:

Under the category *Public and Quasi-Public Facilities*, remove “Telegraph Office.”

Under the category *Business Uses - Personal Services*, change “Reducing Salon” to “Health Club/Fitness.”

Under the category *Business Uses - Food Sales and Services*, change “Dairy Store” to “Convenience Store.”

Under the category *Business Uses - Recreational*, add “Driving Range.” When not on the same parcel as a golf course, driving ranges should be permitted by right in both an AG Agriculture district and B-3 General Business district, and as a conditional use in a CRE Conservation district. If a driving range is on the same parcel as a golf course, then the driving range is an accessory use to the golf course.

Under the category *Business Uses - Recreational*, add “Miniature Golf Course.” A miniature golf course should be permitted by right in an AG Agriculture district and B-3 General Business district, and as a conditional use in a CRE Conservation district.

Amend Table VI-1, Development Regulations by District, to read as follows:

TABLE VI-1. DEVELOPMENT REGULATIONS BY DISTRICT

District	Minimum Lot Size (sq. Ft. unless otherwise indicated)	Minimum or Average Lot Width (In feet)	Maximum Height (In feet)	Maximum FAR	Minimum OSR	Required Yards (In feet)		
						Front	Side	Rear
R-3	6,000	60	35	0.40	0.40	15'	5	10

1. In the R-1 District, the required front yard shall be the average depth of the existing buildings in on the same block face, or 25 feet, whichever is greater as required in Sec. VI-5-D(1). In the R-2, R-3, R-4, R-5, R-7 and MOR Districts, the required front yard shall be the average depth of the existing buildings on the same block face (including the subject property), or 15 feet, whichever is greater as required in Sec. VI-5-D(1). (Ord. No. 9596-58, 11-20-95).

Amend Section VII-6 J, Validity of a Special Use Permit, to read as follows:

J. Unless otherwise specifically provided in the terms of the ordinance authorizing the special use, the use must be established through a building permit or Certificate of Occupancy within one (1) year from the date the ordinance authorizing it is passes by the City Council. As provided in Section VII-1 of this Article, special use must be authorized before a building permit or a Certificate of Occupancy (if no building permit is required to establish a use), may be issued. Once the use is established, the special use may continue indefinitely beyond the expiration of the building permit allowing it, so long as the principal use is not discontinued, unless the ordinance authorizing the special use dictates otherwise.

Amend Section VIII-3 F.2, Limitations on Parking in a Required Yard, to read as follows:

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.

Amend Table VIII-6, Parking Requirements by Use, to read as follows:

Under *Retail Business Uses*, omit "Dime Store".

Under *Commercial Recreational Uses*, make "Miniature Golf" a separate category from golf course and change parking requirements for miniature golf courses from four parking spaces per tee to one space per tee plus one space per every four employees.

Under *Commercial Recreational Uses*, add "Driving Range" to the list of parking requirements and require one parking space per tee plus one space for every four employees.

Amend Section IX-4 E, General Provisions for Signs, to read as follows:

E. In the B-3, B-3U, B-4, B-4E and IN Districts, in addition to the signs permitted as specified in Tables IX-1 through IX-4, IX-6 and IX-9, temporary commercial signs, shall be allowed by permit in the following instances:

1. Each business shall be allowed to display one grand opening sign per business frontage, in the form of a banner securely fastened at both ends to a building or other structure, for a period not to exceed thirty consecutive days. Said display must occur within the first six months after either the opening of said business at that site or after there has been a change in ownership of the business.
2. Within the first thirty days of operation of a new on-site business, in addition to the banner signs as permitted in Section IX-4E.1, a business having at least fifty (50) feet of frontage shall be permitted to display additional grand opening signage in the form of inflatable signs and balloons for a period of no more than ten (10) days.

An inflatable sign or balloon may not *itself* exceed 25 feet in height and shall not obstruct visibility necessary for safe traffic maneuvering. Such signs shall be set back from any property line a minimum distance equal to the height of the balloon plus five (5) feet, and shall maintain a minimum twenty-five (25) foot clearance *in all directions* from all electrical wires. No more than one such inflatable device shall be allowed on any premises. Any such sign or balloon must be securely fastened to manufacturers specifications and secured to minimize wind movement. The inflatable sign, if lighted, must be installed to a grounded outlet.

Such inflatable signs must be installed by a commercial sign installer. Proof of liability insurance in a minimum amount of one million dollars must be shown before a permit for an inflatable sign may be issued. Such signs inflated with helium are strictly prohibited.

3. In addition to any grand opening signs permitted in paragraphs 1 and 2 above, each business shall be allowed up to four separate displays of a temporary commercial sign per business frontage per calendar year, also in the form of a banner securely fastened at both ends to a building or other structure. That means that if more than one business is located on a particular lot, then each business on that lot shall be allowed up to four separate temporary sign displays per calendar year for each portion of the lot that abuts a public street or alley.

The total length of time for those four displays on a particular business frontage shall not exceed four (4) weeks per calendar year.

4. The area of temporary banner signs shall be restricted to 100 square feet for wall banner signs or wall-mounted banner signs, and fifty (50) square feet for freestanding banner signs.

5. A temporary banner sign shall be set back at least ten (10) feet from the front property line, or shall be displayed so that the bottom edge of the sign is at least ten (10) feet above grade level at all points.
6. A permit for a temporary sign shall specify the location of the sign and the period of time during which said sign may be displayed.
7. No fee shall be charged for a grand opening temporary sign. This fee language shall supersede the requirements of Chapter XIV of the City of Urbana Code of Ordinances governing fees for sign permits. The fees for other temporary commercial signs shall be as set forth in Chapter XIV for sign permits. (Ord.9495-81, 3-6-95)

Amend Section IX-7 B, Removal of Prohibited Signs, to read as follows:

1. If a permanent sign shall become prohibited under Section IX-7-A(6), notice shall be given to the land owner, and business owner, under Section IX-9-C, and he/she shall have fifteen (15) days from the date of notice in which to remedy or remove the sign.
2. All other signs prohibited by this section shall be brought into conformity as provided for in Section X-9.

Amend Section XI-14 C, Conditional Use Permits, to read as follows:

C. If the Council's decision on a proposed annexation agreement is favorable, it shall adopt the agreement by ordinance. The ordinance shall expressly approve of the implementation of any and all zoning changes, variances, conditional uses, or other modifications in the application of the Zoning Ordinance to the property, when annexed, which are required by the agreement. Upon execution of the annexation agreement by all parties to the agreement, any zoning changes, variances or other modifications in the application of the Zoning Ordinance which are required by the agreement shall be deemed approved without any further action by any other City Board or Commission otherwise authorized or empowered to consider and/or grant such changes, variances or modification. For example, a conditional use is usually authorized by the Zoning Board of Appeals. However, in the case of an annexation agreement, the City Council may authorize a conditional use as part of the annexation agreement, without having the request heard by the Zoning Board of Appeals.

Section 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 super-majority of the Members of the City Council of the City of Urbana, Illinois, at a special meeting of said Council.

PASSED by the City Council this 16th day of June, 1997.

AYES: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman

NAYS:

ABSTAINED:



APPROVED by the Mayor this 26 day of June, 1997.

Phyllis D. Clark
Phyllis D. Clark, City Clerk

Tod Satterthwaite
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 ____ day of _____, 1997, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "AN ORDINANCE APPROVING MISCELLANEOUS AMENDMENTS TO THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the ____ day of _____, 1997, 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 ____ day of _____, 1997.

(SEAL)

Phyllis D. Clark, City Clerk

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