

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF URBANA, ILLINOIS**

**(Omnibus Zoning Ordinance Text Amendment - Plan Case No. 2063-T-08)**

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 replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and

WHEREAS, the Urbana Zoning Ordinance has periodically been recodified and republished by the City of Urbana to incorporate the numerous amendments that have been made since Ordinance #9293-124 was adopted on June 21, 1993; and

WHEREAS, the Urbana Zoning Administrator proposes to enact an omnibus Zoning Ordinance amendment as part of the process of editing the Ordinance to recodify and republish it; and

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend the Urbana Zoning Ordinance, which includes numerous miscellaneous editorial changes as part of the recodification and republishing of the Zoning Ordinance; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #2063-T-08; 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 20, 2008 which was continued to the December 4, 2008 meeting; and

WHEREAS, the Urbana Plan Commission voted 8 ayes to 0 nays on December 4, 2008 to forward Plan Case #2063-T-08 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 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 Urbana Zoning Ordinance shall be amended as follows:

Section 1. Section I-2, Relationship to State Zoning Act, is hereby amended as follows:

This Ordinance is enacted by the corporate authorities of the City of Urbana, Illinois, pursuant to its home rule powers as provided for in Article VII, Section 6, of the Constitution of the State of Illinois, 1970. It is recognized that some provisions of this Ordinance are presently inconsistent with the State Zoning Act (65 ILCS 5/11-13-1, et. seq.), and that future amendments to either the State Zoning Act or this Ordinance shall create inconsistencies between the State Zoning Act and this Ordinance; therefore, as a guide to interpretation in such instances, the following shall be applied: Where the provisions of this Ordinance, regardless of when enacted, provide differently from the State Zoning Act either when such Ordinance is enacted or because the State Zoning Act was amended after the subject Ordinance was enacted, or where such provisions cannot be reasonably interpreted to be consistent with the State Zoning Act, then the provisions of the Urbana Zoning Ordinance shall control and prevail.

Section 2. Section II-3, Definitions, is hereby amended to delete the following terms and their definitions:

Athletic Training Facility, Non-Residential

Athletic Training Facility, Residential

Building, Detached

Church or Temple

Day Care Home

Day Care Facility

Flood Hazard Zone Permit

Home for the Aged

Institution of an Educational, Philanthropic, or Eleemosynary Nature

Massage Parlor

Shopping Center

Section 3. Section II-3, Definitions, is hereby amended to include the following terms and their definitions:

*Adjoining:* Bordering, touching, contiguous, or adjacent. Lots separated by a public right-of-way less than 28 feet wide, but not greater, shall be considered adjoining.

*Athletic Training Facilities:* A specialized facility provided for the training needs and related activities of athletes. This use may include classrooms and meeting space, as well as specialized sports facilities, such as ball courts, gymnasiums, weight rooms, play fields, and pools. Activities may include training sessions, practices, and competitive events. Unlike a health club or private indoor recreational development, these facilities are primarily for the pre-arranged use of specific teams and programs, rather than for general public walk-in use. However, limited public use is permitted for regular training and fitness classes and public outreach.

*Building, Detached:* A building having no walls or roofs in common with any other buildings, and separated by a minimum distance as specified in Section VI-5.B.

*Church, Temple or Mosque:* A building, together with its customary accessory buildings and uses, where people regularly assemble for religious worship, and which, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship and/or mission.

*Day Care Home:* Any facility, in a home, for the care of no more than a total of five children or dependent adults, including those of the proprietor, during all or part of the day, of a commercial nature of a type commonly called "day nurseries," "nursery schools," or "private kindergartens," etc., which provide essential personal care, protection, supervision, or training of preschool or school age children or dependent adults. A day care home shall be considered a home occupation.

*Day Care Facility:* Any facility, other than a day care home, for the care of children or dependent adults, including those of the proprietor, during all or part of the day, of a commercial nature of a type commonly called "day nurseries," "nursery schools," or "private kindergartens," etc., which provide essential personal care, protection, supervision, or training of preschool or school age

children or dependent adults. A day care facility shall not be considered a home occupation.

*Institution of an Educational or Charitable Nature:* A private or public organization that is organized and operated for the purpose of providing an educational or philanthropic service or carrying on a trade or business without profit and for charitable purposes.

*Senior Housing:* Any age-restricted development, which may be in any housing form, including detached and attached dwelling units, apartments, and residences, offering private and semi-private rooms.

*Massage Therapist:* Any establishment where for pay, massage, alcohol rub, administration of fomentation's, electric or magnetic treatments or any other treatment or manipulation are practiced on the human body. This term shall not apply to adult massage parlors as defined and permitted as an adult entertainment use, nor shall it apply to a place where therapeutic massage or manipulation is conducted by a licensed physician, osteopath, chiropractor, registered or practical nurse operating under a physician's direction, registered speech pathologist, or physical and occupational therapists.

*Shopping Center:* A complex of three or more business and commercial establishments, planned, developed, and managed as a unit, sharing common parking facilities.

Shopping centers are divided into the following classifications according to building and lot size. In order to qualify for the larger classification, a development must meet both the minimum lot and building areas.

a) *General Shopping Center.* A shopping center located on a minimum of four acres and having a combined building area of 50,000 square feet or more.

b) *Convenience Shopping Center.* A shopping center located on a site of more than one acre, but less than four acres, and having between 12,000 and 50,000 square feet of combined building area.

Section 4. Section IV-1, Number and Designation of Districts, is

hereby amended as follows:

In order to carry out the purposes of this Ordinance, as specified in Section I-1, by classifying, regulating, and restricting the location of buildings erected or structurally altered for specific uses, by regulating the use of land and structures, by regulating and limiting the height and bulk of buildings and structures hereafter erected or structurally altered, by regulating and determining the area of yards and other open spaces about buildings, by regulating the intensity of the use of land or buildings, and by regulating off-street parking facilities for certain uses, the City of Urbana, Illinois, is hereby divided into 23 zoning districts, which are hereby established as follows:

AG Agriculture

B-1 Neighborhood Business

B-2 Neighborhood Business - Arterial  
 B-3 General Business  
 B-3U General Business - University  
 B-4 Central Business  
 B-4E Central Business - Expansion  
 BYC Boneyard Creek District  
 CCD Campus Commercial District  
 CRE Conservation-Recreation-Education  
 IN Industrial  
 MIC Medical Institutional Campus  
 MOR Mixed Office Residential  
 OP Office Park  
 R-1 Single-Family Residential  
 R-2 Single-Family Residential  
 R-3 Single- and Two-Family Residential  
 R-4 Medium Density Multiple-Family Residential  
 R-5 Medium High Density Multiple-Family Residential  
 R-6 High Density Multiple-Family Residential  
 R-6B High Density Multiple-Family Residential-Restricted  
 Business  
 R-7 University Residential  
 BDR Business Development and Redevelopment District

Section 5. The final paragraph of Section IV-2.G, Purpose of  
 Districts, is hereby amended as follows:

*Applicability:* The MIC District established by this ordinance shall be a conversion zoning district with unique development standards and procedures applicable to development on the properties defined as the Medical Institutional Campus as depicted on the map above. When the City of Urbana issues a building permit to the owner of a property in this area for the development of said property for a medical related use, as that term is defined in Section V-10, the property's zoning shall convert to MIC and the development regulations of the MIC district shall apply. Until that time, the underlying zoning districts and regulations will remain in effect, will govern the permitted use or uses of such properties and will appear on the official City of Urbana Zoning. Upon the owner's receipt of such a building permit, the subject

property will automatically convert to the MIC zoning district. If the owner does not commence construction under the terms of said building permit within one year of its issuance, the MIC zoning will revert to the original zoning in effect as of the date of this Ordinance. Unless otherwise specified within these regulations all other standards and requirements of the Urbana Zoning Ordinance remain in effect. Uses in the Medical Institutional Campus District are for the purpose of definition considered nonresidential uses. Annual updates of the Official Zoning Map of the City of Urbana shall reflect the change in zoning. Additional regulations for the MIC District are located in Section V-10 of this Ordinance.

Section 6. Table IV-1, County to City Zoning Conversion, is hereby amended as follows:

<i>Former Zoning District Champaign County</i>	<i>New Zoning District City of Urbana</i>
<i>C-R Conservation-Recreation</i>	<i>CRE Conservation-Recreation-Education</i>
<i>AG-1 Agriculture</i>	<i>AG Agriculture</i>
<i>AG-2 Agriculture</i>	<i>AG Agriculture</i>
<i>R-1 Single-Family Residence</i>	<i>R-1 Single-Family Residential</i>
<i>R-2 Single-Family Residence</i>	<i>R-2 Single-Family Residential</i>
<i>R-3 Two-Family Residence</i>	<i>R-3 Single- and Two-Family Residential</i>
<i>R-4 Multiple Family Residence</i>	<i>R-4 Medium Density Multiple Family Residential</i>
<i>R-5 Manufactured Home Park</i>	<i>AG Agriculture</i>
<i>B-1 Rural Trade Center</i>	<i>B-1 Neighborhood Business</i>
<i>B-2 Neighborhood Business</i>	<i>B-1 Neighborhood Business</i>
<i>B-3 Highway Business</i>	<i>B-3 General Business</i>
<i>B-4 General Business</i>	<i>B-3 General Business</i>
<i>B-5 Central Business</i>	<i>B-4 Central Business</i>
<i>I-1 Light Industry</i>	<i>IN Industrial</i>
<i>I-2 Heavy Industry</i>	<i>IN Industrial</i>

Section 7. Section V-1, Uses Permitted by Right, Conditional Uses, and Special Uses, is hereby amended to include the following paragraph:

C. In the case of a lot which is not entirely in a single zoning district, the portion in each zoning district may be used only for uses and structures permitted by right in that district, or for uses and structures authorized by a conditional or special use permit. No structure shall be erected on the portion of the lot in one zoning district unless that portion and the structure on it complies with all development standards, including the minimum lot size, applicable to such portion of the lot.

Section 8. Paragraph V-2.D.7 is hereby amended as follows:

If such accessory structures or buildings are to be located on a lot containing a single- or two-family dwelling, the maximum permitted building area of the accessory building, regardless of the zoning district, shall be determined as follows:

- a) If the building area of the single- or two-family dwelling on the lot does not exceed 1500 square feet, the aggregate area of all accessory structures shall not exceed 750 square feet.
- b) If the building area of the single- or two-family dwelling on the lot is greater than 1500 square feet, the building area of the accessory building(s) shall not exceed 50% of the building area of that single- or two-family dwelling, or 1000 square feet, whichever is less.
- c) The gross floor area of a shed, as defined herein, shall not exceed 100 square feet.

Section 9. Paragraph V-5.C is hereby deleted.

Section 10. The first sentence of Section V-9, Regulations for Common-Lot-Line Dwelling Units, is hereby amended as follows:

Common-lot-line dwelling units, as defined in Article II and as permitted in Table V-1 of this Ordinance, shall be allowed in conformance with Section VI-3.F and the following restrictions:

Section 11. Paragraph V-10.B is hereby amended as follows:

The following uses are permitted by right in this Overlay Zoning District if constructed within the same structure as a health care-related business: professional office, institution of an educational or charitable nature; telegraph office; university or college; barber shop; beauty shop; fitness center; dry cleaning or laundry establishment; laundry and/or dry cleaning pick-up; self service laundry; mortuary; bank or savings and loan association; vocational, trade or business school; restaurant; café; photographic studio and equipment sales and service; fast-food restaurant; dairy store; confectionery store; stationery-gift shop-art supplies; florist; bookstore. The health care-related or professional medical office use

must be the principal use and exceed the following percentages of the structure's net floor area as outlined below or the property must be rezoned to MIC to allow any of these uses as a stand alone use per Section XI-7 of the Urbana Zoning Ordinance:

Section 12. The first paragraph of Section V-13, Regulation of Home Occupation, is hereby amended as follows:

Any person seeking a Home Occupation shall submit an application to be reviewed by the Zoning Administrator. Upon approval by the Zoning Administrator, Home Occupations shall be permitted as follows:

Section 13. Table V-1, Table of Uses, is hereby amended shown in Attachment A.

Section 14. Section VI-2, Height, is hereby amended as follows:

- A. Height limits for principal structures in any given district shall be set forth in Table VI-3.
- B. Public buildings, schools, or institutions of an educational, religious, or charitable nature which are permitted in the R-2, R-3, and R-4 Districts may be erected to a height not to exceed 75 feet, if the building is set back from the building line at least one foot for each one foot of additional building height above the height limit otherwise applicable.
- C. Chimneys, towers, elevator bulkheads, monuments, stacks, tanks, spires, church steeples, antennae, and necessary mechanical devices appurtenant to the principal use, may be erected to a height in accordance with existing or hereafter adopted codes and ordinances of the City of Urbana, Illinois.
- D. In the AG, CRE, B-1, B-2, MOR, and OP Districts, and for residential uses in the B-3 and B-4 Districts, if the height of a building exceeds two stories or 25 feet, the minimum side and rear yards shall be increased as specified in Section VI-5.EG.3 and Section VI-5.FH.1, respectively. In the AG and CRE Districts, the maximum height specified in Table VI-3 shall not apply to farm buildings; However, the increased setbacks required in conjunction with additional height, as specified in Section VI-5, shall be required for all non-farm buildings.
- E. Accessory buildings in the R-1, R-2, R-3, and R-4 Districts shall not exceed a height of 15 feet. Accessory buildings in the R-5, R-6, and R-7 Districts shall not exceed a height of 15 feet, or one-half the height of the principal building, whichever is greater.

Section 15. Paragraph VI-3.B is hereby deleted.

Section 16. The first sentence of Section VI-4.A is hereby amended as follows:

Floor Area shall be regulated as follows:



Section 17. Section VI-5, Yards, is hereby amended as follows:

- A. *Definition.* See Article II for the definition of the various types of yards.
- B. Except as otherwise provided, required yards shall be kept unobstructed and open to the sky for their entire depth and area. No building, structure, or portion thereof, or mechanical equipment shall be erected in, occupy, or obstruct a required yard, except as follows (see Section VIII-4 for regulations regarding parking in required yards):
1. Cornices, sills, belt courses, eaves, and other ornamental features to a distance of not more than two feet, six inches.
  2. Fire escapes to a distance of not more than five feet, or enclosed fire escapes and enclosed balconies leading from fire towers in required rear yards, when such projection is not more than ten feet and when the main structure was built prior to the November 6, 1950. The encroachment or projection shall not be permitted on new construction.
  3. Uncovered stairways and necessary landings, to a distance of not more than four feet, six inches, provided that each stair and landing shall not extend above the entrance floor of the building, except for the railing, not to exceed three feet in height, when the main structure was built prior to November 6, 1950. This encroachment or projection shall not be permitted on new construction.
  4. Bay windows and chimneys to a distance of not more than three feet, provided that such features do not occupy, in the aggregate, more than one-third of the length of the building wall on which they are located, and provided further, that in no case shall a bay window or chimney project into a required yard more than one-third of said side yard.
  5. Terraces and open unenclosed porches, that is, porches which may have roofs and mesh screening but which are not glassed in or otherwise walled or enclosed above a height of two and one-half feet above the porch floor, to an encroachment of five feet into a minimum required yard outlined in Table VI-3, regardless of the average setback, but not within five feet of the lot line. Open guardrails, when required by the Building Code, shall not be construed as a violation of this requirement. In addition, ramps or other structures for handicapped accessibility may encroach into required yards.
  6. Porte-cocheres or canopies to a distance of no more than two feet, six inches.
  7. Driveways, walks, fences, walls, and underground structures, provided that any fences or other landscape improvements comply with "An Ordinance to Provide for a Visibility Triangle," as adopted by the Urbana City Council

on November 15, 1976, and as may be subsequently amended, and with all provisions of the Urbana City Code regarding fencing, and also provided that all parking and access thereto comply with Section VIII-4 of this Ordinance.

8. Concrete, asphaltic concrete, or other all-weather surfaces; however parking is allowed only in accordance with provisions of Article VIII of this Ordinance.
  9. Accessory structures in the R-1, R-2, R-3, R-4, R-5, R-6, R-6B or R-7 Districts that do not have a building area greater than 750 square feet are permitted in required side and rear yards, and can not extend nearer than 18 inches as measured from the closest part of the structure, including the roof, to the property line.
  10. Flagpoles, decorative lights, lattices, bird baths, bird houses, and other landscape features.
  11. Balcony which is open, as defined in Article II of this Ordinance, provided that they do not occupy in the aggregate more than one-third of the length of the building wall per floor on which they are located. In no case shall any private open balcony be located within five feet of the property line.
  12. See Section VIII-4 for allowable parking uses in required yards.
  13. Ground-mounted solar panels up to a height of six feet in the R-1, R-2, R-3, R-4, R-5, R-6, R-6B or R-7 Districts are permitted in required side and rear yards, but shall not extend nearer than 18 inches as measured from the closest part of the structure to the property line.
- C. In the B-1, B-2, B-3, B-4, B-4E, OP or IN District, any yard which adjoins, abuts, or is situated across a dedicated right-of-way of 100 feet or less in width from the R-1, R-2, R-3, R-4, R-5, R-6, R-6B or R-7 District shall be the same as that required in the latter 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.
- D. *Multiple Frontage Lots*
1. Lots having frontage on two or more streets shall have a required front yard on each street frontage, as provided in Table VI-3 and in Section VI-5, except that neither the buildable width nor depth of the lot shall be reduced to less than 30 feet, except for common-lot-line dwelling units where the buildable width may be reduced to 20 feet as provided in Section V-9 of this Ordinance. On lots having frontage on two or more streets in the R-6 and R-6B Districts, the front yard on each street frontage shall not be less than the minimum required in relation to the height of the building, as provided in Table VI-3. (Ord. No. 9596-58, 11-20-95)

2. Except for common-lot-line dwelling units, which may have a buildable width of 20 feet as provided in Section V-9 of this Ordinance, the provision of required side yards shall not reduce the buildable width of a lot to less than 30 feet, except that a required relation to the height of the building, as provided in Table VI-3 and in Section VI-5, the buildable width of the lot may be reduced to less than 30 feet, as may be necessary in order to provide the yards as required in relation to the building height.
3. The rear line of the rectangular or generally rectangular lot with frontage on two intersecting streets shall be the line parallel or approximately parallel to the narrower of the two street frontages.
4. In addition to all requirements of this Ordinance, all provisions of "An Ordinance to Provide for a Visibility Triangle," as adopted by the Urbana City Council on November 15, 1976, and as may be subsequently amended, shall apply. In the case of any inconsistency between said Ordinance and this Ordinance, the more restrictive provision shall apply.

E. Front Yards

1. In the R-1, R-2, R-3, R-4, R-5, R-7, and MOR Districts, where lots comprising more than 40% of the frontage in a block are improved with buildings, not less than the average depth of the front yards of all lots in the block shall be maintained by all new buildings and by all alterations of existing buildings in the block, except that this provision shall not require a front yard of more than 60 feet, in the R-1 zone and 25 feet in the R-2, R-3, R-4, R-5, R-7, and MOR Districts nor less than the minimum required in the district in which they are located, nor shall it reduce the buildable dimension of the lot to less than 30 feet. For the purpose of computing such an average depth, vacant lots within such frontage shall be considered as having the minimum front yard required in that district.
2. No display of merchandise shall be placed in any required front yard except for vehicles at an automobile sales lot, when screened in compliance with Section VI-6.B.2.

F. Side Yards

1. For the purpose of side yard regulations, a duplex dwelling or a multiple-family dwelling shall be deemed one building occupying one lot.
2. Common-lot-line dwelling units shall conform to the side yard regulations as provided in Section V-9 of this Ordinance.
3. In the AG, CRE, Residential, B-1, B-2, OP, and MOR Districts, and for residential uses in the B-3 and B-4 Districts, each required side yard shall be increased by three feet for each ten feet or fraction thereof over 25 feet in building height, whichever is greater.

4. The side yard of a lot which immediately adjoins or is directly opposite property in another district which requires a greater side 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.
5. When two or more principal structures are located on a single zoning lot in the MOR District, the buildings shall be separated by a minimum of 14 feet.

G. Rear Yards

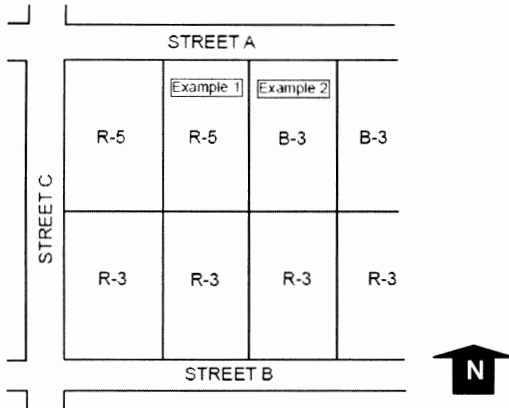
1. In the AG, CRE, R, B-1, B-2, OP, and MOR Districts, and for residential uses in the B-3 and B-4 Districts, the required rear yard shall be increased by three feet for each ten feet or fraction thereof over 25 feet in height.
2. Unenclosed and uncovered off-street parking spaces are permitted in a required rear yard.
3. In the AG and CRE Districts, the required rear yard shall be reduced to 20% of the lot depth if the lot is less than 125 feet deep, provided that the rear yard shall be at least 15 feet deep.

Section 18. Section VI-6, Screening, is hereby amended as follows:

A. 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) Buffer Yards
    - 1) If Table VI-3 requires greater minimum yards than this subsection, the greater yard shall apply and a landscaping buffer will be required per Table VI-2.
    - 2) Yards per Table VI-1 shall apply to the applicable side and/or rear yard of the subject property when the zoning designation of the subject property is different than the zoning designation of the property immediately adjacent. (See Following Example)

**EXAMPLE**



**Example 1:** Rear yard required to have a minimum depth of ten feet because the rear yard is adjacent to property zoned R-3. All other yards required to meet setback requirements in Table VI-3.

**Example 2:** West side yard required to have a minimum depth of ten feet because adjacent to property zoned R-5 to the west. Rear yard required to have a minimum depth of ten feet because the rear yard is adjacent to property zoned R-3. All other yards required to meet setback requirements in Table VI-3.

**TABLE VI-1. BUFFER YARDS**

		SUBJECT PROPERTY													
		R-4	R-5	R-6	R-6B	R-7	B-1	B-2	B-3	B-3U	B-4	B-4E	IN	OP	
ADJACENT PROPERTY	R-1	SIDE YARD: shall have a minimum depth of <b>ten feet</b> .*					SIDE YARD: as required by Table VI-3.					REAR YARD: shall have a minimum depth of <b>ten feet</b> .			
	R-2														
	R-3	REAR YARD: shall have a minimum depth of <b>ten feet</b> .					REAR YARD: shall have a minimum depth of <b>ten feet</b> .								
	R-4	See Table VI-3 for required setback.					SIDE YARD: shall have a minimum depth of <b>ten feet</b> .*								
	R-5														
	R-6														
	R-6B														
	R-7														
	MOR	REAR YARD: shall have a minimum depth of <b>ten feet</b> .					REAR YARD: shall have a minimum depth of <b>ten feet</b> .								

\* In these instances, no access drive may encroach into the required side yard unless the Zoning Administrator determines that there is no feasible alternative to access parking on the site.

b) Landscaping Buffer

- 1) A landscaping buffer per Table VI-2 shall apply to the applicable side and/or rear yard of the subject property when the zoning designation of the subject property is different than the zoning designation of the property immediately adjacent.

**TABLE VI-2. LANDSCAPING BUFFER**

		SUBJECT PROPERTY													
		R-4	R-5	R-6	R-6B	R-7	B-1	B-2	B-3	B-3U	B-4	B-4E*	IN	OP	
ADJACENT PROPERTY	R-1	SIDE YARD: shall provide a <b>landscape buffer</b> with a minimum depth of <b>five feet</b> .					SIDE YARD: shall provide a solid <b>six-foot high</b> wood or masonry <b>fence</b> .	SIDE YARD: shall provide a solid <b>six-foot high</b> wood or masonry <b>fence</b> .			REAR YARD: shall provide a <b>landscape buffer</b> with a minimum depth of <b>five feet</b> .				
	R-2	REAR YARD: shall provide a <b>landscape buffer</b> with a minimum depth of <b>five feet</b> .						REAR YARD: shall provide a solid <b>six-foot high</b> wood or masonry <b>fence</b> .	REAR YARD: shall provide a <b>landscape buffer</b> with a minimum depth of <b>five feet</b> .						
	R-3														
	R-4	No screening required.					REAR YARD: shall provide a solid <b>six-foot high</b> wood or masonry <b>fence</b> .	SIDE YARD: shall provide a <b>landscape buffer</b> with a minimum depth of <b>five feet</b> .							
	R-5														
	R-6														
	R-6B														
	R-7														
	MOR				REAR YARD: shall provide a <b>landscape buffer</b> with a minimum depth of <b>five feet</b> .										

\* See Section VI-6.A.2.b.2 for additional requirements for the B-4E zoning district.

- 2) The following additional landscaping requirements apply to the B4-E zoning district:
  - a) In the B-4E District, the required front yard, except for allowed access for 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.
  - b) In the B-4E District, a decorative wall no more than two 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.

- 3) Shrubs and trees shall be provided in the amount of one tree and three shrubs for every 40 linear feet or fraction thereof along the applicable required landscaped buffer yard of the zoning lot.
- 4) The shade trees and shrubs required shall be among the species listed in Table VI-4 and Table VI-5, 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.
- 5) All shrub species, except boxwood, shall be spaced at least three feet apart, as measured from center to center at planting grade, and have a minimum initial planting height of 18 inches. The boxwood species shall be spaced at least 30 inches apart and have a minimum initial planting height of 15 inches.
- 6) 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 bark or wood chips, rock, stone, decorative pavement, landscaping timbers, or other similar material.
- 7) A retaining wall to support a raised planting area for landscaping shall be no more than four feet in height and the width of such a raised planting area shall be greater than its height.
- 8) 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.

B. Screening of Off-Street Parking and Loading Areas

- 1) All off-street parking lots shall be screened with an adequate screen fence or screen planting as required in Section VIII-3.F.
- 2) In the B-2, B-3, B-3U, CCD and IN Zoning Districts, parking or storage of vehicles for sale is permitted to encroach ten feet into the required 15 foot front yard setback if the encroachment conforms to the regulations set forth in Section VI-6.A.2.b.3, 4, 5. 6. 7 and 8.
- 3) When off-street parking is provided in the B-4E District, the parking lot(s) shall be screened with an adequate screen fence or screen planting in conformance with the provisions of Section VIII-3.F.

- 4) When parking is provided at ground level below any part of a principal structure in the R-1, R-2, R-3, R-4, R-5, R-6, R-6B, R-7 Districts or the MOR District, said parking shall be effectively screened by extending the façade of said structure to ground level or by installing fencing, landscaping, or other suitable screening around the perimeter of the structure in accordance with the provisions of Section VIII-3.F.
  - 5) Loading areas and non-refuse storage areas which adjoin a residential district or use, or which are separated by a public right-of-way from a residential district or use, shall be screened to meet the requirements for the screening of off-street parking areas, as specified in Section VIII-2.F.
- C. Trash containers and trash collection areas for all non-residential and multi-family uses shall be screened so that no portion of such container or area is visible from public rights-of-way or adjacent properties. Screening may consist of a wall, opaque fence, earthen berms, landscaping, or any combination thereof.
- D. Ground-mounted mechanical equipment for all non-residential uses shall be screened from view at ground level from public rights of way and adjacent residential districts. Screening may consist of a wall, opaque fence, earthen berms, landscaping, or any combination thereof.
- E. 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-3. 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.b.3, 4, 5 and 8.
  - 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.b.3, 4, 5 and 8.
  - 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.b.3, 4, 5 and 8.
  - 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-G and Section VIII-3.F.
3. All existing outdoor storage areas made non-conforming by the adoption of Section VI-6-E 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.
- F. 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.2.b.8. If the screen is destroyed by any force majeure, the replacement period may be extended by the Zoning Administrator upon written application.

- G. Screening and landscaping, whether or not required by this Ordinance, shall not obstruct or interfere with the visibility triangle specified in Section VI-5.E.4.

Section 19. Table VI-1, Shade Tree Species, is hereby deleted.

Section 20. Table VI-2, Shrub Species, is hereby deleted.

Section 21. Table VI-3, Development Regulations by District, is hereby amended as follows:

**TABLE VI-3. DEVELOPMENT REGULATIONS BY DISTRICT**

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum or Average Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (In Feet) <sup>1</sup>		
						Front	Side	Rear
AG	1 acre <sup>2</sup>	150	35 <sup>3</sup>	0.25	0.55	25	15	25
B-1	6,000	60	35 <sup>3</sup>	0.30	none	15	7	10
B-2	6,000	60	35 <sup>3</sup>	1.50 <sup>4</sup>	0.15	15	10	15
B-3	6,000	60	none <sup>3</sup>	4.00	none	15	5	10
B-3U	6,000	60	none	4.00	0.10	15	5	5
B-4	2,000	20	none <sup>3</sup>	9.00	none	none	none	none
B-4E	4,000	40	none	6.00	none	6	5	5
CCD	6,000	60	none	4.0	0.10 <sup>5</sup>	6	5	5
CRE	1 acre	150	35 <sup>3</sup>	0.25	0.55	25	15	25
IN	10,000	90	none	1.00	none	25	none	none
MIC <sup>6</sup>	4,000	40	none	9.00 <sup>7</sup>	none	6	5	5
MOR	6,000	60	35 <sup>3</sup>	0.70 <sup>8</sup>	0.30 <sup>8</sup>	15 <sup>9</sup>	7 (17) <sup>10</sup>	10
OP	1 acre	150	50 <sup>3</sup>	0.5	0.55	25	15	25
R-1	9000 <sup>11</sup>	80	35	0.30 <sup>11</sup>	0.50 <sup>11</sup>	25 <sup>9</sup>	5 (15) <sup>12</sup>	10
R-2	6,000 <sup>13</sup>	60 <sup>13</sup>	35 <sup>17</sup>	0.40	0.40	15 <sup>9</sup>	5	10
R-3	6,000 <sup>13</sup>	60 <sup>13</sup>	35 <sup>17</sup>	0.40	0.40	15 <sup>9</sup>	5	10
R-4	6,000	60	35 <sup>17</sup>	0.50 <sup>14</sup>	0.35	15 <sup>9</sup>	5	10
R-5	6,000	60	35	0.90	0.30	15 <sup>9</sup>	5	5
R-6	6,000	60	See Note 15	1.40	0.25	15	5	10
R-6B	6,000	60	See Note 15	1.50 <sup>16</sup>	none	15	5	10
R-7	6,000	60	35	0.50	0.35	15 <sup>9</sup>	5	10

Footnotes

Note: In addition to the footnotes below, please refer to Article V for use regulations, Article VII for conditional and special use procedures, Article VIII for parking regulations, Article IX for sign regulations, Article XII for historic preservation regulations, and Article XIII for special development provisions.

1. See Section VI-5 and Section VIII-4 for further information about required yards.
2. The minimum lot size for cropping in the AG, Agriculture Zoning District is five acres.
3. In the AG, CRE, B-1, B-2, MOR, and OP Districts, and for residential uses in the B-3 and B-4 Districts, if the height of a building two stories or exceeds 25 feet, the minimum side and rear yards shall be increased as specified in Section VI-5.G.3 and Section VI-5.H.1, respectively. In the AG and CRE Districts, the maximum height specified in Table VI-3 shall not apply to farm buildings; However, the increased setbacks required in conjunction with additional height, as specified in Section VI-5, shall be required for all non-farm buildings.
4. See Section V-7.A of the Zoning Ordinance for further information about the required floor areas of residential and business uses in the B-2 District.
5. The Open Space Ratio (OSR) in the CCD, Campus Commercial District shall be applied as follows:
  - a) The open space ratio requirement in the CCD, Campus Commercial District shall only be applied for the residential square footage of the development.
  - b) In the CCD, Campus Commercial District the first floor of residential development may be considered the ground level area for development for applying the open space ratio requirement.
  - c) There shall be no minimum requirement for permeable ground cover and no maximum requirement for paved recreation areas in the open space requirement for development in the CCD Zoning District (Ord. No. 2003-02-017, 02-17-03).
6. The following regulations shall apply during the review of a development proposal for a building permit in the MIC District, with exceptions as noted in Section V-10 of the Zoning Ordinance.
7. In the MIC District, the minimum floor area that shall be devoted to health care-related or professional medical office uses is outlined in Section V-10.B of this Ordinance.
8. See Section VI-3.E for additional regulations regarding FAR and OSR in the MOR District.
9. In the R-1 District, the required front yard shall be the average depth of the existing buildings on the same block face, or 25 feet, whichever is greater, but no more than 60 feet, 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, but no more than 25 feet, as required in Sec. VI-5.D.1. (Ord. No. 9596-58, 11-20-95) (Ord. No. 9697-154) (Ord. No. 2001-03-018, 03-05-01)

10. In the MOR District, the sum of the two required side yards shall not be less than 17 feet.
11. In the R-1 District, any lot platted and of public record before November 6, 1950 and presently having a lot width of 65 feet or less and a lot area of less than 7,500 five hundred square feet may be developed in accordance with the development regulations for the maximum FAR and the minimum OSR of the R-3 District as specified above. (Ord. No. 8384-25, sec. 5; Ord. No. 8586-53, sec. 2, 1-20-86; Ord. No. 9091-16, 8-6-90; Ord. No. 9091-59, sec. 14, 11-19-90; Ord. No. 9091-60, sec. 11, 11-19-90; Ord. No. 9091-61, sec. 8, 11-19-90; Ord. No. 9091-62, sec. 8, 11-19-90; Ord. No. 9091-132, sec. 1, 5-20-91; Ord. No. 9091-133, 5-20-91)
12. In the R-1 District, the sum of the two required side yards shall not be less than 15 feet.
13. In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.
14. In the R-4 District, the maximum floor area ratio may be increased to 0.70, provided that there is a minimum of 2,000 square feet of lot area per dwelling unit.
15. In the R-6 and R-6B Districts, the maximum height is twice the distance from the street centerline to the face of the building.
16. See Section V-5.A of the Zoning Ordinance for further information about the required floor areas of residential and business uses in the R-6B District.
17. Public buildings, schools, or institutions of an educational, religious, or charitable nature which are permitted in the R-2, R-3, and R-4 Districts may be erected to a height not to exceed 75 feet, if the building is set back from the building line at least one foot for each one foot of additional building height above the height limit otherwise applicable.

Section 22. Table VI-4, Shade Tree Species, is hereby adopted as part of Article VI as follows:

#### TABLE VI-4. SHADE TREE SPECIES

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Amur Maple	Hackberry
Hedge Maple	Sugar Hackberry
State Street Miyabei Maple	Ginkgo
Pacific Sunset Maple	Goldenrain Tree
Paperbark Maple	Kentucky Coffee Tree
Black Maple	European Larch
Amur Corktree (only male clone varieties)	Japanese Tree Lilac
Apple Serviceberry	Silver Linden
Bald Cypress	American Sentry Linden
Cornelian Cherry Dogwood	Regal Prince (Long) Oak
Crabapple (only disease free / improved cultivars)	Swamp White Oak
Lacebark Elm	Sawtooth Oak
Triumph Elm	Bur Oak
Turkish Filbert	Limber Pine

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Section 23. Table VI-4, Shrub Species, is hereby adopted as part of Article VI as follows:

#### TABLE VI-5. SHRUB SPECIES

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Chinese Juniper (recommend intermediate cultivars)
Savin Juniper
Swiss Mountain Pine
Eastern Arborvitae
Western Arborvitae
Brown's Anglo-Japanese Yew (recommend intermediate cultivars)
Japanese Barberry (requires well drained soil)
Mentor Barberry
Korean Boxwood "Wintergreen"
Spreading Cotoneaster
Compact Winged Euonymus
Fragrant Sumac
Compact European Cranberry Bush

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Section 24. Paragraph VII-3.B is hereby amended as follows:

Unless otherwise specifically stated by the Zoning Board of Appeals, a conditional use shall be valid until the conditional use is discontinued. Valid conditional use approval is required before issuance of a building permit or Certificate of Occupancy (if no building permit is required). If a building permit or Certificate of Occupancy is not issued within one year or approval the conditional use permit shall no longer be valid.

Section 25. Paragraph VII-5.B is hereby amended as follows:

Unless otherwise specifically stated by the City Council, the special use approval shall be valid until the special use is discontinued. Valid special use approval in the form of an ordinance is required before issuance of a building permit or Certificate of Occupancy (if no building permit is required). If a building permit or Certificate of Occupancy is not issued within one year of approval the special use permit shall no longer be valid.

Section 26. Section VIII-3, Design and Specifications of Off-Street Parking, Subsection A, is hereby amended 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.
4. 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)

5. 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 27. Table VIII-3, Widths for Access Drives, is hereby amended as follows:

**TABLE VIII-3. WIDTHS FOR ACCESS DRIVES**

	<i>Minimum Width (in feet)</i>		<i>Maximum Width (in feet)<sup>1</sup></i>	
	One-Way	Two-Way	One-Way	Two-Way
Single Family and Duplex Buildings	9	9	Primary drive - 35 feet; Secondary drive - 15 feet	
Three or More Dwelling Units	12	20	24 feet or one-third of the minimum lot width for the zoning district, (as specified on Table VI-3) whichever is greater  If a zoning lot has a linear street frontage greater than 150 feet, the maximum width shall be 50 feet	
Commercial or Industrial Uses	12	22		

Notes: 1) Per VIII-4.F.1, access drives serving single-family homes, duplexes and individual townhomes shall not exceed 45% of the total lot width.

Section 28. Paragraph VIII-3.F.3(f), is hereby amended as follows:

As required in Section VI-6.B.4, when parking is provided at ground level below any part of a principal structure in the Residential Districts, said parking shall be effectively screened by extending the façade of said structure to ground level or by installing fencing, landscaping or other suitable screening around the perimeter of the structure in accordance with the provisions of this Section VIII-3.F.

Section 29. Section VIII-4, Location of Parking Facilities, Subsection F, is hereby amended as follows:

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 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 MOR 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 (up to within 18 inches of the property line per Section VIII-4.G) 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 (up to within 18 inches of the property line per Section VIII-4.G) 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.B.2 are met.

Section 30. Section VIII-7, Bicycle Parking, is hereby amended as

follows:

- A. Provisions for the convenient and accessible parking of bicycles shall be made in accordance with Table VIII-6. In addition the following provisions shall also apply:
  1. Zoning Administrator Review
    - a) The Zoning Administrator shall determine whether proposed developments are subject to the bicycle parking requirements set forth in Table VIII-6, based upon demand generated by the use, the locations of the development, the proximity to other uses with bicycle parking demand, and other relevant factors.



- b) For non-residential uses, bicycle parking spaces shall be required only for those developments requiring 10 or more automobile parking spaces per Table VIII-7.
- c) The Zoning Administrator shall have the ability to reduce the number of required bicycle parking spaces by up to 50% in response to evidence regarding expected bicycle use submitted by the petitioner.

2. Type and Location of Bicycle Parking Racks

- a) Provisions regarding type and location of bicycle parking racks shall apply to new development as well as to changes in use or intensity of use in existing development.
- b) Bicycle parking rack types shall be designed so as to accommodate standard bicycle models and lock types and shall be subject to the approval of the Zoning Administrator as part of the building permit review process. Examples of acceptable and unacceptable bicycle rack types are provided in Figure VIII-7.
- c) Bicycle parking areas shall not obstruct walkways or other pedestrian areas.
- d) Bicycle parking areas shall be allowed in the same location as automobile parking on a site.
- e) For non-residential uses, bicycle parking racks may be placed within the area of up to two automobile parking spaces on a site. These spaces may be credited toward the total number of off-street automobile parking spaces required by Section VIII-5 and Table VIII-7.
- f) Bicycle parking areas shall be placed on an approved dust-free surface, subject to the review and approval of the Zoning Administrator. Acceptable surfaces include, but are not limited to, concrete, asphalt, bricks, rock chips, recycled asphalt, and wood chips.
- g) For non-residential uses in the AG, B-1, B-2, B-3, B-3U, CRE, IN, and MIC zones, bicycle parking areas may encroach into the required front yard setback, but in no case shall be closer than five feet to the front property line.
- h) For non-residential uses in the B-4 zoning district, bicycle parking areas may be permitted in the right-of-way subject to City Engineer approval.
- i) For non-residential uses in the B-4E and Campus Commercial District (CCD) zones, bicycle parking areas may encroach into the required front yard.

- j) Bicycle parking areas are prohibited within the front yard setback in the R-1, R-2, R-3, R-4, R-5, R-6, R-6B, R-7 Zoning Districts.
- k) Bicycle parking areas shall be permitted within the side and rear yard setbacks in all zoning districts.
- l) The amount of off-street automobile parking required by Section VIII-5 for non-residential uses may be reduced by up to two spaces when bicycle racks occupy the automobile parking spaces, and where the spaces occupied by the bicycle racks are located in a convenient and accessible manner.

Section 31. Table VIII-6, Bicycle Parking Requirements By Use, is hereby amended as follows:

**TABLE VIII-6. BICYCLE PARKING REQUIREMENTS BY USE<sup>1</sup>**

Use	Number of Spaces Required
<b>Multi-family, Boarding or Rooming House, or Dormitory<sup>2</sup></b>	1 for every 2 dwelling units
<b>Public and Quasi Public Uses<sup>2,3</sup></b>	
<b>All schools</b>	4 for every classroom
All other uses	10% of required automobile parking up to a maximum of 25 bicycle parking spaces
<b>Commercial Uses<sup>2,3,4</sup></b>	
All uses	10% of required automobile parking up to a maximum of 25 bicycle parking spaces
<b>Industrial, Transportation &amp; Related Uses<sup>2,3</sup></b>	
All uses	4% of required automobile parking up to a maximum of 25 bicycle parking spaces
<ol style="list-style-type: none"> <li>1. 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.</li> <li>2. The Zoning Administrator shall further have the ability to reduce the number of required bicycle parking spaces by up to 50% in response to evidence regarding expected bicycle use submitted by the petitioner.</li> <li>3. For non-residential uses, bicycle parking spaces shall be required only for developments with 10 or more automobile parking spaces required.</li> <li>4. Commercial uses include the following categories from Table VIII-7: Office and Related Uses, Service Business Uses, Retail Business Uses, and Commercial Recreational Uses.</li> </ol>	

Section 32. Table VIII-7, Parking Requirements By Use, is hereby amended as shown in Attachment B.

Section 33. Figure VIII-7, Bicycle Parking Rack Types, is hereby added to Article VIII as shown in Attachment C.

Section 34. Section IX-2, Sign and OASS Definitions, Paragraph B, is hereby amended as follows:

*Community Event Sign:* A sign displayed for a special community event or activity conducted by or sponsored by or on behalf of a unit of local government, institution of an educational or charitable nature, a charitable organization, or a not-for-profit corporation. A special community event or activity is one which occurs not more than twice in any twelve-month period and which seeks to attract donations, participants, customers, or an audience throughout the community.

Section 35. Section IX-2, Sign and OASS Definitions, Paragraph R, is hereby amended as follows:

*Private Traffic Directional and Instructional Signs:* Any on premise sign designed to direct and instruct motorists to access and circulate onsite in an orderly and safe manner. Per Code of Federal Regulations Title 23, Part 655.603, internal traffic control signs shall conform to the Manual on Uniform Traffic Control Devices.

Section 36. Section IX-4, General Sign Permit Requirements, Paragraphs B and C, are hereby amended as follows:

- B. *Permit Requirements.* It shall be unlawful for any person to display, install, construct, erect, alter, reconstruct, or relocate any sign without first obtaining a valid permit, in writing, from the Zoning Administrator, and making payment of the fees required by this ordinance, unless such signs are permitted without a permit by Section IX-5.
- C. *Permit Exceptions.* The following operations shall not be considered as "installing, constructing, erecting, altering, reconstructing, relocating," or creating a sign and shall not require a permit, notwithstanding the requirements of Section IX-4.B:
  - 1. The changing of the advertising copy, face panel or panels on an outdoor advertising sign structure; on a painted, printed, or electronic sign; or on changeable letter panels or bulletin boards specifically designed for the use of replaceable copy.
  - 2. Painting, repainting, cleaning and other normal maintenance and repair of a sign, sign structure, or outdoor advertising sign structure.

Section 37. Tables IX-1, IX-2, IX-4, IX-6, IX-7, IX-8 and IX-9 are hereby amended as shown in Attachment D.

Section 38. Section X-6, Termination of a Nonconforming Use of Land, is hereby amended as follows:

- A. Except as otherwise provided in Section XIII-2 and Section X-9, any nonconforming use of land, as herein defined, may be continued only for a period of five years from the effective date of this Ordinance, or from the date on which this Ordinance becomes effective with regard to such land, whichever date is later. Any lawful use of land which hereafter becomes nonconforming may be continued for a period of five years from the date upon which such use becomes nonconforming. The Zoning Board of Appeals may postpone the date of the required termination of a nonconforming use of land by a specified period of no more than five years. The term "use of land" includes both principal and accessory uses, and refers not only to the use of bare or unimproved land, but also to any use of land which involves a structure other than a building, or involves an accessory building or buildings but no main building.

Section 39. Section XI-10, Notification Requirements, Paragraph B, is hereby amended as follows:

- B. Any applicant for any public hearing under this Zoning Ordinance shall furnish the Secretary of the body conducting the hearing with a complete list of names and last known addresses of owners of properties subject to the petition. Documentation of ownership in the form of an owner's policy or title insurance, warranty deed evidencing ownership of title, trust agreement certified by trustee with evidence of all current ownership of beneficial interest, purchase contract, or records from the County Recorder of Deeds, shall also be submitted. Not less than ten days, but not more than 30 days before a public hearing, the Secretary shall give written notice by first class mail to the owners of the subject property as identified herein, concerning the place and time for the first hearing of the petition. Said notification letter shall state the name and address of the petitioner, the name and address of the owner of the property, the location of the property, and a brief statement of the nature of the requested action. Said letter shall be sent to the last known taxpayers of record, as reflected in the Champaign County records, of all property adjacent to or within 250 feet in each direction of the property for which the application for action is requested. The measurement of all public roads, streets, alleys, and other public ways shall be excluded in determining the two hundred fifty foot requirement. If any part of a condominium property is located within 250 feet of the subject property, the name of each taxpayer of record of the condominium shall also be submitted to the Secretary. If after a bona fide effort to serve such written notice, there are returned notices, the notice requirements of this section shall be deemed satisfied.

Section 40. Section X-12, MOR Development Review Board, is hereby

amended as follows:

A. Creation and Purpose

1. Upon the effective date of this amendment, there is hereby created a MOR Development Review Board to administer the site plan review procedures in the MOR, Mixed-Office Residential Zoning District in conformance with the requirements of this Section.
2. The MOR Development Review Board is created for the purpose of reviewing and approving or disapproving all site plans for new structures and land uses in the MOR District that do not incorporate the adaptive re-use of an existing structure as specified in Section V-8.B.
3. The MOR Development Review Board has the following objectives for reviewing site plan proposals in the MOR, Mixed-Office Residential Zoning District:
  - a) Encourage compatibility by minimizing impacts between proposed land uses and the surrounding area; and
  - b) Encourage the design of new construction to be compatible with the neighborhood's visual and aesthetic character through the use of design guidelines; and
  - c) Determine if proposed development plans meet the intent of the district as stated in Section IV-2.H.

B. Powers and Duties. The MOR Development Review Board shall have the following powers:

1. The MOR Development Review Board may adopt its own rules, regulations, and procedures consistent with the provisions of this Ordinance and the laws of the State of Illinois.
2. To hold public hearings and to review applications for development within the MOR, Mixed-Office Residential Zoning District as specified in Section XI-12.A.2. The MOR Development Review Board may require applicants to submit plans, drawings, specifications and other information as may be necessary to make decisions in addition to the application requirements specified in Section XI-12.G.
3. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to the implementation of the purpose of this ordinance.

C. Membership

1. The MOR Development Review Board shall consist of seven members. A quorum of the MOR Development Review Board shall be constituted by four members. The members of the Board shall be appointed by the Mayor and approved by City Council. The membership to the Board shall consist of

multiple interests in order to offer a diverse perspective and expertise in reviewing proposals. These interests shall include:

- a) A member of the Urbana Plan Commission;
  - b) A member of the Urbana Historic Preservation Commission;
  - c) A licensed architect;
  - d) An owner-occupant\_ of property in the MOR, Mixed-Office Residential Zoning District;
  - e) A resident living inside or within 250 feet of the MOR, Mixed-Office Residential Zoning; District;
  - f) A local developer;
  - g) An owner of a local small business with fewer than 40 employees.
2. MOR Development Review Board members shall serve without compensation and shall serve terms of three years. Members may be reappointed at the conclusion of their term.
  3. The Mayor shall declare vacant the seat of any MOR Development Review Board member who fails to attend three consecutive meetings without notification to the Secretary, or who fails to attend one-half of all meetings held during any one-year period. In such cases as well as for resignations, incapacity, death, or any other vacancy, the Mayor shall appoint a successor with approval of the City Council.

D. Officers.

1. There shall be a Chair and a Vice-Chair elected by the MOR Development Review Board, who shall each serve a term of one year and shall be eligible for re-election. Elections shall be held annually.
2. The Chair shall preside over meetings. In the absence of the Chair, the Vice-Chair shall perform the duties of the Chair. If both the Chair and Vice Chair are absent, those members present shall elect a temporary Chair.
3. Secretary. The Secretary of the MOR Development Review Board shall be a representative of the Community Development Services Department of the City of Urbana. The Secretary shall:
  - a) Take minutes of each MOR Development Review Board meeting, an original of which shall be kept in the office of the Community Development Services Department;

- b) Provide administrative and technical assistance to the MOR Development Review Board to assist it in making the decisions and findings as provided herein;
- c) Publish and distribute to the MOR Development Review Board copies of the minutes, reports and decisions of the MOR Development Review Board;
- d) Give notice as provided herein or by law for all public hearings conducted by the MOR Development Review Board;
- e) Advise the Mayor of vacancies on the MOR Development Review Board and expiring terms of MOR Development Review Board members;
- f) Prepare and submit to the Urbana Zoning Board of Appeals and City Council a complete record of the proceedings before the MOR Development Review Board on all appeals from decisions of the MOR Development Review Board and on any other matters requiring Zoning Board of Appeals or City Council consideration; and
- g) Have no vote.

E. Meetings.

- 1. The MOR Development Review Board shall hold at least one meeting per year. Meetings shall be called as needed.
- 2. All meetings shall conform to the requirements of the Open Meetings Act. All meetings of the MOR Development Review Board shall be held in a public place designated by the Chair, and shall be open to the public, except as allowed by law. At any meeting of the MOR Development Review Board, any interested person may appear and be heard either in person or by an authorized agent or attorney.

F. Decisions.

- 1. Every Board member present must vote "aye" or "nay" unless that Board member abstains due to an announced conflict of interest.
- 2. Abstaining shall not change the count of Board members present to determine the existence of a quorum.
- 3. Approval of a site plan shall require a simple majority vote and shall be calculated on the basis of those voting members present and not abstaining.

G. Application and Site Plan Submittal Requirements

- 1. A request for site plan approval by the MOR Development Review Board shall be made by the applicant in writing on forms provided by the City, shall be accompanied by the required plans, and shall be filed with the Secretary of

the Board. Each request shall be submitted with the required fee as provided in Section XI-8.

2. Site Plans must contain the following information:
    - a) Size and dimensions of the parcel to be developed drawn to scale;
    - b) Location and widths of adjacent rights-of-ways, sidewalks and street pavement;
    - c) Identification of neighboring property owners listed on the site plan;
    - d) Location of all existing structures on the parcel;
    - e) Location of adjacent parcels and structures;
    - f) Location and size of proposed structures or additions to be built on the parcel including proposed setbacks from the property lines;
    - g) Location and layout of any proposed access drives, parking area and walkways;
    - h) Elevation renderings of the proposed structure or addition indicating the proposed materials to be used in construction;
    - i) Elevations or perspectives of adjacent existing structures;
    - j) Floor plans indicating the interior layout of the proposed structure or addition;
    - k) Location of existing trees and shrubs and proposed landscaping;
    - l) Detail view drawings as necessary to show key design elements;
    - m) Relevant site details including lighting, dumpster locations, signage, and other features;
    - n) Site data, including lot area, building square footage, floor area ratio, open space ratio, height, number of parking spaces and number of apartment units (if multi-family).
  3. Site Plans shall be submitted at a graphic scale of no less than one inch per ten feet.
  4. The MOR Development Review Board may require additional information necessary to consider applications.
- H. MOR Development Review Board Review Procedures
1. Within 45 working days but no earlier than 15 working days after a completed application, site plan, fee, and



supporting documentation have been received, the MOR Development Review Board shall convene a meeting to consider and act on the requested site plan. The last known taxpayers of record, as reflected in the Champaign County records, of all property adjacent to or within 250 feet of the subject property, excluding public right-of-way, shall be notified of said meeting not less than ten days prior to said meeting.

2. After reviewing the proposed site plan according to the criteria in Section XI-12.I, the MOR Development Review Board shall vote on whether to approve the proposed site plan. If the proposed site plan conforms to the requirements of this Ordinance, the MOR Development Review Board shall make the appropriate findings and approve the proposed site plan. If the proposed site plan does not conform to the requirements of this Ordinance, the MOR Development Review Board shall disapprove the proposed site plan and make findings stating the inadequacies of the proposal. The applicant shall be notified in writing of the Board's decision within five working days, which notification shall address the relevant and applicable reasons for the decision as well as any conditions imposed by the Board. Any site plan that is not approved by the Board shall, upon request of the applicant, cause the Secretary of the Board to appeal the request to the Zoning Board of Appeals in accordance with Section XI-3.
3. Site plan approval is required prior to the issuance of a related building permit or Certificate of Occupancy in the MOR District.
4. When a proposed use is permitted in the MOR District as a Conditional or Special Use according to Table V-1, site plan approval by the MOR Development Review Board is required in addition to the review procedures for conditional or special use permit requests as specified in Article VII. The MOR Development Review Board shall make a recommendation to the appropriate reviewing body. The physical development and continued use of the property shall be in strict conformance with the approved site plan.
5. Any order, requirement, decision or condition of approval made by the MOR Development Review Board is appealable by any person aggrieved thereby to the Zoning Board of Appeals in accordance with the procedures of Section XI-3.C. Upon the filing of an appeal, the complete record of the MOR Development Review Board's minutes, findings and decision shall be submitted to the Board of Zoning Appeals for action on the requested appeal. The Zoning Board of Appeals shall have the final authority to approve or disapprove a proposed site plan.
6. The Secretary of the Board shall keep minutes of its proceedings, showing the vote of each member and shall also keep records of its findings and official decisions.
7. The procedure for amending a site plan already approved by the MOR Development Review Board or for a request to change

conditions attached to the approval of a site plan shall be the same procedure as a new site plan request.

8. Approval of a site plan pursuant to Section XI-12 shall become null and void unless a building permit or Certificate of Occupancy is issued within one year after the date on which the Board approves the site plan. A one-year extension may be granted by the Zoning Administrator when a written request is submitted prior to the expiration of the one-year term.
  9. Any building permit or Certificate of Occupancy issued pursuant to an approved site plan may be revoked by the City for failure to comply with the conditions of approval.
- I. Site Plan Review Criteria. Site plans for new construction not incorporating the adaptive re-use of existing structures must demonstrate conformance with the land use and development standards of the Urbana Zoning Ordinance. In addition, site plans (including, elevations, and floor plans) shall be reviewed and considered by the MOR Development Review Board according to the criteria listed below.
1. Compatibility with Surrounding Neighborhood. Proposals shall demonstrate consistency with the intent of the MOR, Mixed-Office Residential Zoning District as stated in Section IV-2.H. In reviewing proposals the MOR Development Review Board shall consider the effects of the proposed structure(s) and uses on adjacent properties and the surrounding neighborhood. The Board shall consider building location, orientation, setbacks, scale, bulk, massing, and architectural design.
  2. Parking and Access. Proposals shall demonstrate that required parking areas are provided in accordance with Article VIII of the Urbana Zoning Ordinance and that parking areas and access drives are designed to move traffic conveniently and safely in a manner that minimizes traffic conflicts, noise and visual impacts, while minimizing the area of asphalt or concrete. Proposals shall demonstrate the safe and convenient movement of handicapped persons and that the location and design of handicapped parking is in conformance with the requirements of the State of Illinois. Parking areas shall be screened from adjacent residential uses.
  3. Screening and Landscaping. Proposals shall demonstrate the preservation of existing natural features where practical. The MOR Development Review Board shall consider the effects that the proposal may have on the vegetative characteristics of the area and may require landscaping measures to mitigate any potential loss of character. Proposals shall also demonstrate compliance with all landscape and screening requirements identified in the Urbana Zoning Ordinance. The MOR Development Review Board shall consider landscape and screening plans and their ability to effectively screen adjacent properties from possible negative influences that may be created by the

proposed use. Retention of street trees along the Green and Elm Street corridors shall be encouraged.

4. Site Details. Proposals shall address the provisions for site details including exterior trash dumpsters, storage areas, loading areas, exterior lighting and signs. The MOR Development Review Board shall determine if the site details are in conformance with the requirements of the Urbana Zoning Ordinance and if they are proposed in a manner that will not negatively impact adjacent properties and the character of the neighborhood.
5. Design Guidelines. The MOR Development Review Board shall consider the architectural appearance, massing, color, building materials, or architectural details of the structure in reviewing a proposed development plan. Proposals shall demonstrate general conformance with adopted Design Guidelines for the MOR, Mixed-Office Residential Zoning District as specified in Section XI-12.J.

J. Design Guidelines Review. In reviewing development proposals in the M.O.R., Mixed-Office Residential Zoning District, the MOR Development Review Board shall determine conformance with all of the guidelines contained in the adopted M.O.R., Mixed-Office Residential Design Guidelines, including such factors as architectural appearance, massing, placement of structures, orientation, openings, outdoor living space, landscaping, parking areas, building materials, and architectural details, as well as the overall compatibility of the proposal with the residential character of the district. In addition to proposals demonstrating conformance with the adopted Design Guidelines for the district as specified in Section XI-12.J and compatibility with the residential character of the district, the following design items shall be required:

1. The main entrance of the building must be on the street side of the building. If the lot has more than one street frontage, then the main entrance shall be on the more major frontage.
2. Facades with street frontage shall contain window openings and shall not be blank.
3. Parking shall be located behind the principal structure and not in the façade zone.

The Design Guidelines shall be adopted under a separate ordinance and shall be housed in the City of Urbana Community Development Services Department. Any Proposed amendments to the "M.O.R., Mixed-Office Residential Zoning District Design Guidelines" shall be considered by the Urbana Plan Commission in the form of a public hearing. The Plan Commission shall forward a recommendation on any proposed amendments to the Urbana City Council for final action.

Section 41. Article XII is hereby renamed "Historic Preservation".

Section 42. Section XII-4, Paragraph D.1.a, is hereby amended as follows:

The address of the property affected;

Section 43. Section XII-6, Subsection B, is hereby amended as follows:

B. Review Criteria for Certificate of Appropriateness

1. In making a determination whether to issue or deny a Certificate of Appropriateness, if the proposed activities cannot be considered "minor works" as identified in Table XII-1 and Table XII-2, the Preservation Commission shall consider, among other things, the effect of the proposed alteration, relocation, construction, removal or demolition upon the exterior architectural features and upon the historic value, characteristics and significance of the landmark or of the historic district.
2. The criteria to be used by the Preservation Commission in making its determination shall include, but not be limited to:
  - a) The maintenance of the significant original qualities or character of the buildings, structures, sites or objects including, if significant, its appurtenances. The removal or alteration of any historic or distinctive architectural features should be avoided whenever possible.
  - b) The compatibility of proposed new additions and new construction to the original architecture or the landmark or styles within the historic district shall be evaluated against the following general guidelines:
    - i) *Height:* The height of the proposed building or structure or additions or alterations should be compatible with surrounding buildings or structures.
    - ii) *Proportions of structure's front façade:* The proportion between the width and height of the proposed building or structure should be compatible with nearby buildings or structures.
    - iii) *Proportions of openings into the facility:* The proportions and relationships between doors and windows should be compatible with existing buildings and structures.
    - iv) *Relationship of building masses and spaces:* The relationship of a building or structure to the open space between it

and adjoining buildings or structures should be compatible.

- v) *Roof shapes:* The design of the roof should be compatible with that of adjoining buildings and structures.
  - vi) *Appurtenances:* Use of appurtenances should be sensitive to the individual building or structure, its occupants and their needs.
  - vii) *Scale of building or structure:* The scale of the building or structure should be compatible with that of surrounding buildings or structures.
  - viii) *Directional expression of front elevation:* Street façades should blend in with other buildings and structures with regard to directional expression when adjacent buildings or structures have a dominant horizontal or vertical expression.
- c) The Secretary of the Interior's "Standards for Historic Preservation Projects," as revised from time to time, as follows:
- i) Every reasonable effort shall be made to use a property for its originally intended purpose, or to provide a compatible use for a property that requires minimal alteration of the building, structure, site or object and its environment.
  - ii) The distinguishing historic qualities or character of a building, structure, site or object and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
  - iii) All buildings, structures, sites and objects shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
  - iv) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, site or object and its environment. These changes may have acquired significance in their own right,

and this significance shall be recognized and respected.

- v) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, site or object shall be treated with sensitivity.
- vi) Deteriorated architectural features shall be repaired rather than replaced, wherever feasible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings, structures, sites or objects.
- vii) The surface cleaning of buildings, structures, sites or objects shall be undertaken utilizing the gentlest means possible. Sandblasting and other cleaning methods that may damage the historic building materials shall not be undertaken.
- viii) Every reasonable effort shall be made to protect and preserve archeological resources affected by or adjacent to any project.
- ix) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- x) Wherever possible, new additions or alterations to buildings or structures shall be done in such manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building or structure would remain unimpaired.

Section 44. Section XII-6, Paragraph C.4, is hereby amended as

follows:

If the Preservation Commission determines that the work proposed in the application is consistent with the review criteria in Section Section XII-6.B with or without certain conditions, they may approve a Certificate of Appropriateness with or without conditions by means of a resolution to be passed by a majority vote of those Commissioners currently holding office. Copies of the resolution shall be sent to the owner(s) of record, the Building Safety Division, and the Urbana City Council.

Section 45. Section XII-6, Paragraph C.5, is hereby amended as follows:

If the Preservation Commission finds that the proposed work is not consistent with the review criteria listed in Section XII-6.B, it shall disapprove the application by resolution passed by a majority vote of those Commissioners currently holding office and shall so advise the applicant and the Building Safety Division in writing within 10 days following this decision, and in accordance to the following:

Section 46. Section XIII-4, Paragraph B.2, is hereby amended as

follows:

The provisions of this section are applicable to the area within the Boneyard Creek District, the boundaries of which are shown as an overlay district on the official zoning map of the City.

Section 47. Section VII-2, Conditional Use Procedures, is hereby

amended as follows:

### **Conditional Use Procedures**

Except as otherwise provided herein, the Zoning Administrator shall not permit a conditional use until expressly authorized by the Zoning Board of Appeals and the following procedure is completed:

- A. A written application for a conditional use shall be submitted to the Secretary of the Zoning Board of Appeals by the owners of more than 50% of the ownership of the subject property involved. The application shall demonstrate:
  1. That the proposed use is conducive to the public convenience at that location;
  2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare; and
  3. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential

character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-6 of this Ordinance.

- B. Each application for a conditional use shall be accompanied by a fee to be paid by the applicant, as provided in Section XI-8.
- C. The public hearing shall be held by the Zoning Board of Appeals, in accordance with its established procedures and the requirements of the Urbana City Code. The public hearing shall meet notification requirements specified in Section XI-10 of this Ordinance.
- D. The Zoning Board of Appeals shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the conditional use based upon the criteria specified in Section VII-2.A.
- E. The Zoning Board of Appeals shall authorize or deny the requested conditional use, and may also impose such additional conditions as are deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of this Ordinance, including but not limited to the following:
  - 1. Regulation of the location, extent, and intensity of such uses;
  - 2. Requirement of the screening of such uses by means of fences, walls, or vegetation;
  - 3. Stipulation of required minimum lot sizes;
  - 4. Regulation of vehicular access and volume;
  - 5. Conformance to health, safety, and sanitation requirements, as necessary;
  - 6. Increases to the required yards; and
  - 7. Any other conditions deemed necessary to effect the purposes of this Ordinance (see Section VII-6).
- F. In the case of a valid written protest, the conditional use shall not be authorized except by a favorable vote of two-thirds of the members of the Zoning Board of Appeals. Procedures for protest against any proposed conditional use permit are specified in Section XI-11 of this Ordinance.

Section 48. 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).



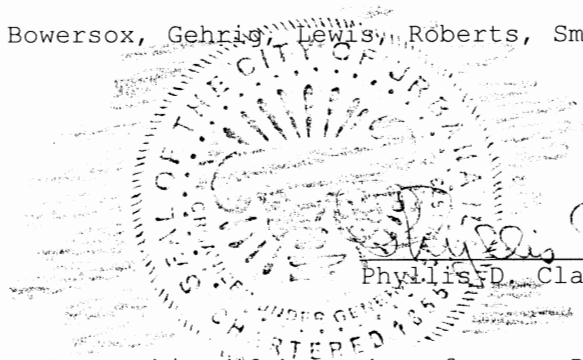
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 17th day of April, 2006.

PASSED by the City Council this 15th day of December,  
2008 .

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

NAYS:

ABSTAINS:



*Phillips D. Clark*  
Phillips D. Clark, City Clerk

APPROVED by the Mayor this 18th day of December,  
2008 .

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor