

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

**(Article VIII, With Respect to Off-Street Parking  
in Residential Areas - Plan Case No. 2002-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 Article VIII of the Urbana Zoning Ordinance regarding off-street parking in residential areas to clarify the intent of the Ordinance and to make miscellaneous editorial changes; 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 May 10, 2007; and

WHEREAS, the Urbana Plan Commission voted 6 ayes to 0 nays on May 10, 2007, to forward Plan Case #2002-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 clarify the Zoning Ordinance in regards to where off-street parking may be located and to make miscellaneous editorial changes.

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 VIII-3 Paragraph A is hereby amended to read as follows:

A. *Design and Construction Requirements*

1. Adjacent residential uses shall be screened in accordance with Section VIII-3.F from direct rays of light from the illumination of any off-street parking areas.
2. All off-street parking lots, access drives, off-street loading areas, and parking spaces shall be paved with a hard surface, including oil-and-chip, concrete, asphalt, brick, permeable asphalt, permeable pavers, or other suitable surface including new environmentally friendly technologies, as approved by the Zoning Administrator so that the environment created is dust free and conforms to the following criteria:
  - a. The pavement design shall be such that any material composing the pavement and the soil underneath is not displaced by traffic movement in a manner that generates pollution in the air due to flying particles and causes damage, injury, or nuisance to the people/vehicles which use the facility.
  - b. The design and construction of the pavement shall be such that the physical appearance, characteristics, performance, and rigidity of the surface that comes into direct contact with vehicles does not change with varying weather conditions. The form and texture of the surface shall be conducive to safe flow of traffic.
  - c. Notwithstanding normal wear and tear, the surface and appearance of the parking lot shall be maintained to perform as originally designed.
3. Driveways and access drives existing as of March 1, 1990 which are not improved with a surface specified above shall not be required to be paved unless a new structure intended to be occupied by a principal use is constructed or the driveway is reconstructed. Access drives resurfaced with additional gravel shall be contained with a curb or approved landscape edging treatment. Where a garage is not provided in new

construction of single- or two-family dwellings, a paved driveway and access drive shall be provided to accommodate a minimum of two off-street parking spaces per dwelling unit which will not encroach on the public right-of-way. (See Section VIII-3.H for drainage requirements).

4. The 2001 Champaign-Urbana Urbanized Area Transportation Study (CUUATS) Access Management Guidelines shall be generally followed to determine the location and number of access drives.

Section 2. Section VIII-4, Location of Parking Facilities, is hereby amended to read as follows:

- A. The Zoning Administrator or his/her duly authorized agent shall cause parking citations to be issued for violations of this Section.
- B. All off-street parking spaces required by this Article shall be located on the same zoning lot as the use to which they are accessory, except as provided herein.
- C. Accessory off-street parking may be located on a lot other than on the same zoning lot where the principal use is located as provided for in Section V-3.G.
- D. Except as otherwise allowed herein, off-street parking in a required front, rear, or side yard, in a required open space area, or on an unapproved parking surface is prohibited.
- E. Except for driveways serving a single-family or two-family residence, no parking space shall be permitted where the exiting vehicle must be backed into or out of a public street. Vehicles are allowed to back out toward public alleys when proper aisle widths are provided.
- F. *Parking in a Required Yard is Prohibited Except as Follows:*
  1. Access drives clearly serving single-family dwelling units, individual townhouses or duplex dwelling units may contain required parking for licensed passenger vehicles in the required front or side yard except that such area devoted to parking and access thereto shall not exceed 45% of the total lot width. Such spaces may be stacked. Accessory parking spaces provided pursuant to Section VIII.4.J. shall not be located in a required front yard.

2. Accessory off-street parking may locate in the required side yard and rear yard, provided that the parking is located behind the rear face of the principal structure. In the case of a lot with no principal structure on which a principal use parking lot is to be located, parking may be located in the rear or side yard. (Ord. No. 9697-154, 6-16-97) (Ord. No. 1999-06-045, 06-11-99)
3. Off-street parking in a required rear yard is prohibited in the MOR District unless it is determined by the Development Review Board that a combination of fencing and/or vegetation have been installed and maintained to meet the requirements of Section VIII-3.F and which can reasonably be expected to shield such parking from view from adjacent residential structures within five years of the date on which such parking is allowed.
4. In the B-2 and B3-U Zoning Districts, parking is permitted to locate in the required side yard setback if the zoning district adjacent to the setback is designated B-2, B-3, or B-3U and if the adjacent area is also used for parking.
5. In the B-3 Zoning District, parking may locate in the required side yard setback if the zoning district adjacent to the setback is designated B-1, B-2, B-3, B-3U, B-4, B-4E, IN, MIC or OP and if the adjacent area is also used for parking.
6. Parking in the B-2, B-3, B-3U, CCD, and IN Zoning District shall be permitted to encroach ten feet into the required 15 foot front yard but no closer than five feet from the property line if the requirements set forth in Section VI-6.A.2.(p) are met.
- G. Where parking is permitted in a required yard in any zoning district, a minimum space of 18 inches shall be maintained from the nearest edge of the parking lot to the property line. A minimum of three feet is required where parking lot screening is required in conformance with Section VIII-3.F.
- H. In residential zoning districts the following shall regulate the parking of commercial vehicles, recreational vehicles, watercraft, and off-road vehicles:
  1. Recreational vehicles and watercraft, either of which are greater than 20 feet in length, and off-road vehicles shall be stored only in the following manner:



- a) Inside a carport or garage in conformance with Section V-2.D.7, or
  - b) Outside behind the face of the principal building, or
  - c) Outside in the front yard at least five feet from the front lot line provided:
    - (1) Said parking is for loading and unloading operations completed within a 24 hour period, or;
    - (2) Space is not available in the side yard, or there is no reasonable access to either the side yard or rear yard. A lot shall be deemed by the Zoning Administrator to have reasonable access to the rear yard if terrain permits and access can be had without substantial damage to existing large trees or landscaping. A corner lot shall be deemed to have reasonable access to the rear yard.
2. The length of the watercraft for the purpose of this paragraph shall not include any portion of any trailer used for transporting the watercraft which extends beyond the watercraft itself.
3. For any single or two-family residential use, the parking surface of accessory off-street parking for passenger, recreational, watercraft and off-road vehicles shall consist of either asphalt, concrete, brick, CA-10 or equivalent gravel contained by curbing or approved landscape edging treatment, or other surface approved by the Zoning Administrator. For any multiple-family residential use, the parking surface of any such parking lot shall conform with Section VIII-3.A. Those accessory parking surfaces on the site of single- or two-family residences shall meet the requirements of paragraph J below.
4. No recreational vehicle shall be used for living, sleeping, or housekeeping purposes while stored.
5. No more than two commercial vehicles shall be on the zoning lot parked at any one time. Commercial vehicles stored outside must be parked on an approved driveway or parking space. Such commercial vehicles shall not

exceed three-quarter ton capacity and shall be used by an occupant of the dwelling for personal or business transportation. Commercial vehicles engaged in a lawful construction or service operation on the site are exempt from this requirement.

- I. Any vehicle regulated by this section that is stored outside shall be in mechanically and legally operable condition.
- J. In order to provide single and two family residential uses an opportunity to establish an accessory parking area, a maximum of two accessory, off-street parking spaces may be constructed for single and two family residences for passenger vehicles, recreational vehicles, watercraft and off-road vehicles. Said accessory parking must be in addition to and on other than the access drive and shall not be located in the required front yard. The surface for such a storage area shall consist of either asphalt, concrete, brick, CA-10 or equivalent gravel contained by curbing or approved landscape edging treatment, or other surface approved by the Zoning Administrator. Said accessory parking area shall have approved access thereto. Dirt, woodchip, or sod surfaces are prohibited.
- K. Parking located at ground level below any portion of a principal structure shall be prohibited in the MOR District. Parking located underground below a principal structure shall be allowed in the MOR District in accordance with the provisions of Article VIII of this Ordinance.
- L. In any zoning district, accessory off-street parking associated with a permitted principal use, other than a non-conforming use, may be located on any separate zoning lot within 600 feet (exclusive of rights-of-way) of the principal use, subject to the following:
  - 1. If the principal use and the off-site parking are located in the same district, and the off-site parking is not located in a principal use parking lot as defined in Article II, the off-site parking is permitted under the same terms as the principal use. Conditional use or special use permits for the off-site parking, if applicable, may be requested simultaneously with the conditional use or special use permit for the principal use.
  - 2. If the principal use and the off-site parking are located in separate zoning districts, and the off-site parking is not located in a principal use parking lot as defined in Article

II, the off-site parking shall be permitted according to the following rules:

- a) The off-site parking shall be permitted by right if either the principal use or a "principal use parking lot," or both, are principal uses permitted by right at the location of the off-site parking, according to Table V-1, Table of Uses.
  - b) The off-site parking shall require a special use permit if a) above is not applicable.
  - c) The petitioner must demonstrate to the Zoning Administrator that the number of off-street parking spaces, plus any parking spaces maintained off-site, satisfies parking requirements for the principal use, and that said parking spaces are dedicated to serve the principal use.
3. If the off-site parking is located within 600 feet of property zoned R-1, R-2, or R-3, it shall require a special use permit subject to the provisions of Section VIII-2.
4. If the off-site parking is located in a principal use parking lot, then its location is permitted by right or as a special use according to Table V-1, Table of Uses.
5. In all cases in which off-site parking is permitted, the Certificate of Occupancy for the principal use shall specify the required number of parking spaces to be maintained in the accessory off-site parking. The Certificate of Occupancy shall state that the parking space sufficient to meet ordinance requirements is maintained on and/or off-site.

Section 3. Section VIII-5, Paragraph I, is hereby amended to read as follows:

Off-street parking required for Planned Unit Developments may be reduced in accordance with the provisions of Section XIII-3.E.1. (Ord. No. 2007-01-003 04-04-07)

Section 4. Footnote 1 on Table VIII-6, Bicycle Parking Requirements By Use, is hereby amended to read as follows:

The Zoning Administrator shall determine whether proposed developments are subject to these bicycle parking requirements based upon demand generated by the use, the location of the development, the proximity to other uses with bicycle parking demand, and other relevant factors.

Section 5. 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).

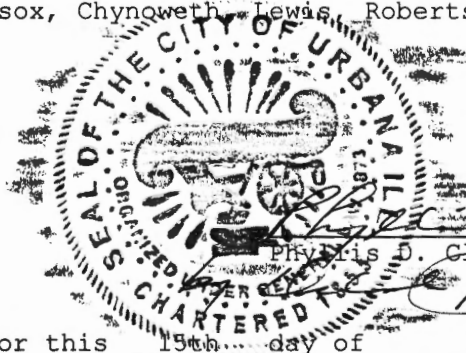
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 4th day of June, 2007.

PASSED by the City Council this 4th day of June, 2007.

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

NAYS:

ABSTAINS:



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

*J. R. Lunt*  
Deputy Clerk

APPROVED by the Mayor this 15th day of June,

2007.

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor