

**ORDINANCE NO. 9798-66**

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

(Buffer and Landscape Yards)

(Plan Case #1677-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 Urbana Zoning Ordinance; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1677-T-97; 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 October 23, 1997; and

WHEREAS, the Urbana Plan Commission voted at its regular meeting on October 23, 1997 to forward Plan Case #1677-T-97 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:

Section 1. Portions of Section VI-5 which read as follows is hereby repealed:

D. Front yards.

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 to 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.

F. Rear yards.

4. The rear yard of any lot which immediately adjoins or is directly opposite property in another district which requires a greater rear 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 in the B-4E District will be a 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 2. Section VI -5 is hereby amended to add the following language

G. Buffer and landscape yards.

1. Applicability. This section shall be applicable when a building permit is required for new construction of a principal building or where the square footage of an addition to an existing building exceeds the existing square footage of the building on the zoning lot.
2. In order to minimize the impacts between uses of varying intensity to create a more attractive community and to provide a greener edge to our urban environment, the following requirements shall apply:
  - a. If Table VI-1 requires greater setbacks than this subsection, the greater setbacks shall apply and a landscaping buffer will be required per this section.
  - b. In the B-4E District, the required front yard, except for allowed access drives and sidewalks shall be landscaped with a combination of grass or other suitable ground cover, flowers, shrubs and trees or decorative pavement, walls or fences in conformance with this Section and other provisions of this ordinance.
  - c. The required side yard of a lot in any B District, except the B-4E, the IN District or the OP District shall have a minimum depth of then (10) feet if it immediately adjoins property in any R-4, R-5, R-6, R-6B or R-7 District or the MOR District. In these instances, no access drive may encroach into said required side yard unless the Zoning Administrator determines that there is no feasible alternative to access parking on the site. In addition, a landscape buffer with a minimum depth of five (5) feet shall be provided in said yard. Said landscape buffer shall, at a minimum, meet the requirements of this Section.
  - d. The required side or rear yard of a lot in any B District, except the B-4E, the IN District or the OP district which immediately adjoins property in the R-1, R-2 or R-3 Districts shall have a required side yard in accordance with the



Development Regulations in Table VI-1, except that a solid fence six foot in height shall be erected rather than landscaping required herein. This provision shall supersede Chapter 7 of the Urbana City Code entitled "Fences" but shall not be permitted in an area that the City Engineer determines will pose a traffic hazard.

- e. The required side yard of a lot in the R-4, R-5, R-6, R-6B or R-7 District shall have a minimum depth of ten (10) feet if it immediately adjoins property in the R-1, R-2 or R-3 District. No access drive may encroach into said required yard unless the Zoning Administrator determines that there is no feasible alternative to access parking on the site. In addition, a landscape buffer with a minimum depth of five (5) feet shall be provided in said yard.
- f. The required rear yard of a lot in any B District, the IN District or the OP District shall have a minimum depth of ten (10) feet if it immediately adjoins property in any R District or the MOR District. In addition, a landscape buffer with a minimum depth of five (5) feet shall be provided in said yard. Said landscape buffer shall, at a minimum, meet the requirements established for plantings and ground cover in this Section.
- g. The required rear yard of a lot in the R-4, R-5, R-6, R-6B or R-7 District shall have a minimum depth of ten (10) feet if it immediately adjoins property in the R-1, R-2 or R-3 Districts. In addition, a landscape buffer with a minimum depth of five (5) feet shall be provided in said yard. Said landscape buffer shall, at a minimum, meet the requirements established for planting and ground cover in this Section.
- h. The shrubs and shade trees required shall be among the species listed in Table VI-2 and VI-3, below, 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.
- i. 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 applicable required landscaped yard of the zoning lot. The trees and shrubs shall meet the minimum size and spacing requirements contained in this Section.
- j. 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 applicable required landscaped yard excluding the access drives that may be allowed. The remaining 25% of the applicable required yard area may be non-living landscaping materials including bar or wood chips, rock, stone, decorative pavement, landscaping timbers or other similar material.

- k. In the B-4E District, 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 herein.
- l. 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.
- m. 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.
- n. 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.

TABLE VI-2. SHADE TREE SPECIES

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White Ash – Male Cultivars  
 Male Ginkgo  
 Linden Species  
 Sugar Maple Species  
 English Oak  
 Bald Cypress  
 Hackberry  
 Honey Locust (Seedless/Thornless) Cultivars

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TABLE VI-3. 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

**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 majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 17th day of November 1997.

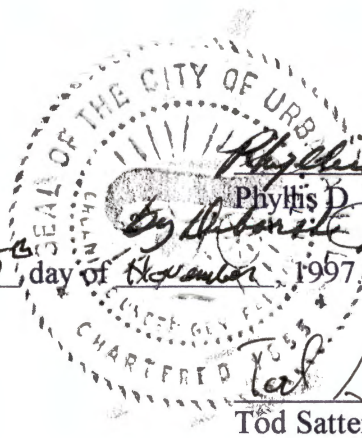
PASSED by the City Council on this 17 day of November 1997.

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

NAYS:

ABSTAINED:

APPROVED by the Mayor this 25<sup>th</sup> day of November, 1997.



*Phyllis D. Clark*  
Phyllis D. Clark, City Clerk

*By William J. Roberts, Deputy Clerk*

*Tod Satterthwaite*  
Tod Satterthwaite, Mayor