

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

**(To Amend Section VI-6 of the Urbana Zoning Ordinance with Regard to
Outdoor Storage Screening - Plan Case No. 2013-T-06)**

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance No. 2006-04-040 on April 17, 2006 consisting of a Comprehensive Amendment to the 1993 Zoning Ordinance of the City of Urbana, also known as the Urbana Zoning Ordinance; and

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend section VI-6 of the Urbana Zoning Ordinance to require screening of certain types of outdoor storage; and

WHEREAS, the amendment is consistent with the regulations of communities surrounding Urbana; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #2013-T-06; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing on the petition on November 30, 2006; and

WHEREAS, the Urbana Plan Commission voted 8 ayes to 0 nays on November 30, 2006 to forward Plan Case #2013-T-06 to the Urbana City Council with a recommendation for approval of the proposed amendment; and

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the amendments described herein conform to the goals, objectives and policies of the 2005 Urbana 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 interest of the City of Urbana to require the screening of outdoor storage from rights-of-way and residential areas by amending 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 Urbana Zoning Ordinance shall be amended as follows:

Section 1. Section II-3, Definitions, is hereby amended to add the following definitions:

Force Majeure: Any acts of God; acts of public enemies; compelling orders from the government of the United States or of the State of Illinois or any of their departments, agencies, or officials, or any civil or military authority; insurrections; riots; epidemics; landslides; lightning; earthquake; fire; storms; floods; washouts; droughts; restraint of government and utilities; or any similar cause or event not reasonably within the control of the affected parties.

Outdoor Storage: The placing, maintaining, or keeping of items outside of an enclosed building for a continuous period longer than 72 hours. Outdoor storage areas include, but are not limited to: raw materials, junk or salvage; vehicles that remain inoperable for more than ten days; wholesale commercial products not on display; mechanical equipment and machinery; or construction materials.

Section 2. Section VI-6, Screening, is hereby amended to *add* screening requirements for outdoor storage areas as follows:

F. Outdoor Storage Screening.

1. The requirements of this section apply to outdoor storage areas (as defined in Article II) existing on any parcel in use as a construction yard, warehouse, automobile salvage yard, automobile-truck repair, towing service, electrical substation, or any other industrial use as listed in Table V-1. Outdoor storage in these areas shall be screened from view of all public rights-of-way and adjacent properties that are in residential use or are zoned R-1, R-2, R-3, R-4, R-5, R-6, R-7, or MOR.

2. Areas subject to this section shall be effectively screened through any combination of fences, walls, berming, or landscaping, as illustrated on a screening plan which shall be submitted for the review and approval of the Zoning Administrator and in conformance with the following standards:

a) The screen shall be at least six feet but not more than eight feet in height and shall provide a permanent, opaque, year-round visual barrier to ensure that outdoor storage areas are not visible from public rights-of-way or adjacent residential property as identified

above. Additional height and/or security measures shall be approved if security provisions are warranted and subject to the review and approval of the Zoning Administrator.

b) Materials and colors of fences and walls shall be compatible with surrounding development and shall be durable and intended for outdoor usage.

c) Acceptable fencing materials include wood, masonry, pre-cast decorative concrete panel, aluminum and vinyl. Corrugated sheet metal and "Jersey" style concrete barriers shall be prohibited as fencing or screening materials. Alternative materials may be allowed upon review and approval by the Zoning Administrator.

d) Any wall or fence extending more than forty feet in length shall be landscaped on its exterior in accordance with the planting species, spacing, and care requirements set forth in Section VI-6.A.2.h, i, j, and o.

e) Masonry or concrete walls shall have a column or other design variation every twenty feet.

f) When the height of items to be stored is greater than eight feet, trees of a minimum three-inch caliper shall be planted in addition to the eight-foot high maximum screening required by this section. Plantings shall be in accordance with the species, spacing, and care requirements set forth in Section VI-6.A.2.h, i, j, and o.

g) If landscaping is to be used as the primary screen, it shall be no less than four feet in height at time of planting and upon maturity shall be maintained at a minimum of six feet. Planting species, spacing, and care shall be in accordance with the requirements set forth in Section VI-6.A.2.h, I, j, and o.

h) Fence construction is also subject to the requirements set forth in Chapter 7 of the City of Urbana Code of Ordinances.

i) Parking lot screening requirements are as set forth in Section VI-6.A-E and Section VIII-3.F.

3. All existing outdoor storage areas made non-conforming by the adoption of Section VI-6-F shall be brought into conformance with this section within twenty-four months from the effective date of the amending ordinance unless an extension is approved in

writing by the Urbana Zoning Administrator, or unless a special use, conditional use, or other specific site plan approval has been previously granted by the City which incorporates an alternate screening treatment under which the property remains in compliance.

Add Section VI-6.G to read as follows:

G. Screening shall be well maintained and shall be repaired or replaced to the original required state if damaged, destroyed, or in need of repair; walls and fences shall be maintained in an upright condition; deteriorated or damaged masonry and wood fences shall be replaced within a period of thirty days, or as soon as weather permits; plant material shall be maintained in accordance with Section VI-6.A.o. If the screen is destroyed by any force majeure, the replacement period may be extended by the Zoning Administrator upon written application.

Section 3. 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 special meeting of said Council on the 11th day of December, 2006.

PASSED by the City Council this 11th day of December,
2006.

AYES: Bowersox, Chynoweth, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Phillip D. Clark
Phillip D. Clark, City Clerk

Robert J. Roberts
Robert J. Roberts, Deputy Clerk

APPROVED by the Mayor this 11th day of December,
2006.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

[Special Council Meeting]