

**ORDINANCE NO. 2012-05-049**

**An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois  
(Industrial Districts Text Amendment - Plan Case No. 2167-T-12)**

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 Administrator has submitted a petition to amend the Urbana Zoning Ordinance to replace the IN, Industrial and OP, Office Park districts with the IN-1, Light Industrial/Office and IN-2, Heavy Industrial districts; and,

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #2167-T-12; and,

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing on the petition on May 10, 2012; and,

WHEREAS, the Urbana Plan Commission voted six ayes to zero nays on May 10, 2012 to forward Plan Case #2167-T-12 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. The list of districts appearing in Section IV-1 is hereby amended to delete IN, Industrial and OP, Office Park, and to add the following:

- IN-1 Light Industrial/Office
- IN-2 Heavy Industrial

Section 2. Paragraph IV-2.F is hereby amended to read as follows:

The IN-1, Light Industrial/Office district is intended to provide land for employment centers related to research and development, engineering and testing, office uses, warehousing, and limited manufacturing and industrial activities that will not have an adverse effect upon the district in which it is located. In addition, some low intensity commercial uses may be permitted in this district to provide convenient goods and services for employees and patrons in the zoning district. Higher intensity commercial uses are generally prohibited. Low intensity industrial uses are permitted by right or as a special use, depending on the attributes of the proposed land use.

Section 3. Paragraph IV-2.I, Office Park District, is hereby deleted.

Section 4. Existing Paragraphs IV-2.G and IV-2.H are hereby renumbered IV-2.H and IV-2.I.

Section 5. A new Paragraph IV-2.G is hereby created to read as follows:

The IN-2, Heavy Industrial district is intended to provide land for employment centers for more intensive industrial uses that typically generate heavy demands on the transportation system, including the need for freight rail service. These uses may cause odors, dust, noise, and vibrations and generate significant amounts of truck and freight rail traffic. Land uses in this district should generally be separated from residential districts by land uses permitted in the IN-1 or B-3 zoning districts.

Section 6. Table IV-1, County to City Zoning Conversion, is hereby amended to add the following district conversions:

<i>Former Zoning District Champaign County</i>	<i>New Zoning District City of Urbana</i>
<i>I-1 Light Industry</i>	<i>IN-1 Light Industrial/Office</i>
<i>I-2 Heavy Industry</i>	<i>IN-2 Heavy Industrial</i>

Section 7. Paragraph V-3.D is hereby amended to read as follows:

In the R-6B, B-1, B-2, B-3, B-3U, B-4, B-4E, IN-1, IN-2, MOR Zoning Districts, more than one principal use is allowed in a single building without Zoning Board of Appeals Approval if the uses are permitted by right within the district in which the lot or parcel of land is located.

Section 8. Section V-12, Additional Regulations in the OP District, is hereby deleted.

Section 9. Table V-1, Table of Uses, is hereby amended to read as attached in Exhibit 1.

Section 10. Paragraph VI-2.D is hereby amended to read as follows:

In the AG, CRE, B-1, B-2, MOR, and IN-1 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.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.

Section 11. Paragraph VI-5.C is hereby amended to read as follows:

In the B-1, B-2, B-3, B-4, B-4E, IN-1 or IN-2 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.

Section 12. Paragraph VI-5.F.3 is hereby amended as follows:

In the AG, CRE, Residential, B-1, B-2, IN-1, 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.

Section 13. Paragraph VI-5.G.1 is hereby amended as follows:

In the AG, CRE, R, B-1, B-2, IN-1, 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.

Section 14. Table VI-1, Buffer Yards, is hereby amended as follows:

		SUBJECT PROPERTY											
		R-4	R-5	R-6	R-6B	R-7	B-1	B-2	B-3	B-3U	IN-1	B-4	B-4E
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	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-3												
	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> .						

Section 15. Table VI-2, Landscaping Buffer, is hereby amended as

follows:

		SUBJECT PROPERTY																
		R-4	R-5	R-6	R-6B	R-7	B-1	B-2	B-3	B-3U	IN-1	B-4	B-4E*	IN-2				
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 <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																		

Section 16. Paragraph VI-6.B.2 is hereby amended as follows:

In the B-2, B-3, B-3U, IN-1 and IN-2 Zoning Districts, parking or storage of vehicles for sale is permitted to encroach ten feet into the required 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.

Section 17. Paragraph VI-9.D is hereby amended as follows:

*Industrial Districts.* Portable storage containers as defined herein and located on private property in IN-1 and IN-2, Industrial, zoning districts shall be exempt from the requirements of this Section; provided, such containers located on public rights-of-way however shall comply with this Section and any conditions stipulated by Urbana Public Works.

Section 18. Table VI-3, Development Regulations by District, is hereby amended to delete entries for IN and OP, and to add the following district regulations:

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
<b>IN-1</b>	<b>6,000</b>	<b>60</b>	<b>none<sup>3</sup></b>	<b>2.00</b>	<b>none</b>	<b>15</b>	<b>5</b>	<b>10</b>
<b>IN-2</b>	<b>10,000</b>	<b>90</b>	<b>none</b>	<b>1.00</b>	<b>none</b>	<b>25</b>	<b>none</b>	<b>none</b>

Section 19. Footnote 3 for Table VI-3, Development Regulations by District, is hereby amended as follows:

In the AG, CRE, B-1, B-2, MOR, and IN-1 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.

Section 20. Paragraph VIII-4.F.5 is hereby amended as follows:

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-1 or, MIC and if the adjacent area is also used for parking.

Section 21. Paragraph VIII-4.F.6. is hereby amended as follows:

Parking in the B-2, B-3, B-3U, IN-1 and IN-2 Zoning District shall be permitted to encroach ten feet into the required front yard if the buffer yard requirements set forth in Section VI-6.A.2.b.3, 4, 5, 6, 7 and 8 are met.

Section 22. Paragraph VIII-7.2.g is hereby amended as follows:

For non-residential uses in the AG, B-1, B-2, B-3, B-3U, CRE, IN-1, IN-2, 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.

Section 23. Paragraph IX-4.I is hereby amended as follows:

*Temporary Signs.* In the B-3, B-3U, B-4, B-4E, IN-1 and IN-2 Districts, in addition to the signs permitted as specified in Table IX-1 through Table IX-4, Table IX-6 and Table IX-9, temporary signs shall be allowed by permit as provided in this Section. Temporary Signs for non-residential uses in residential districts (as allowed in Table V-1) shall also be allowed by permit as provided in this Section.

Section 24. Paragraph IX-6.D.1 is hereby amended as follows:

*Permitted OASS Locations.* OASS shall only be permitted within 660 feet of the public right-of-way of:

Interstate 74;  
University Avenue;  
Cunningham Avenue north of University Avenue;  
U.S. Route 150; and  
Lincoln Avenue north of Bradley Avenue;

Where such location is zoned:

B-3, General Business District;  
B-4E, Central Business Expansion District; or  
IN-1 or IN-2, Industrial zoning districts;

Except:

- a) Within 300 feet in any direction from the boundary of any R-1, R-2, R-3, or CRE zoning district within the City corporate limits;
- b) Within 300 feet of any historic landmark or historic district as designated by the City of Urbana; and
- c) On any property designated as a Redevelopment Project in any Tax Increment Finance District Plan adopted pursuant to Illinois' Tax Increment Allocation Act, for which a Redevelopment Agreement with the City of Urbana has been approved or pending before the City Council, where such agreement explicitly prohibits OASS placement.

Section 25. Paragraph IX-6.D.10 is hereby amended as follows:

*Height limitations for freestanding OASS.* The maximum height limit shall be 35 feet in B-3 and B-4E zoning districts and 40 feet in IN-1 and IN-2 zoning districts. The minimum height clearance for sign faces shall be 14 feet, as measured in Section IX-3.B.

Section 26. Tables IX-1, IX-2, IX-4, IX-6, IX-7, IX-8, and IX-9 are hereby amended by replacing "IN, Industrial" with "IN-1 and IN-2 Districts".

Section 27. Paragraph XIII-1.E.5.c is hereby amended as follows:

Towers in the IN-1 or IN-2 districts must satisfy the setback requirements of the IN-1 or IN-2 zoning district for principal buildings except that a tower shall not be placed closer than 100% of its height from any residential zoned land or land use building set back line.

Section 28. Paragraph XIII-1.F.3.b is hereby amended as follows:

Place antennas and towers in districts zoned IN-2 Heavy Industrial, if towers are greater than 250 feet from residential land use or zoning;

Section 29. Paragraph XIII-1.F.3.c is hereby amended as follows:

Place antennas and towers in districts zoned IN-1, Light Industrial/Office or B-3 General Business which do not adjoin or adversely impact residential neighborhoods and are greater than 250 feet from residential land use or zoning;

Section 30. Paragraph XIII-1.Q.2.b is hereby amended as follows:

Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, in the IN-1, Light Industrial/Office, IN-2, Heavy Industrial, or B-3, General Business districts and greater than 250 feet from any residential zoning district or land use.

Section 31. Paragraph XIII-1.R.1.b is hereby amended as follows:

Antennas with towers in any Zoning District, except R-6B, B-3, B-3U, or IN-1.

Section 32. Paragraph XIII-1.R.1.c is hereby amended as follows:

Antennas with towers in the IN-1, Light Industrial/Office, IN-2, Heavy-Industrial, or B-3 General Business, Zoning Districts if towers are less than 250 feet from residential land use or zoning.

Section 33. Paragraph XIII-1.R.1.d is hereby amended as follows:

Equipment enclosures in any Zoning District, except R-6B, B-3, B-3U, IN-1 or IN-2, which are not located on an existing structure as allowed herein and if the enclosure is less than 100 feet from residential zoning or land use. Special use permits may be granted for equipment enclosures as part of a special use permit allowing a tower.

Section 34. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities.

Section 35. 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



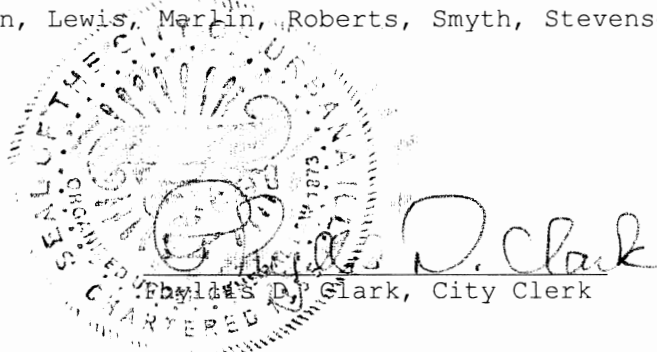
City of Urbana, Illinois, at a regular meeting of said Council on the 21st day of February, 2011.

PASSED by the City Council this 21st day of May, 2012.

AYES: Bowersox, Jakobsson, Lewis, Merlin, Roberts, Smyth, Stevenson,  
Mayor Prussing

NAYS:

ABSTAINED:



APPROVED by the Mayor this 29th day of May, 2012.

Laurel Lunt Prussing, Mayor

By: Charles A. Smyth, Mayor Pro-tem