



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Bruce Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, City Planner, Director

DATE: March 30, 2006

SUBJECT: Omnibus Text Amendment to the Urbana Zoning Ordinance (Plan Case No. 1979-T-06)

Introduction

The Zoning Administrator is requesting a wide variety of text amendments to the Zoning Ordinance. These include such changes as adding/deleting definitions, reorganizing sections, creating a new Article, revising allowed uses and parking requirements, and a wide variety of minor changes. The majority of the changes are requested to assist the daily administration of the Zoning Ordinance by reducing inconsistencies and updating regulations to meet current professional practices. Other changes update the Zoning Ordinance to more closely match recently adopted plans and policies. On their own, many of these changes would not warrant a separate text amendment. The omnibus approach allows staff to incorporate these smaller changes without the need to completely revise the Zoning Ordinance. The changes will also assist in preparing the Zoning Ordinance for the comprehensive revision requested by the City Council.

Background

At their March 27, 2006 meeting, the Urbana Plan Commission unanimously voted to recommend approval of the proposed amendment, along with specific changes, to the Urbana City Council. The Plan Commission requested additional analysis for Section IX-5 regarding signs allowed without a permit. This analysis and further revision will be carried out as part of a separate text amendment case. Potential changes may include determining appropriate area and height standards, as well as requiring permits for certain signs, such as those identifying multi-family residential rental properties.

In response to Councilmember input at the March 10, 2006 Committee of the Whole meeting, the Plan Commission included a provision to allow non-residential uses to display temporary signs in residential zoning districts. Non-residential uses can include churches, parks, or schools. Occasionally such uses require the use of temporary signs to advertise events or

services. This change would permit non-residential temporary signs, subject to the same standards as commercial temporary signs (including a formal application and fee).

The revised articles are included in this memo (see Exhibits A through C), and should replace individual articles in the Zoning Ordinance attached to the February 17, 2006 Plan Commission memo. Additional copies of the Plan Commission memo can be provided if needed. As with previous memos, strikethrough (delete text) and underline (add text) notation has been utilized to indicate any proposed changes.

Additional Changes

An additional change has been proposed by staff in response to Councilmember input.

Article VI. Development Regulations by District

- Revise the following wording for accessory structures:

9. Accessory ~~garages~~ structures in the R-1, R-2, R-3, R-4, R-5, R-6, R-6B or R-7 Districts ~~R 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. provided that a minimum yard of 18 inches is maintained

Commentary

The wording change was requested to clarify the meaning of this regulation. Under Section VI-5, required yards must be unobstructed with certain exemptions. The regulation intends that no accessory structure, including a roof overhang or other projection, shall be closer than 18 inches to the property line.

Adoption Process

Due to the large number of changes in this case, the attached ordinance will repeal the 1993 Urbana Zoning Ordinance and adopt a printout of the approved zoning ordinance. The result will be a “clean” version without strikethrough and underline notations.

Summary of Staff Findings

1. The proposed amendment will assist the daily administration and enforcement of the Zoning Ordinance by reducing inconsistencies and updating regulations to meet current professional practices.
2. The proposed amendment is consistent with the goals and objectives of the 2005 Urbana Comprehensive Plan regarding updating various sections of the Zoning Ordinance.

3. The proposed amendment will update the Zoning Ordinance to ensure that the regulatory environment more closely matches the goals and policies of the City, including recent text amendments to the Zoning Ordinance, creation of the CCD, Campus Commercial District, and adoption of the 2005 Urbana Comprehensive Plan and the Downtown Strategic Plan.
4. Staff has already made a number of grammatical and organizational changes. These changes are non-substantive and will be incorporated into the republication of the Zoning Ordinance following approval of the omnibus amendment.
5. The proposed amendment will assist in preparing the Zoning Ordinance for the comprehensive revision requested by the City Council.
6. The Urbana Plan Commission voted 6 ayes to 0 nays to recommend approval of the proposed amendment, with specific changes, to the Urbana City Council.

Options

The City Council has the following options in Plan Case 1979-T-06:

- a. Approve the proposed omnibus text amendment to the Zoning Ordinance, as presented;
- b. Approve the proposed omnibus text amendment to the Zoning Ordinance, as modified by specific suggested changes; or
- c. Deny the proposed omnibus text amendment to the Zoning Ordinance.

Staff Recommendation

Based on the evidence presented in the discussion above, staff concurs with the Plan Commission recommendation that the City Council **APPROVE** the proposed omnibus text amendment to the Zoning Ordinance.

Prepared by:

Matt Wempe, Planner II

Attachments: Exhibit A: Article V. Use Regulations (Updated)
 Exhibit B: Article VIII. Parking and Access (Updated)
 Exhibit C: Article IX. Sign Regulations (Updated)

ORDINANCE NO. 2006-04-040

An Ordinance to Repeal the Zoning Ordinance of the City of Urbana, Illinois
and to Adopt a Restatement of the Zoning Ordinance of the City of Urbana,
Illinois

(Omnibus Zoning Ordinance Amendment - Plan Case 1979-T-06)

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 first adopted on June 21, 1993; and,

WHEREAS, the Urbana Zoning Administrator proposed to enact a restated Zoning Ordinance by incorporating an omnibus amendment as part of the process of editing the Ordinance in preparation for recodifying and republishing it; and,

WHEREAS, the Urbana Zoning Administrator has submitted a petition to repeal the existing Urbana Zoning Ordinance and enact a new 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 #1979-T-06; and,

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

public hearing on the petition on February 23, 2006 which was continued to the March 9, 2006 and March 23, 2006 meetings; and,

WHEREAS, the Urbana Plan Commission voted 6 ayes to 0 nays on March 23, 2006 to forward Plan Case #1979-T-06 to the Urbana City Council with a recommendation for approval of the proposed amendment; and,

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the amendments described herein conform to the goals, objectives and policies of the 2005 Urbana Comprehensive Plan as amended from time to time; and,

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interest of the City of Urbana to repeal the existing Urbana Zoning Ordinance and enact 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, as follows:

Section 1. The Zoning Ordinance of the City of Urbana, Illinois is hereby repealed upon the effective date of this Ordinance. The repeal of such Ordinance shall not abrogate or affect any act committed or done or any penalty or forfeiture incurred or any pending litigation or prosecution under such repealed Ordinance.

Section 2. In place of the Zoning Ordinance herein repealed, a new Urbana Zoning Ordinance is hereby enacted to read as follows in the document attached hereto as Exhibit A.

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 ____ day of _____, 2006.

PASSED by the City Council this ____ day of _____, 2006.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this ____ day of _____, 2006.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the _____ day of _____, 2006, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "An Ordinance Approving A Preliminary Subdivision Plat (Somerset Subdivision Phase 5 - Plan Case 1975-S-06)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2006, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 2006.

ARTICLE V. USE REGULATIONS

Section V-1. Uses Permitted by Right, Conditional Uses, and Special Uses

Section V-2. Principal and Accessory Uses

Section V-3. Table of Permitted Uses, by District

Section V-4. Regulation of Adult Entertainment Uses

Section V-5. Additional Use Regulations in the R-6B District

Section V-6. Regulation of Community Living Facilities

Section V-7. Additional Use Regulations in the B-2 District

Section V-8. Additional Use Regulations in the MOR District

Section V-9. Regulations for Common-Lot-Line Dwelling Units

Section V-10. Additional Regulations in the MIC District

Section V-11. Residential Occupancy Limits

~~**Section V-11. Telecommunications Facilities, Towers and Antennas**~~

Section V-12. Additional Regulations in the OP District

Section V-13. Regulation of Home Occupation

~~**Section V-14. Use and Parking Regulations in the CCD District**~~

~~**Section V-15. Additional Regulations in the B-1, Neighborhood Business District**~~

Section V-1. Uses Permitted by Right, Conditional Uses, and Special Uses

- A. In any district, no land or structure shall be used, and no structure or building shall hereafter be erected or structurally altered, except for:
1. One or more of the uses listed as permitted by right in that district in Table V-1;
 2. One or more of the conditional uses listed for that district in Table V-1, provided that a conditional use permit therefore has been issued, according to the procedures specified in Article VII;
 3. One or more of the special uses listed for that district in Table V-1, provided that a special use permit therefore has been issued, according to the procedures specified in Article VII.
- B. In the case of a use not specifically mentioned in Table V-1, such a use shall be subject to the regulations of the use (whether permitted by right, a conditional use, or special use) to which it is most related or similar, as determined by the Zoning Administrator. He/she may determine that such a use is either permitted by right, permitted as a conditional use, permitted as a special use, or not permitted in any particular district. He/she shall keep a written record of all determinations, which may be consulted in the future.

Section V-2. Principal and Accessory Uses

- A. The uses listed in Table V-1 are principal uses.
- B. As indicated by Table V-1, a use may be permitted by right, conditional uses, and special uses in the various zoning districts ~~are principal uses.~~

- C. Except as otherwise provided, an accessory use, ~~building~~, or structure is permitted to accompany the principal use to which it is subordinate, where such principal use is either permitted by right or authorized by either a conditional or a special use permit.
- D. A structure or use may be erected or established as an accessory structure or use to a permitted principal structure or use, provided that:
 - 1. It is located on the lot occupied by or intended for the principal use or building established or existing, or on another lot under the provisions of Section V-3.E.
 - 2. It is compatible in character and extent with the principal use and district where located;
 - 3. It conforms with such other regulations as apply;
 - 4. It is not prohibited by other City Ordinances;
 - 5. It shall not be erected or established prior to the establishment or construction of the principal use or building, except as authorized by the Zoning Administrator;
 - 6. It is customarily incidental to the principal structure or use.
 - 7. 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 building area of the accessory building shall not exceed seven hundred fifty (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 shall not exceed fifty percent (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.
 - 8. It is not a principal use parking lot as defined in Article II of the Urbana Zoning Ordinance.

Section V-3. Table of Permitted Uses, by District

- A. In Table V-1, the use listed in a horizontal row with the letter “P” is permitted by right as a principal use in the district listed at the head of the vertical column in which the letter “P” appears, except as provided in paragraph B. below; similarly, the letter “C” indicates that the use is permitted as a conditional use in that district, and the letter “S” indicates that the use is permitted as a special use in that district, subject to the regulations and procedures specified in Article VII of this Ordinance.
- B. The use of right-of-way and easements for highways, streets, alleys, walks, railroads, electric power lines, telephone lines, water mains, sanitary sewers, and storm drains, whether belonging to a

governmental body or a public utility, shall be considered to be permitted, conforming uses in each district.

- C. Unless as exempted below, in any zoning district, more than one principal structure or building per lot or parcel of land may be allowed under conditional use procedures meeting the following criteria:
1. The uses are permitted by right or as a conditional use in the district in which the lot or parcel of land is located.
 2. The lot or parcel of land does not qualify as a residential, commercial, or industrial PUD.
 3. In zoning districts which permit multiple family residential uses, no conditional use permit shall be required to allow multiple buildings on a single lot.
- D. In the R-6B, B-1, B-2, B-3, B-3U, B-4, B-4E, IN, MOR, and OP Zoning Districts, more than one principal use ~~is may be~~ 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.
- E. Properties within the Boneyard Creek District and Business Development and Redevelopment District are subject to special rules and procedures as set forth in Section VII-8 and Section VII-9 respectively.
- F. See Section VIII-4.L for regulations associated with accessory off-street parking.
- G. In any zoning district, accessory off-street parking associated with a permitted principal use, other than a non-conforming use, may be located on any separate zoning lot within 600 feet (exclusive of rights-of-way) of the principal use. See Section VIII-4.L for regulations associated with accessory off-street parking.
1. ~~If the principal use or lot and the off-site parking are located in the same district, and the off-site parking is not located in a principal use parking lot as defined in Article II, the off-site parking is permitted under the same terms as the principal use. Conditional use or special use permits for the off-site parking, if applicable, may be requested simultaneously with the conditional use or special use permit for the principal use.~~
 2. ~~If the principal use and the off-site parking are located in separate zoning districts, and the off-site parking is not located in a principal use parking lot as defined in Article II, the off-site parking shall be permitted according to the following rules:~~
 - a) ~~The off-site parking shall be permitted by right if either the principal use or a “principal use parking lot,” or both, are principal uses permitted by right at the location of the off-site parking, according to Table V-1, Table of Uses.~~
 - b) ~~The off-site parking shall require a special use permit if a) above is not applicable.~~
 3. ~~If the off-site parking is located within 600 feet of property zoned R-1, R-2, or R-3, it shall require a special use permit subject to the provisions of Section VIII-2.~~
 4. ~~If the off-site parking is located in a principal use parking lot, then its location is permitted by right or as a special use according to Table V-1, Table of Uses.~~

5. ~~In all cases in which off-site parking is permitted, the Certificate of Occupancy for the principal use shall specify the required number of parking spaces to be maintained in the accessory off-site parking. The Certificate of Occupancy shall state that the parking space sufficient to meet ordinance requirements is maintained on and/or off-site. If the parking is maintained off-site, the petitioner must demonstrate to the Zoning Administrator that the number of off-street parking spaces, plus any parking spaces maintained on-site, satisfies parking requirements for the principal use, and that said parking spaces are dedicated to serve the principal use.~~
- H. ~~Accessory use parking located on a parcel separate from the principal use (whether off-site or on an adjacent parcel as part of a subsequent expansion) and which is within 600 feet of property zoned R-1, R-2, R-3 shall be permitted by special use only, subject to the provisions of Section VII-10. Special use approval would not be necessary for on-site accessory parking which is required for a new use or an expansion of an existing use that is otherwise allowed by right or by conditional use according to Table V-1. Special use approval would also not be necessary for one and two-family residential accessory parking expansions allowed under Section VIII-3.1.~~

(Ord. No. 2005-02-017, 02-18-05)

Section V-4. Regulation of Adult Entertainment Uses

- A. Adult entertainment uses listed as permitted in Table V-1 shall only be permitted as provided herein so that these uses will not unduly interfere with or adversely affect the public health, safety, comfort, morals, adjacent land uses, property values, or general welfare of the community.
 1. No adult entertainment use shall be located or established within one thousand feet of another adult entertainment use, the distance being measured between the nearest lot lines.
 2. No adult entertainment use shall be located or established on any lot that is within two hundred feet of any AG, CRE, R-1, R-2, R-3, R-4, R-5, R-6, R-6B, R-7, B-2, B-3U, CCD, or MOR Zoning District.
 3. No adult entertainment use shall be located or established within two hundred feet of any lot within which the principal use is a hospital. (Ord. No. 8384-46, § 2, 4-16-84; Ord. No. 9091-59, § 4, 11-19-90; Ord. No. 9091-60, § 4, 11-19-90; Ord. No. 9091-61, § 4, 11-19-90)

Section V-5. Additional Use Regulations in the R-6B District

- A. In the R-6B District, business uses shall be restricted to the basement or the first story above the basement. If the floor area ~~that may be authorized by the Zoning Administrator to be occupied by~~ business uses is greater than three thousand square feet, a residential use shall also be established on the zoning lot. When a residential use is required, the floor area devoted to residential use shall be equal to or greater than 50% of the total floor area ~~that may be authorized by the Zoning Administrator to be occupied by a business use.~~

- B. The requirements of Section V-3.C shall apply in the R-6B District except that the restriction requiring a conditional use permit for more than one principal use per building shall not apply.
- C. Section VIII-4.C, regarding collective off-street parking, shall not apply to residential uses in the R-6B District. (Ord. No. 8687, § 1, 2-16-87)

Section V-6. Regulation of Community Living Facilities

Community living facilities listed as permitted in Table V-1 shall be restricted as follows:

- A. No community living facility shall be located or established within 1,500 feet of another community living facility when located in the AG, R-1, R-2, and R-3 zoning districts, except by special use permit. (Ord. No. 8889-44, § 5, 1-3-89; Ord. No. 9091-59, §5, 11-19-90; Ord. No. 9091-60, § 5, 11-19-90; Ord. No. 9091-61, § 5, 11-19-90; Ord. No. 9091-62, § 4, 11-19-90; Ord. No. 9091-120, § 5, 4-15-91; Ord. No. 9293-72, § 4, 2-1-93)
- B. No community living facility shall be located or established within 1,000 feet of another community living facility when located in the R-4, R-5, R-6, R-6B, R-7, B-1, B-2, B-3U, B-4E, and MOR zoning districts, except by special use permit.

Section V-7. Additional Use Regulations in the B-2 District

- A. In the B-2 District, if the floor area of a principal structure is intended or designed to be occupied by a residential use of more than 3,000 square feet, a business use shall also be established on the zoning lot. When a business use is required, the floor area devoted to the business use shall be equal to or greater than 25% of the total floor area that is occupied by the residential use on the zoning lot. When a business use is required, the use shall conform to the list of uses permitted in the B-2 District as designated in Table V-1.
- B. With reference to Section VIII-5.D, in one structure, ~~regarding~~ collective off-street parking for mixed uses in principal structures shall not apply to residential uses in the B-2 District. In the case of mixed uses involving residential uses in this district, there shall be no reduction in the parking as required in Section VIII-54.

Section V-8. Additional Use Regulations in the MOR District

- A. Wherever this ordinance imposes greater restrictions on properties in the MOR, Mixed-Office Residential Zoning District than in other zoning districts, the greater restrictions shall govern.
- B. As an incentive to encourage the adaptive re-use of existing principal structures in the MOR District, any proposals for a change of use, building addition, or exterior remodeling that incorporates the adaptive re-use of an existing structure within the district shall not require review by the Design Review Board. Adaptive re-use proposals shall comply with the requirements of the Urbana Zoning Ordinance although the Zoning Administrator may authorize adjustments to existing codes and regulations as specified in Section V-8.D. Adaptive re-use proposals shall demonstrate consistency with the “M.O.R., Mixed-Office Residential Design Guidelines” specified in Section XI-12.J as

determined by the Zoning Administrator. In cases where proposed addition(s) and/or remodeling efforts are so extensive as to result in substantial change to the appearance and/or scale of an existing building, the Zoning Administrator shall make this determination and shall then request Development Review Board review and approval of the project. The Development Review Board shall have the ability to make adjustments to existing codes and regulations for adaptive re-use projects for such projects as set forth in Section V-8.D.

- C. Proposals not incorporating the adaptive re-use of an existing structure in the MOR District must receive site plan approval from the Development Review Board in accordance with the provisions of the Board as specified in Section XI-12 and must demonstrate consistency with the “M.O.R., Mixed-Office Residential Design Guidelines” as specified in Section XI-12.J.

D. Adjustments to Existing Codes and Regulations for Adaptive Re-use Projects

- 1. ~~As an incentive to encourage the adaptive re-use of existing structures in accordance with the purpose and objectives of the MOR District, The Zoning Administrator or Development Review Board may authorize adjustments or modifications to the requirements of the Urbana Zoning Ordinance and Urbana City Code for adaptive re-use of existing structures in accordance with the purpose and objectives of the MOR District. The Zoning Administrator or Development Review Board may authorize adjustments only~~ when changes are proposed to the use of existing structures and/or when additions or exterior remodeling of existing principal structures is proposed. ~~The purpose of this provision is to provide an incentive to re-use the existing structures in the District, to provide flexibility in meeting the City’s requirements in using existing structures, and to preserve the overall character of the MOR District. This incentive shall not apply to new construction that does not incorporate the adaptive re-use of an existing structure. Adjustments or modifications to the following requirements of the Urbana Zoning Ordinance and Urbana City Code in the MOR District for adaptive re-use projects may shall be authorized:~~

- a. Section VIII-2, Design and Specifications of Off-Street Parking;
- b. Section VIII-3, Location of Parking Facilities;
- c. Section VIII-4, Amount of Parking Required; except that no reduction in excess of 25% of the full parking requirements may be approved by the Zoning Administrator and no reduction of the parking requirements shall be approved for residential uses; residential use in the MOR District shall conform to the full parking requirements of Section VIII-4;
- d. Section VIII-5, Off-Street Loading Regulations;
- e. Article VI, Development Regulations; except that the Zoning Administrator ~~shall only be authorized to approve only the site plan adjustments listed in Section XI-3-C.2.b (i.e., for minor variations) and no others; and~~
- f. Chapter 7 of the City Code, Fences.

~~*Commentary: The intent of Section V-8.D is to allow some flexibility in existing codes and requirements for adaptive re-use projects. In some instances, the strict application of the development regulations can make an adaptive re-use project infeasible due to uncontrollable circumstances such as existing building placement on the lot, lot size, shape*~~

~~or location. The goal of this provision is to permit the Zoning Administrator to allow slight modifications when necessary to achieve the overall goal of adaptive re-use of existing structures.~~

(Ord. No. 2003-11-120, 11-25-03)

Section V-9. Regulations for Common-Lot-Line Dwelling Units

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 the following restrictions:

A. Subdivision of Land

1. The fee simple transfer of ownership of a portion of a lot improved with a ~~rowhouse or townhouse~~ or duplex for the purpose of establishing separate ownership of common-lot-line dwelling unit(s) shall constitute a subdivision and shall be subject to the provisions of this Ordinance and to the provisions of Section 21-19 in Chapter 21 of the Urbana City Code. Each lot shall contain no more than one common-lot-line dwelling unit.
2. After a common-lot-line subdivision has been recorded, the lots shall be developed exclusively for common-lot-line dwelling units and for no other type of development. Any change in the type of development on said platted lot(s) may require approval of a new subdivision plat.

B. General Provisions

1. The provisions of the BOCA National Building Code, as adopted by the City of Urbana, shall apply to common-lot-line dwelling units rather than the provisions of the BOCA National Existing Structures Code, even if a structure exists at the time the subdivision is recorded.
2. All common-lot-line dwelling units shall have an Owner's Certificate recorded with the Champaign County Recorder's Office providing for ~~a form of maintenance agreement~~ for the perpetual maintenance of the common-lot-line dwelling units as specified in Section 21-19-D of Chapter 21 of the Urbana City Code.
3. All fee simple transfers of ownership that were approved by the City of Urbana prior to May 1, 1993 shall be deemed to be legal and conforming uses and shall not require any further approval of a subdivision plat to be established as common-lot-line dwelling units.

C. ~~Development Regulations~~

1. ~~Platted lots which contain common-lot-line dwelling units shall be subject to and comply with the standards set forth in Article VI and Table VI-1 of this Ordinance, except as provided in this section. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating Floor Area Ratio (FAR), Open Space Ratio (OSR), front yards, and rear yards.~~
2. ~~The standards for minimum lot area and lot width for common-lot-line dwelling units shall be as follows:~~

- a) ~~For a common lot line building which contains three (3) or more dwelling units: Each lot shall have a minimum lot area of two thousand (2,000) square feet and a minimum street frontage of twenty (20) feet.~~
 - b) ~~For lots that are zoned R-2 or R-3 and were originally platted before December 21, 1970, of which a resubdivision is proposed for a two-unit common lot line dwelling: Each lot shall have a minimum lot area of three thousand (3,000) square feet and a minimum street frontage of thirty (30) feet.~~
 - c) ~~For lots that are zoned R-2 or R-3 and were originally platted after December 21, 1970, of which a resubdivision is proposed for a two-unit common lot line dwelling: Each lot shall have a minimum lot area of four thousand five hundred (4,500) square feet and a minimum street frontage of forty (40) feet.~~
 - d) ~~For lots that are zoned R-4, R-5, R-6, R-6B, B-2 or MOR, of which a resubdivision is proposed for a two-unit common lot line dwelling: Each lot shall have a minimum lot area of three thousand (3,000) square feet and a minimum street frontage of thirty (30) feet.~~
3. ~~For the purpose of calculating side yards, a dwelling unit on the end of a common lot line building shall have a single side yard which conforms to the standards for side yards for the zoning district in which the building is located as set forth in Table VI-1 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common lot line subdivision. (Ord. No. 9293-109, § V-9, 5-17-93)~~

Section V-10. Additional Regulations in the MIC District.

All development regulations of the B-4E zoning district shall apply during the review of a development proposal for a building permit in the MIC District ~~to said properties~~ with the following exceptions or additions:

- A. The following uses are permitted by right in this Overlay Zoning District: medical related uses, drugstore, day care center, hospital or clinic, ambulance service, medical carrier service, home for the aged, nursing home, fitness center; guest house for patient families/support members, and health care-related business or professional medical office building and methadone treatment facility. (Ord. No. 2001-10-117, 1792-T-01) (No. 2002-08-083, 1824-T-02)
- B. The following uses are permitted by right in this Overlay Zoning District if constructed with the same structure as a health care-related business: professional office, institution of an educational, philanthropic, or eleemosynary 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:

1. If the structure is 0 to 20,000 square feet, the health care-related or professional medical office use must exceed 60% of the building's net floor area.
 2. If the structure is 20,001 square feet to 50,000 square feet, the health care-related or professional medical office use must exceed 70% of the building's net floor area.
 3. If the structure is 50,001 square feet or more, the health care-related or professional medical office use must exceed 80% of the building's net floor area.
- C. Uses in this overlay district must provide 100% of the required off-street parking per Table VIII-6 "Parking Requirements by Use."
- D. The maximum floor area ratio (FAR) for the MIC district is 9.0. (Ord. No. 9596-48, § 4, 12-4-95).

Section V-11. Residential Occupancy Limits

- A. These regulations are intended to prevent over-occupancy of dwelling units in order to protect the character and intent of each residential zoning district. The occupancy limits defined herein are in addition to regulations in the building and fire codes adopted by the City. In any case where there are conflicting occupancy limits, the stricter regulation shall apply. Definitions related to occupancy are located in Article II of this Ordinance.
- B. Such actions that permit occupancy or use beyond the limits of this Ordinance, or, in the case of an offer to lease, if the offer, if accepted, would have permitted or caused occupancy or use beyond the limits of this Ordinance shall be prohibited as set forth in Section III-2.G.
- C. A dwelling unit in the following classes of uses shall be occupied at any given time by no more than one household, as defined herein, and no more than three additional persons not related to said household: single-family, duplex, common lot line, multiple-family, mobile home or loft.
- D. A dwelling unit in the following classes of uses shall be occupied at any given time by no more than the maximum occupancy limit specified on the Certificate of Occupancy: single-family extended group occupancy, duplex extended group occupancy, community living facility, dormitory, home for adjustment, hotel or motel, nursing home, home for the aged, or bed and breakfast.
- E. Boarding/Rooming House. A boarding house or rooming house shall be occupied at any given time by no more than 15 persons, related or unrelated, or fewer as specified in the Certificate of Occupancy.

Section V-11. Telecommunications Facilities, Towers, and Antennas

A. Purpose.

~~The purpose of this ordinance is to establish general guidelines for the siting of wireless communications, radio and television towers, and antennas. The goals of this ordinance are to: (1) protect residential areas and land uses from potential adverse impacts of towers and antennas; (2) encourage the location of towers in non-residential areas; (3) minimize the total number of towers throughout the community; (4)~~

~~strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers; (5) encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal; (6) encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques; (7) enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently; (8) consider the public health and safety with respect to communication towers; and (9) avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures. In furtherance of these goals, the City of Urbana shall give due consideration to the City of Urbana's Comprehensive Plan, zoning map, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.~~

~~B. Applicability.~~

- ~~1. New Towers and Antennas. All new towers or antennas in the City of Urbana will be subject to these regulations, except as provided in this Article.~~
- ~~2. Pre-existing Towers or Antennas. Pre-existing towers and pre-existing antennas shall not be required to meet the requirements of this ordinance, other than those which specifically apply to pre-existing towers or antennas.~~

~~C. Exemptions~~

~~The following are considered exempt telecommunications facilities and are not governed by this Section:~~

- ~~1. A single ground or building mounted receive-only radio or television antenna including any mast, for the sole use of the tenant occupying a residential parcel on which the radio or television antenna is located; with an antenna height not exceeding twenty-five (25) feet;~~
- ~~2. A ground or building mounted citizens band radio antenna including any mast, if the permanent height (post and antenna) does not exceed thirty-five (35) feet;~~
- ~~3. A ground, building, or tower mounted antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service, if the height (post and antenna) does not exceed fifty (50) feet;~~
- ~~4. All citizens band radio antenna or antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service which existed at the time of the adoption of this Ordinance;~~
- ~~5. Mobile services providing public information coverage of news events of a temporary nature;~~
- ~~6. Hand held devices such as walkie-talkies, garage door openers, and similar devices as determined by the Zoning Administrator;~~
- ~~7. City government owned and operated receive and/or transmit telemetry station antennas for supervisor control and data acquisition (SCADA) systems for water, flood alert, traffic control devices and signals, storm water, pump stations, and/or irrigation systems with heights not exceeding thirty-five (35) feet;~~

- ~~8. Industrial processing equipment and scientific or medical equipment using frequencies regulated by the Federal Communications Commission;~~
- ~~9. Antennas and related equipment no more than three feet in height that are being stored, shipped, or displayed for sale;~~
- ~~10. Radar systems for military and civilian communication;~~
- ~~11. Wireless radio utilized for temporary emergency communications in the event of disaster;~~
- ~~12. Licensed amateur (ham) radio facilities as provided herein;~~
- ~~13. Satellite dish antennas less than one meter in diameter for residential uses and less than two meters in diameter for commercial or industrial uses, including direct to home satellite services, when used as an accessory use of the property;~~
- ~~14. Routine maintenance or repair of a personal wireless service facility and related equipment, (excluding structural work or changes in height or dimensions of antennas, towers, or buildings) provided that compliance with the standards of this ordinance are maintained;~~
- ~~15. Subject to compliance with all other applicable standards of this ordinance, a building permit application need not be filed for emergency repair or maintenance of a personal wireless service facility until thirty (30) days after the completion of such emergency activity;~~
- ~~16. A “Cell on Wheels” (COW) or other temporary Personal Wireless Telecommunications Facility shall be permitted for a maximum of thirty (30) days or during an emergency declared by the City.~~

~~D. General Requirements.~~

- ~~1. Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot. Subdivision regulations will not apply. The lease shall be created by a plat of survey to accompany permit applications.~~
- ~~2. Lot Size. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot unless there are unusual geographic or public health, safety, and welfare or other public policy considerations. A plat of survey shall accompany any permit application.~~
- ~~3. Inventory of Existing Sites. Each applicant for an antenna and/or tower shall provide to the Zoning Administrator or his or her designee an inventory of the applicant's existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of the City of Urbana or within one and one half (1 ½) mile of the boundary thereof, including specific information about the location, height, and design of each tower. The Zoning Administrator or his or her designee may share such information with other applicants applying for administrative approvals or special use permits under this ordinance or other organizations seeking to locate antennas within the jurisdiction of City of Urbana, provided, however, that the Zoning~~

~~Administrator or his or her designee is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.~~

- ~~4. Recognition of Industry Site Selection Criteria: In establishing a new site, the industry requires a location that is technically compatible with the established network. A general area is to be identified based upon engineering constraints and the desired area of service. The City recognizes that specific locations within that general area are evaluated by the industry providers using the following criteria which are not listed in order of priority:~~
 - ~~a. Topography as it relates to line-of sight transmissions for optimum efficiency.~~
 - ~~b. Availability of road access.~~
 - ~~c. Availability of electric power.~~
 - ~~d. Availability of land-based telephone lines or microwave link capability.~~
 - ~~e. Leasable lands, and landlords who desire facilities to be located on their properties consistent with zoning regulations.~~
 - ~~f. Screening potential of existing vegetation, structures, and topographic features.~~
 - ~~g. Zoning that will allow low power mobile radio service facilities.~~
 - ~~h. Compatibility with adjacent land uses.~~
 - ~~i. The minimum number of sites to cover the desired area.~~
 - ~~j. The greatest amount of coverage, consistent with physical requirements.~~
 - ~~k. Opportunities to mitigate possible visual impact.~~
 - ~~l. Availability of suitable existing structures for antenna mounting.~~
- ~~5. Setbacks. The following setback requirements shall apply to all towers, provided, however, that the Zoning Administrator (in the case of administrative approval) or the City Council (in the case of a special use approval) may approve a reduction of the standard setback if the goals of this Ordinance would be better served thereby. Setback distance requirements will include right-of-way widths, if applicable:~~
 - ~~a. Guys Guide wires and accessory buildings in all zoning districts must satisfy the minimum zoning district setback requirements for principal buildings, including average front yard setbacks, for the entire parcel, even if a portion of the parcel is being leased for the tower, unless there are unusual geographic or public health, safety and welfare or other public policy considerations.~~
 - ~~b. Towers in residential districts must be set back a distance equal to at least two hundred percent (200%) of the height of the tower from any residential lot front, side and rear yard~~

~~setback line unless here are unusual geographic or public health, safety, and welfare or other public policy considerations.~~

- ~~c. Towers in the IN district must satisfy the setback requirements of the IN zoning district for principal buildings except that a tower shall not be placed closer than one hundred percent (100%) of its height from any residential zoned land or land use building set back line.~~
- ~~d. Towers in the B-3, B-3U, or MIC districts shall satisfy the setback requirements of that district for principal buildings except that no tower shall be placed closer than one hundred fifty percent (150%) of its height from any residential zoned lot or land use building set back line.~~
- ~~6. Height Limitations. Towers in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, or MOR districts shall be restricted to fifty (50) feet in height unless said height limitation is varied by the Zoning Administrator (in the case of an administratively approved permit) or the City Council (in the case of an approved special use permit) to allow co-location or if the goals of this Ordinance would be better served thereby.~~
- ~~7. Separation Distances Between Towers. If an applicant requests a permit for a new tower within 1,500 feet of an existing tower, the applicant must provide evidence that the existing tower cannot accommodate the new antenna requested.~~

~~E. Location Preference.~~

~~The order of preference for locating new personal wireless service facilities shall be as follows:~~

- ~~1. First Preference. Use of such facilities by the City of Urbana and placement of antennas and towers on property owned by the City of Urbana and which comply with the requirements of this Article including:
 - ~~a. The facilities will not interfere with the purpose for which the City-owned property is intended;~~
 - ~~b. The facilities will have no significant adverse impact on surrounding private property;~~
 - ~~c. The applicant is willing to obtain adequate liability insurance and commit to a lease agreement which includes equitable compensation for the use of public land and other necessary provisions and safeguards. The City shall establish fees after considering comparable rates in other cities, potential expenses, risks to the City, and other appropriate factors;~~
 - ~~d. The applicant will submit a letter of credit, performance bond, or other security acceptable to the City to cover the costs of removing the facilities;~~
 - ~~e. The antennas or tower will not interfere with other users who have a higher priority as discussed in this Article;~~
 - ~~f. Unless otherwise agreed, the applicant must agree that upon the occurrence of issues affecting public health, safety, or welfare, and following reasonable notice, the City may require the applicant to remove the facilities at the applicant's expense;~~~~

- ~~g. The applicant must reimburse the City for any related costs, such as attorney expenses, which the City incurs because of the presence of the applicant's facilities;~~
 - ~~h. The applicant must obtain all necessary land use approvals; and~~
 - ~~i. The applicant must cooperate with the City's objective to promote collocations and thus limit the number of cell sites requested, or camouflage the site.~~
2. ~~Second Preference Location—Other Public Agencies. The order of preference after City usage shall be as follows:~~
- ~~a. Public safety agencies, including law enforcement, fire; and ambulance services, which are not part of the City and private entities with a public safety agreement with the City;~~
 - ~~b. Other governmental agencies, for uses which are not related to public safety except parks and schools;~~
 - ~~c. Entities providing licensed commercial wireless telecommunication services including cellular, personal communication services (PCS), radio and television services, specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), data, Internet, paging, and similar services that are marketed to the general public.~~
3. ~~Other Preference Locations. The order of preference after placement on publicly-owned property shall be as follows:~~
- ~~a. Place antennas on appropriate rights of ways and existing structures, such as buildings, towers, water towers, and smokestacks;~~
 - ~~b. Place antennas and towers in districts zoned IN Industrial, if towers are greater than 250 feet from residential land use or zoning;~~
 - ~~c. Place antennas and towers in districts zoned OP Office Park 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;~~
 - ~~d. Place antennas and towers on other non-residential property;~~
 - ~~e. Place antenna and towers in B-4 Central Business District or the Medical Institutional Campus MIG-zoned areas if on existing structures or buildings greater than thirty-five feet (35') in height;~~
 - ~~f. Place antennas on multi-family residential structures which exceed thirty-five feet (35') in height and are located in the R-5 Medium High Density Multiple Family, R-6 High Density Multiple Family, R-7 University Residential, B-3 General Business, or B-4 Central Business zoning districts;~~
 - ~~g. Place antennas and towers in R-1 Single Family Residential, R-2 Single Family Residential, R-3 Single and Two Family Residential, R-4 Medium Density Multiple Family, R-5 Medium High Density Multiple Family, R-6 High Density Multiple Family, and R-7 University~~

~~Residential zones only If (a) locations are not available on existing structures or in non-residential districts; and (b) only on or in existing churches, utility facilities, or other appropriate public facilities, excluding medians in the right-of-ways.~~

4. ~~Application Requirements. The following requirements shall also apply for all applications:~~
 - a. ~~An applicant that wishes to locate a new antenna support structure in a residential zone shall demonstrate that a diligent effort has been made to locate the proposed communications facilities on a government facility, a private institutional structure, or other appropriate existing structures within a non-residential zone, and that due to valid considerations including physical constraints, and economic or technological feasibility, no appropriate location is available.~~
 - b. ~~Applicants are required to demonstrate by providing proof of certified mailings or other reasonable means: (i) that they have contacted the owners of reasonably suitable structures which are ten feet less than the design height of the tower within a one-quarter (1/4) mile radius of the site proposed and which from a location standpoint could provide part of a network for transmission of signals; (ii) have asked for permission to install the antenna on those structures; and (iii) were denied for reasons other than economic feasibility.~~
 - c. ~~The information submitted by the applicant shall include: (i) a map of the area to be served by the tower or antenna, (ii) its relationship to other cell sites in the applicant's network, and (iii) an evaluation of existing buildings taller than thirty five feet (35') within one-quarter (1/4) mile of the proposed tower or antenna which from a location standpoint could provide part of a network to provide transmission of signals.~~

~~F. Site Selection Criteria.~~

1. ~~Any applicant proposing to construct an antenna support structure, or mount an antenna on an existing structure, shall demonstrate by engineering evidence that the antenna must be located at the site to satisfy its function in the applicant's grid system. Further, the applicant must demonstrate by engineering certification that the height requested is the minimum height necessary to fulfill the site's function so that sufficient height will be included for collocation of one other provider.~~
2. ~~Applications for necessary permits will only be processed when the applicant demonstrates either that it is an FCC-licensed telecommunications provider or that it has agreements with an FCC-licensed telecommunications provider for use or lease of the support structure.~~
3. ~~Low power mobile radio service facilities shall be located and designed to minimize any significant adverse impact on residential property values. Facilities shall be placed in locations where the existing topography, vegetation, buildings, or other structures provide the greatest amount of screening.~~
4. ~~In all zoning districts, location and design of facilities shall consider the impact of the facility on the surrounding neighborhood and the visual impact within the zoning district. In all zoning districts, towers shall be significantly screened by placing them among existing trees to the extent that it does not result in significant signal degradation.~~

~~G. Aesthetics.~~

Towers and antennas shall meet the following requirements:

1. ~~Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the Federal Aviation Administration, be painted a neutral color or such shades as are appropriate and compatible with the surrounding environment, so as to reduce visual obtrusiveness.~~
2. ~~At a tower site, the design of the buildings and related structures shall, to the extent possible, be screened with live plantings and include evergreen vegetation with a minimum height of six feet, at the time of planting, placed densely as to form a screen, subject to the City Arborist's approval and sufficient to reduce the visual obtrusiveness of said structures. Landscaping shall be compatible with other nearby landscaping and shall be kept healthy and well maintained.~~
3. ~~If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.~~
4. ~~Fencing for equipment enclosures must be of residential quality such as wood privacy fencing or if chain-link is used, must be screened with evergreen vegetation that will reach a height of six feet within one year of its planting.~~

~~H. Lighting.~~

~~Towers shall not be artificially lighted, unless required by the Federal Aviation Administration or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.~~

~~I. State or Federal Requirements.~~

~~All towers must meet or exceed current standards and regulations of the Federal Aviation Administration, the Federal Communications Commission, and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations, within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.~~

~~J. Building Codes: Safety Standards.~~

~~To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the Electronic Industries Association and Building Codes, as amended from time to time, whichever is more stringent. If, upon inspection, the City of Urbana concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into~~

~~compliance within said thirty (30) days shall constitute grounds for the removal of the tower or antenna at the owner's expense.~~

~~K. Measurement.~~

~~For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in City of Urbana irrespective of municipal and county jurisdictional boundaries.~~

~~L. Essential Services.~~

~~Towers and antennas shall be regulated and permitted pursuant to this ordinance and shall not be requested or permitted as essential services, public utilities, or private utilities.~~

~~M. Franchises.~~

~~Owners and/or operators of towers or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless communication system in the City of Urbana have been obtained and shall file a copy of all required franchises with the Zoning Administrator or his or her designee.~~

~~N. Signs.~~

~~No signs shall be allowed on an antenna, tower, or equipment enclosures other than identification signs not exceeding one square foot in area.~~

~~O. Building and Support Equipment.~~

~~Buildings and support equipment associated with antennas or towers shall comply with the requirements of this Article and applicable Building Codes.~~

~~P. Administratively Approved Uses.~~

- ~~1. General. The following provisions shall govern the issuance of administrative approvals for towers and antennas.~~
 - ~~a) The Zoning Administrator or his or her designee may administratively approve the uses as provided in this Article.~~
 - ~~b) Each applicant for administrative approval shall apply to the Zoning Administrator or his or her designee providing the information required in this Article and a nonrefundable fee as established by ordinance of City Council to reimburse the City of Urbana for the costs of reviewing the application.~~
 - ~~c) The Zoning Administrator or his or her designee shall review the application for administrative approval and determine if the proposed use complies with the terms of this Article.~~
 - ~~d) The Zoning Administrator or his or her designee shall respond to each such complete application within thirty (30) days after receiving it by either approving or denying the application. If the Zoning Administrator or his or her designee fails to respond to the applicant within said thirty (30) days, then the application shall be deemed approved.~~

- e) ~~In connection with any such administrative approval, the Zoning Administrator or his or her designee may, in order to encourage shared use, administratively waive any zoning district setback requirements or separation distances between towers by up to fifty percent (50%).~~
 - f) ~~In connection with any such administrative approval, the Zoning Administrator or his or her designee may, in order to encourage the use of monopoles, administratively allow the reconstruction of an existing tower to monopole construction.~~
 - g) ~~If an administrative approval is denied, the applicant may file an appeal to the Zoning Board of Appeals as provided for in the Urbana Zoning Ordinance.~~
2. ~~List of Administratively Approved Uses. The Zoning Administrator, or his or her designee, may approve the following uses after conducting an administrative review:~~
- a) ~~Antennas or towers located on property owned, leased, or otherwise controlled by the City of Urbana, greater than two hundred fifty feet (250') from residential zoning or land use, provided a license or lease authorizing such antenna or tower has been approved by the City of Urbana and provided there is compliance with this article.~~
 - b) ~~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, Industrial or B-3, General Business or OP, Office Park zoning districts and greater than two hundred fifty feet (250') from any residential zoning district or land use.~~
 - e) ~~Locating antennas on existing structures or towers consistent with the terms of subsection (1) below:~~
3. ~~Antennas on existing structures. Any antenna which is not attached to a tower may be approved by the Zoning Administrator or his or her designee as an accessory use to any commercial, industrial, professional, institutional, or multi-family structure of eight or more dwelling units, greater than thirty five feet (35') provided:~~
- a) ~~The antenna does not extend more than thirty five feet (35') above the highest point of the structure;~~
 - b) ~~The antenna complies with all applicable Federal Communications Commission and Federal Aviation Administration regulations; and~~
 - e) ~~The antenna complies with all applicable Building Codes.~~
 - d) ~~Antennas on existing towers. An antenna which is attached to an existing tower may be approved by the Zoning Administrator or his or her designee and, to minimize adverse visual impacts associated with the proliferation and clustering of towers, collocation of antennas by more than one carrier on existing towers shall take precedence over the construction of new towers, provided such collocation is accomplished in a manner consistent with the following:~~

- (1) ~~A tower which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same tower type as the existing tower, unless the Zoning Administrator or his or her designee allows reconstruction as a monopole.~~
- (2) ~~Height.~~
 - (A) ~~An existing tower may be modified or rebuilt to a taller height, not to exceed thirty feet (30') over the tower's existing height, to accommodate the collocation of an additional antenna.~~
 - (B) ~~The height change referred to herein may only occur one time per communication tower.~~
 - (C) ~~The additional height referred to herein shall not require an additional distance separation as set forth herein. The tower's pre-modification height shall be used to calculate such distance separations.~~
- (3) ~~On-site location.~~
 - (A) ~~A tower which is being rebuilt to accommodate the collocation of an additional antenna may be moved onsite within fifty feet (50') of its existing location.~~
 - (B) ~~After the tower is rebuilt to accommodate collocation, only one tower may remain on the site.~~
 - (C) ~~A relocated on-site tower shall continue to be measured from the original tower location for purposes of calculating separation distances between towers as provided herein. The relocation of a tower hereunder shall in no way be deemed to cause a separation distance.~~
 - (D) ~~The on-site relocation of a tower which comes within the separation distances to residential units or residentially zoned property shall only be permitted with approval by the Zoning Administrator or his or her designee.~~
- e) ~~Installing a cable microcell network through the use of multiple low-powered transmitters/receivers with antennas which are no more than twenty-four (24) inches in height attached to poles, light standards, existing wireline systems, such as conventional cable or telephone systems, or similar technology that does not require the use of towers.~~

~~Q. Special Use Permits.~~

~~1. Uses Requiring Special Use Permit.~~

- a) ~~Antennas with towers on City-owned and controlled property if tower location is less than two-hundred fifty feet (250') from residential land use or zoning.~~
- b) ~~Antennas with towers in any Zoning District, except R-6B, B-3, B-3U, or IN, AG, CRE, R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, B-4, B-4E districts.~~

- e) ~~Antennas with towers in the IN Industrial, B-3 General Business, and OP Office Park Zoning Districts if towers are less than two hundred fifty feet (250') from residential land use or zoning.~~
 - d) ~~Equipment enclosures in any Zoning District, except R-6B, B-3, B-3U, or IN the AG, CRE, R-1, R-2, R-3, R-4, R-5, R-6, R-7, B-1, B-2, B-4, B-4E districts which are not located on an existing structure as allowed herein and if the enclosure is less than one hundred feet (100') 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.~~
2. ~~General. The following provisions shall govern the recommendations of the Plan Commission and the issuance of special use permits for towers or antennas by the Urbana City Council:~~
- a) ~~If the tower or antenna is not a permitted use under this Article or permitted to be approved administratively pursuant to this Article, then a special use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts.~~
 - b) ~~Applications for special use permits under this Article shall be subject to the procedures and requirements of Article VII of the Zoning Ordinance, except as modified in the Article.~~
 - c) ~~In granting a special use permit, the Plan Commission may impose conditions to the extent the Plan Commission concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.~~
 - d) ~~Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a structural engineer licensed by the State of Illinois.~~
 - e) ~~An applicant for a special use permit shall submit the information required herein and a non-refundable fee as established by ordinance of the City Council to reimburse the City of Urbana for the costs of reviewing the application.~~
 - f) ~~Residential District Term Limitations: Every ordinance granting approval of a special use permit for a personal wireless services antenna or antenna support structure in a residential district may provide that:~~
 - (1) ~~Where the provider of personal wireless services is not the owner of the land on which such antenna or structure is located, the term of the special use permit is limited to the term of the lease or other agreement granting rights to use the land; and~~
 - (2) ~~The Special Use shall be subject to review by the City Council, at five (5) year intervals, to determine whether the technology in the provision of personal wireless services has changed such that the necessity for the Special Use at the time of its approval has been eliminated or modified, and whether the special use permit should be modified or terminated as a result of any such change.~~

3. ~~Towers.~~

- a) ~~Required Submittals. In addition to any information required for applications for special use permits pursuant to Article VII of the Zoning Ordinance, applicants for a special use permit for a tower shall submit the following information:~~
- ~~(1) A scaled site plan clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), Master Plan classification of the site and all properties within the applicable separation distances set forth in this Article, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower and any other structures, topography, parking, and other information deemed by the Zoning Administrator or his or her designee to be necessary to assess compliance with this ordinance.~~
 - ~~(2) Legal description of the parent tract and leased parcel or subdivision or survey plat (if applicable).~~
 - ~~(3) The setback distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties.~~
 - ~~(4) The separation distance from other towers described in the inventory of existing sites submitted pursuant to this Article shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.~~
 - ~~(5) A landscape plan showing specific landscape materials.~~
 - ~~(6) Method of fencing and finished color and, if applicable, the method of camouflage and illumination.~~
 - ~~(7) A description of compliance with this Article and all applicable federal, state, or local laws.~~
 - ~~(8) A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users.~~
 - ~~(9) Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the municipality.~~
 - ~~(10) A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower.~~
 - ~~(11) A description of the feasible location(s) of future towers or antennas within the City of Urbana based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.~~
4. ~~Factors Considered in Granting Special Use Permits for Towers. In addition to any standards for consideration of special use permit applications pursuant to Article VII of the Zoning Ordinance, the Plan Commission and City Council shall consider the following factors when recommending~~

that the City Council waive or reduce the burden on the applicant of one or more of these criteria if the Plan Commission concludes that the goals of this ordinance are better served thereby:

- a) Height of the proposed tower;
- b) Proximity of the tower to residential structures and residential district boundaries;
- c) Nature of uses on adjacent and nearby properties;
- d) Surrounding topography;
- e) Surrounding tree coverage and foliage;
- f) Proposed ingress and egress; and
- g) Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures, as discussed in this Article.

5. ~~Availability of Suitable Existing Towers, Other Structures, or Alternative Technology. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Plan Commission and City Council that no existing tower, structure, or alternative technology exists that does not require the use of towers or structures or alternative technology. Evidence submitted to demonstrate that no existing tower, structure, or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:~~

- a) ~~No existing towers or structures are located within the geographic area which meet the applicant's engineering requirements.~~
- b) ~~Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.~~
- c) ~~Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.~~
- d) ~~The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.~~
- e) ~~The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable.~~
- f) ~~The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.~~
- g) ~~The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable.~~

6. ~~Security Fencing. Towers shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anti-climbing device; provided however, that the Plan Commission may recommend or the City Council may waive such requirements, as it deems appropriate.~~
7. ~~Landscaping. The following requirements shall govern the landscaping surrounding towers for which a special use permit is required; provided however, that the Plan Commission may recommend or the City Council may waive such requirements if the goals of this ordinance would be better served thereby.~~
 - a) ~~Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from property used for residences. The standard buffer shall consist of a landscaped strip at least four feet (4') wide outside the perimeter of the compound.~~
 - b) ~~In locations where the visual impact of the tower would be minimal, the Plan Commission may recommend and the City Council may waive the landscaping requirement.~~
 - c) ~~Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may provide a be sufficient buffer.~~

~~R. Equipment Enclosures, Buildings, or Other Equipment Storage.~~

1. ~~*Antennas Mounted on Structures or Rooftops.* The equipment cabinet or structure used in association with antennas shall comply with the following unless there are public health, safety, and welfare or other public policy considerations:~~
 - a) ~~The cabinet or structure shall not contain more than two hundred forty (240) square feet of gross floor area or be more than twelve feet in height. In addition, for buildings and structures which are less than sixty five feet (65') in height, the related equipment structure, if over three hundred fifty (350) square feet of gross floor area or twelve feet (12') in height, shall be located on the ground and shall not be located on the roof of the structure.~~
 - b) ~~If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment and structures shall not occupy more than twenty-five percent (25%) of the roof area and shall be architecturally compatible with the existing structure.~~
 - c) ~~Equipment storage buildings or cabinets shall comply with all applicable building codes.~~
 - d) ~~Providers will submit certification of a structural engineer licensed by the State of Illinois that the building can safely support the equipment cabinet.~~
2. ~~*Antennas Mounted on Utility Poles or Light Poles.* Where antennas are greater than twenty-four inches (24") in height and located in the public right-of-way or where towers will be located in the public right-of-way, the equipment cabinet or structure used in association with antennas shall be located in accordance with the following:~~
 - a. ~~The equipment cabinet or structure must meet the setback requirements of a principal structure, except that the Zoning Administrator (for administratively approved locations) or the~~

City Council (for special use permits) may vary this requirement if it is deemed to be technically infeasible.

- b. ~~*Antennas Located on Towers.*~~ The related equipment enclosure shall not contain more than three hundred fifty (350) square feet of gross floor area or be more than fifteen feet (15') in height, and shall be located in accordance with the minimum requirements of the zoning district in which they are located. The structure or cabinet shall be screened by an evergreen hedge with an ultimate height of eight feet (8') and a planted height of at least thirty-six inches (36"). In all other instances, structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by a solid fence six feet (6') in height or an evergreen hedge with an ultimate height of eight feet (8') and a planted height of at least thirty-six inches (36").
- c. ~~*Modification of Building Size Requirements.*~~ The requirements herein may also be modified by the Zoning Administrator or his or her designee in the case of administratively approved uses or recommended by the Plan Commission and approved by City Council in the case of uses permitted by special use to encourage collocation.

S. ~~Removal of Abandoned Antennas and Towers~~

- 1. ~~Removal of Abandoned Antennas and Towers.~~ Any antenna or tower that is abandoned as defined herein shall be removed within one hundred eighty (180) days of receipt of notice from the City of Urbana notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within said one hundred eighty (180) days shall be grounds for the city to cause removal of remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.
- 2. ~~The Owner of any approved antenna or tower shall post a bond or other surety payable to the City of Urbana, equivalent to the cost of demolition or removal of the approved facility in the event said owner is unable or unwilling to remove an abandoned antenna or tower in conformance with the provisions hereof. The City of Urbana will have the right, at intervals no more often than every three (3) years, to require that the bond amount be increased to reflect changes in the Chicago Metropolitan Area Consumer Price Index (all consumers) during the prior three (3) year period.~~

T. ~~Nonconforming Uses.~~

- 1. ~~*Not Expansion of Nonconforming Use.*~~ Notwithstanding anything in this Article to the contrary, towers that are constructed, and antennas that are installed, in accordance with the provisions of this Article, shall not be deemed to constitute the expansion of a nonconforming use or structure.
- 2. ~~*Pre-existing Towers.*~~ Pre-existing towers shall be allowed to continue their usage as they presently exist. Routine maintenance shall be permitted on such pre-existing towers. New construction other than routine maintenance on a pre-existing tower shall comply with the requirements of this ordinance.
- 3. ~~*Rebuilding Damaged or Destroyed Nonconforming Towers of Antennas.*~~ Notwithstanding anything in this Article to the contrary, bona fide nonconforming towers or antennas that are

~~damaged or destroyed may be rebuilt without having to first obtain a special use permit and without having to meet the separation requirements specified in this Article. The type, height, and location of the on-site tower on-site and antennas thereon shall be of the same type and characteristics as the original facilities. Building permits to rebuild shall comply with the then applicable building codes and shall be obtained within one hundred eighty (180) days from the date the facilities are damaged or destroyed. If no permit is obtained or if said permit expires, the tower or antenna shall be deemed abandoned.~~

Section V-12. Additional Regulations in the OP, Office Park District.

In addition to other regulations applicable to uses in the OP Office Park District, all uses shall comply with the following standards:

1. There shall be no outdoor storage of any goods, supplies, products, or other equipment associated with the business.
2. Accessory storage buildings must be constructed of materials similar to those used in the principal building.
3. All loading docks shall be limited to the rear yard. (Ord. No. 9798-43, 11-17-97)

Section V-13. Regulation of Home Occupation.

Home Occupations shall be permitted as follows:

- A. Without a Certificate of Occupancy, any activity that meets (but does not exceed) the following criteria:
 1. There are no persons, other than ~~immediate~~ members of the immediate family residing in the dwelling unit, engaged in the home occupation ~~therein~~;
 2. There are no signs on the premises identifying the home occupation;
 3. The occupation is wholly operated and contained within the dwelling;
 4. No materials or equipment are stored outside the dwelling unit;
 5. No more than two commercial or business vehicles used in conjunction with the home occupation may be on the premises at any one time and no more than five vehicle visits per day;
 6. No more than two commercial or business vehicles used in conjunction with the home occupation may be parked on the premises or on an abutting adjacent street;
 7. No mechanical or electronic equipment is used ~~except equipment which is incidental to the occupation, and which does not or will not~~ creates objectionable noise, odors, or electronic impulses, or otherwise create a nuisance discernible beyond the property lines of the premises.
- B. Any activity which exceeds any of the criteria set forth under Section V-13.A, above, shall require approval by the Zoning Administrator and require the issuance of a Certificate of Occupancy, and furthermore shall be limited to the following restrictions and conditions:
 1. No more than one person, other than members of the immediate family residing in the dwelling unit, is engaged in the home occupation ~~therein~~; and

2. Two off-street parking spaces must be provided on-premise as approved by the Zoning Administrator. Driveways may qualify in meeting this requirement; and
 3. No mechanical or electronic equipment is used ~~except equipment which is incidental to the occupation, and which does not or will not~~ creates objectionable noise, odors, or electronic impulses, or otherwise create a nuisance discernible beyond the property lines of the premises.
 4. There is no activity, construction, or display which would indicate from the exterior of the building or dwelling unit that the building or dwelling unit is being used for any purpose other than residential, except as provided in Section V-13.A.5; and
 5. There are no other signs other than a nameplate, not more than one square foot in area, only permitted as a wall-mounted sign and not internally illuminated; and
 6. Storage of materials and space for equipment use ~~use of equipment~~ in an accessory building is limited to 200 square feet. No outdoor storage is permitted; and
 7. ~~No storage outside the dwelling unit is permitted, except in accordance with Point 6 above; and~~
 8. The occupation does not or will not constitute a violation of any nuisance code; and
 9. No more than two customers or clients may be on the premises at any one time; and
 10. There is no exterior storage of vehicles other than those owned by members of the immediate family residing on the premises; and
 11. No more than two commercial or business vehicles used in conjunction with the home occupation may be parked on the premises or on an abutting adjacent street.
- C. Any activity which exceeds the criteria under Section V-13.B paragraph B, above, shall be prohibited as a home occupation as herein defined. Furthermore, since it is the intent of this subsection to prohibit any activity as a home occupation which may use hazardous materials, any activity which the Zoning Administrator classifies as exterminator, lawn care (except lawn manicuring), dry cleaning, or medical diagnostic laboratory shall be prohibited as a home occupation as herein defined.
- D. A home occupation involving a landscaping business shall not be permitted to grow outdoor plant materials on the home premises for the purpose of later removing the material for sale or transplanting on another site.
- E. A home occupation involving vehicle repair shall be permitted as a home occupation only if subject vehicle(s) are repaired inside the garage and no inoperable vehicle is stored outside. Any vehicle to be repaired may not queue outside of the garage. Additionally, the garage must meet all applicable building codes, and any such work may not violate any of the City's nuisance codes and ordinances. Additionally, no major automobile repairs as defined in this Ordinance are permitted.
- F. Only one home occupation, as defined herein, is permitted per dwelling unit and/or accessory structure.
- G. Certificates of Occupancy for home occupations issued prior to the effective date of this amendment not meeting the conditions of Section V-13.B paragraph B, above, shall be considered legally nonconforming. (Ord. No. 1999-06-045, 06-11-99)

Section V-14. Use and Parking Regulations in the CCD District

- A. ~~The following uses are allowed by right or by Special Use Permit in the CCD:~~
1. ~~Uses Permitted by Right:~~

~~University or College related uses.~~

~~2. Uses permitted as part of a commercial center subject to approval of a Special Use Permit:~~

~~**Public Facilities**~~

~~Police Substation~~

~~**Business Uses**~~

~~Antique or Used Furniture Sales and Service~~

~~Apparel Shop~~

~~Art and Craft Stores and Studios~~

~~Art Gallery~~

~~Art Supply~~

~~Bakery (less than 2,500 sq. ft.)~~

~~Bank or Savings and Loan Association~~

~~Barber Shop~~

~~Beauty Shop~~

~~Bicycle Sales and Service~~

~~Billiard Room~~

~~Bookstore~~

~~Coffee Shop~~

~~Computer Supply~~

~~Confectionery~~

~~Convenience Grocery and/or Dairy Store~~

~~Copy & Printing Service~~

~~Dancing School~~

~~Delicatessen~~

~~Drug Store~~

~~Dry Cleaning Pick-up and/or Laundry~~

~~Electronic Sales and Service~~

~~Florist~~

~~Health Club/Fitness~~

~~Jewelry Store~~

~~Meat and Fish Market~~

~~Music Store~~

~~Non-Profit or Governmental, Educational, and Research Agencies~~

~~Package / Mailing Service~~

~~Photographic Studio and Equipment Sales and Service~~

~~Private Indoor Recreational Development~~

~~Professional and Business Office~~

~~Restaurant or Café~~

~~Shoe Repair Shop~~

~~Shoe Store~~

~~Sporting Goods~~

~~Stationery/Gift Shop/Art Supplies~~

~~Tailor and Pressing Shop~~

~~Technical Training and Test Preparation~~

~~Variety Dry Goods Store~~

~~Video Store~~

Residential
Multifamily Residential

B. The following parking requirements shall be applied:

<u>Use</u>	<u># of Spaces Required</u>
<u>1. Public and Quasi Public</u>	
-- Art Gallery	1 for every 1000 sq. ft.
Police Station	1 per 2 employees on maximum shift
Technical Training and Test Preparation	1 for every 600 sq. ft. of floor area
Non-Profit or Governmental, Educational, and Research Agencies	1 for every 600 sq. ft. of floor area
<u>2. Office and Related Uses</u>	
-- Professional & Business Office	1 for every 600 sq. ft. of floor area
-- Bank, Savings and Loan Association, and other Financial Institutions	1 for every 500 sq. ft. of floor area
<u>3. Service Business Uses</u>	
Dry Cleaning or Laundry Establishment	1 for every 600 sq. ft. of floor area
-- Barber & Beauty Shop, Shoe & Hat Repair	1 for every 400 sq. ft. of floor area
-- Tailor and Pressing Shop	1 for every 600 sq. ft. of floor area
-- Copy & Printing Service	1 for every 600 sq. ft. of floor area
Packaging / Mailing Service	1 for every 600 sq. ft. of floor area
<u>4. Retail Business Uses</u>	
Restaurant or café or Coffee Shop (including outdoor area used for business)	1 for every 400sq. ft. of floor area
Bakery, Meat and Fish Market, Convenience Store	1 for every 500 sq. ft. of floor area
Bicycle Sales and Service	1 for every 600 sq. ft. of floor area
-- Variety & Misc. Retail Sporting Goods	1 for every 500 sq. ft. of floor area
Art Supply, Book Store, Office Supply, Computer Supply or Electronic Sales And Service, Art and Craft Stores and Studios, Florist, Music Store, Stationery or Gift Shop, Video Store	

~~--- Apparel & Accessory Stores 1 for every 500 sq. ft. of floor area
--- Shoe Store or Shoe Repair,
--- Jewelry Store~~

~~--- Drug Stores 1 for every 500 sq. ft. of floor area~~

~~--- Photographic Studio and Equipment Sales and Service 1 for every 500 sq. ft. of floor area~~

~~--- Antique or Used Furniture Sales and Service 1 for every 800 sq. ft. of floor area~~

~~---~~

~~5. **Commercial Recreation**~~

~~--- Private Indoor Recreation Facilities: 1 for every 800 sq. ft. of floor area
--- Health or Fitness Club, Dancing School, Billiard Room~~

~~6. **Residential**~~

~~--- Multiple Family Residential .75 per bedroom (but no dwelling unit shall have less than 1 parking space)~~

Section V-15. Additional Regulations in the B-1, Neighborhood Business Zoning District.

In addition to the other regulations applicable to the uses in the B-1, Neighborhood Business Zoning District, all uses shall comply with the additional standard:

Drive-through facilities for any use in the B-1, Neighborhood Business Zoning District shall be considered as accessory to the principal use and shall require the granting of a special use permit under the provisions of Article VII herein.

(Ord. No. 2004-03-029, 04-30-04)

ARTICLE VIII. PARKING AND ACCESS*

Section VIII-1. Applicability

Section VIII-2. Special Use Permit Requirements for Off-Site Accessory Parking

Section VIII-3. Design and Specifications of Off-Street Parking

Section VIII-4. Location of Parking Facilities

Section VIII-5. Amount of Parking Required

Section VIII-6. Off-Street Loading Regulations

Section VIII-7. Bicycle Parking

Section VIII-1. Applicability

- A. Off-street parking facilities required by this Article shall be provided whenever a building or structure is erected, converted, enlarged, or structurally altered, or whenever a use of land, building, or structure is established, expanded, or changed. However, this requirement shall not prohibit the owner of an existing building occupied by a conforming use from converting, enlarging, or structurally altering said building for the purpose of meeting the minimum requirements of applicable health, fire, and safety regulations.
- B. Parking spaces shall be provided either in garages or parking spaces that conform to the provisions of the Urbana Zoning Ordinance. (Ord. No. 8990-68, § 1, 2-5-90)
- C. See Article II for parking and other related definitions

Section VIII-2. Special Use Permit Requirements for Off-Site Accessory Parking

- A. Off-site parking lots and adjacent parking lot expansion located within 600 feet of R-1, R-2, and R-3 zoning shall require a Special Use Permit as specified in Sections V-3.E and V-3.F. Special use approval is ~~would not be necessary~~ for on-site accessory parking which is required for a new use or an expansion of an existing use that is otherwise allowed by right or by conditional use according to Table V-1. Special use approval is ~~would also not be necessary~~ for one and two-family residential accessory parking expansions allowed under Section VIII-4.J. In addition to the procedures and requirements of Section VII-4, the special use review shall consider the following factors:
 - 1. Protection of adjacent residences from lighting (Section VIII-3.A.1)
 - 2. Provision of adequate drainage facilities (as required by the Urbana Land Development and Subdivision Ordinance)
 - 3. Required landscape buffering and/or fencing (Section VIII-3.F); and

* Editors Note—Ord. No. 8990-68, § 1, adopted 2-5-90, repealed former Art. VIII, §§ VIII-1 through VIII-5, and Figs. 1-5 relative to parking and access, which derived from Ord. No. 7980, enacted 12-17-79 and the following ordinances: No. 7980-95, §§ 1, 3, 5-5-80; No. 8182-12, § 2, 8-17-82; No. 8282-77, § 3, 5-17-82; No. 8283-6, § 2, 8-2-82; No. 8384-3, § 1, 8-1-83; No. 8384-25, § 6, 10-17-83; No. 8485-70, 4-15-85; No. 8586-22, § 4, 8-19-85; No. 8586-53, § 3, 1-20-86; No. 8889-44, § 4, 1-3-89.

4. Traffic access and safety. The proposal shall demonstrate conformance to the parking lot design requirements set forth in Article VIII.
5. The City may also consider or require other restrictions necessary to preserve the essential character of the district in which the parking lot is proposed, including, but not limited to, security provisions, areal extent, number of spaces proposed, orientation of drives and spaces, and setbacks.

(Ord. No. 2005-02-017, 2-18-05)

Section VIII-3. Design and Specifications of Off-Street Parking

A. Design and Construction Requirements

1. Adjacent residential uses shall be screened in accordance with Section VII-3.F ~~shielded~~ 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 ~~suitable form of~~ hard surface, including oil-and-chip, ~~cement/concrete Portland Cement~~, asphalt, or brick, or other suitable surface 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. Where a garage is not provided in new construction of single- or two-family dwellings, a paved driveway and access drive shall be provided to accommodate a minimum of two off-street parking spaces per dwelling unit which will not encroach on the public right-of-way. (See Section VIII-3.H for drainage requirements)
4. The 2001 Champaign-Urbana Urbanized Area Transportation Study (CUUATS) Access Management Guidelines shall be generally followed to determine the location and number of access drives.

B. Handicapped Parking

1. When Illinois state, ~~or~~ federal law, or local ordinance(s) require handicapped accessibility, all off-street parking lots, except those servicing single-family and duplex dwelling units, shall have an appropriate number of handicapped parking spaces in conformance with Table VIII-1.
2. Handicapped spaces shall be located as close as possible to an accessible building entrance. ~~the shortest accessible path of travel to each building, adjacent street, or sidewalk serving that parking area.~~
3. Handicapped parking spaces shall be at least 16 foot wide and 18.5 feet in length and ~~This handicapped space width~~ shall include an eight foot wide access aisle. Adjacent handicapped parking spaces shall not share a common access aisle.
4. Handicapped parking spaces, including design and signs, must comply with the State of Illinois Accessibility Code as amended. Where the requirements in Section VIII-3.B. of the Urbana Zoning Ordinance and the State Code differ, the more restrictive of the two standards shall apply.

TABLE VIII-1. HANDICAPPED PARKING

<i>Total Number of Parking Spaces Provided</i>	<i>Number of Handicapped Parking Spaces Required</i>
1 to 20	1
21 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total number of <u>parking spaces provided</u>
Over 1,000	20 plus 1 for each 100 over 1,000

C. Standards for Parking Space, Aisle Widths, and Module Width Design

1. Off-street parking lots and parking spaces shall meet the standards in Table VIII-2 regarding minimum space length, space width, aisle, and module widths. Structural elements of buildings,

fences, signs, utility poles, etc., shall not be allowed to encroach into these required parking space dimensions. Table VIII-2 contains two options for space width and corresponding aisle and module width. Either option will satisfy the requirements of the code. (See, ~~also,~~ Figure VIII-1.)

D. Compact Car Spaces

1. Where ten or more parking spaces are required, the Zoning Administrator may authorize up to 20% of the total required parking spaces to be designated as compact car spaces. Such spaces shall be clearly designated and reserved for compact cars. Compact car spaces may be included in modules designed for standard spaces.
2. The length of compact car spaces may be reduced from the standard to 15 foot, six inches and the width may be reduced to eight feet six inches.

TABLE VIII-2. PARKING LOT AND PARKING SPACE STANDARDS

Parking Angle	Space Width	Space Length	Aisle Width	Module Width (2 Rows of Parking)
0 Degrees (Parallel)	8.5'	22.0'	13.0'	30.0'
	9.0'	22.0'	11.5'	29.5'
15 Degrees	8.5'	18.5'	14.0'	40.0'
	9.0'	18.5'	12.5'	39.5'
30 Degrees	8.5'	18.5'	14.0'	47.2'
	9.0'	18.5'	12.5'	46.6'
45 Degrees	8.5'	18.5'	14.0'	52.2'
	9.0'	18.5'	12.5'	51.4'
60 Degrees	8.5'	18.5'	16.0'	56.5'
	9.0'	18.5'	14.5'	55.5'
75 Degrees	8.5'	18.5'	18.5'	58.6'
	9.0'	18.5'	17.0'	57.4'
90 Degrees	8.5'	18.5'	23.0'	60.0'
	9.0'	18.5'	21.5'	58.5'

Aisle widths are for one-way aisles except for 90 degree parking which must provide a two-way aisle.

Any proposed parking angle not shown in Table VIII-2 is subject to review and approval of the Zoning Administrator.

All measurements are in feet

E. Access Drives

1. Any access drive shall have one of the minimum clear widths outlined in Table VIII-3.
2. No zoning lot shall have more than two driveways per frontage, unless the City Engineer approves additional driveways. The Urbana City Engineer approves all driveway locations within the public right-of-way as provided for in Chapter 20 of the Urbana City Code.
3. When the access drive for 90 degree parking is a permanent dead-end, a turn-around shall be provided. The turn-around shall be designed with a minimum radius of 15 feet, a minimum width

of 23 feet, and a minimum depth of six feet. ~~Comparable~~ Alternate turn-around designs may be approved by the Zoning Administrator. (See Figure VIII-2 for reference.)

4. In order to improve the visibility for vehicles exiting from parking structures or parking lots that have a mean elevation below that of adjacent right-of-way, the access driveway shall be constructed in conformance with the dimensions illustrated in Figure VIII-3.

F. Screening of Off-Street Parking

1. Off-street parking that is located ~~along any setback line and which~~ directly adjoining a residential zoning district or residential use shall be screened. No screening is required, however, between adjacent parking lots serving separate multi-family structures or when a parking lot is adjacent to a public alley except that screening is required when parking faces a public alley (See Figure VIII-4). On-site or off-site screening existing at the time when approval for construction of new parking is sought may satisfy this requirement subject to approval of the Zoning Administrator.

2. Design of Parking Screening, Materials, and Maintenance

- a) Landscaped screening will be no less than three feet in height; except that in order to enhance visibility along the right-of-way, shrub planting adjacent to an access driveway shall not exceed three feet in height along the lot line adjacent to the right-of-way. If screening for off-street parking is in the form of a wall or fence, the requirements of this Article shall supersede the requirements of Chapter 7 of the Urbana City Code entitled “Fences.” The requirements of the visibility triangle set forth in Article VI of Chapter 20 of the Urbana City Code shall supersede the provisions of this Article. Species and planting size acceptable for such hedge plantings are shown in Table VIII-4. The Zoning Administrator may approve landscape berms or types of plant material other than those specified in Table VIII-4 upon recommendation of the City Arborist.
- b) Where off-street parking areas are to be screened by means of a shrub planting hedge, a three feet wide planting area is required at the end of the paving surface.
- c) All parking screening shall be maintained to effectively function as a direct headlight screen. All plant materials shall be maintained as living plant material and promptly replaced within 90 days when any such foliage dies.

TABLE VIII-3. WIDTHS FOR ACCESS DRIVES

	<i>Minimum Width (in Feet)</i>	
	<i>One-Way</i>	<i>Two-Way</i>
Single family dwelling units	9	9
Two to four dwelling units	12	20
Five to twenty-four dwelling units	12	23
Twenty five or more dwelling units	12	23
Commercial and industrial use	12	23

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

TABLE VIII-4. PARKING SCREENING SHRUB SPECIES

-
- 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
-

<i>Species</i>	<i>Minimum Spacing Requirement *</i>	<i>Minimum Initial Planting Height</i>
Mint Julep Juniper	3 feet	18 inches – 24"
Sea Green Juniper	3 feet	18 inches – 24"
Brown Yew	3 feet	18 inches – 24"
Hicks Yew	3 feet	18 inches – 24"

Boxwood Species	30 inches	15 inches 18"
Holly Species	3 feet	18 inches 24"
Euonymus Alatus Compactus	3 feet	18 inches 24"
Compact American Cranberry Bush Viburnum	3 feet	18 inches 24"
*Measured from center to center at planting grade.		

3. *Special Conditions Requiring Shade Tree Planting*

All off-street parking lots greater than 20 parking spaces for residential and commercial land uses or for employee or customer parking of industrial land uses (except for parking lots provided in a parking structure or under a principal structure) shall include shade trees placed in the parking lot according to the following requirements (also See Figure VIII-5 for reference):

- a) One tree shall be provided for every nine parking spaces. Trees may be planted at intervals of less than nine spaces to achieve a more even spacing along the row. Where this ratio results in a fraction, the fraction shall always be rounded upward to the next highest number (e.g. 11.1 trees = 12 trees to be planted.)
- b) Tree plantings shall begin within 20 feet from the ends of adjoining parking rows.
- c) Trees shall have a minimum planting size of two inches caliper. Acceptable tree species are shown in Table VIII-5. The minimum planting area for trees shall be eight feet by six feet and the maximum distance between trees shall be 90 feet. Trees shall be located behind bumper stops or integral curbing, no closer than three feet and no farther than eight feet from the face of the bumper stop or the curb. Existing trees may satisfy the tree planting requirement if approved by the City Arborist.
- d) The Zoning Administrator, upon the City Arborist’s recommendation, may approve alternate tree species or alternate tree planting plans which differ from these requirements but which substantially conform with the intent of this Section VIII-3.F.
- e) All trees and shrubs shall be maintained as living vegetation and promptly replaced within 90 days when any such vegetation dies.
- f) As required in Section VI-6.D, when parking is provided at ground level below any part of a principal structure in the Residential 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 this Section VIII-3.F.

TABLE VIII-5. SHADE TREE SPECIES

Amur Maple
Hedge Maple
State Street Miyabei Maple

Hackberry
Sugar Hackberry
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

G. *Wheelstops and Sidewalks*

~~In any zoning district, for any parking space (except parallel spaces) a minimum space (paved or unpaved) of 18 inches shall be maintained from the nearest edge of the parking space to the property line. A minimum space of three feet (unpaved) is required only in cases where the parking area is to be screened by means of a shrub planting hedge (See Section VIII-23-F(2)(b)). In cases of parking Where parking spaces are located next to public alleys and common access drives, an 18-inch setback eighteen-inch space for screening purposes shall only be required for head-in parking facing the alley. Wheelstops of masonry, steel, or heavy timber shall be placed two feet from the end of the parking space. When a private walkway or sidewalk is located at least four inches but no more than six inches above the grade of the adjoining parking spaces and said sidewalk is a minimum width of five feet, the sidewalk may act as a wheelstop provided the parking spaces are adjacent to only one side of the sidewalk. If parking is adjacent to both sides of the sidewalk, it must be a minimum of eight feet wide or wheelstops must be placed two feet from the end of the parking spaces on one side. A two foot area of the sidewalk into which the vehicle extends must remain unobstructed and available for the vehicle at all times. If a private sidewalk serves as a wheelstop as described herein, the length of adjoining parking spaces may be reduced by two feet. (Ord. No, 2000-11-135, 12-4-00)~~

H. *Subsurface Drainage Connection*

1. Subsurface drainage connection to an approved public storm sewer is required when the impervious area and distance from existing storm sewers meets the conditions shown in Figure VIII-6 or as required by the City Engineer.
2. Impervious area includes all paved surfaces including parking lots, loading areas, access drives and sidewalks within the development, exclusive of structures. The distances from a storm sewer in Figure VIII-6 shall be measured from the point of the impervious area nearest the existing storm sewer along the projected path of the proposed storm sewer.
3. All requests for developments with more than 10,000 square feet of impervious area shall prepare a storm water management plan. Said plan shall be prepared by a registered professional engineer and include drainage calculations for existing conditions and proposed conditions for two year, five year, and 50 year storm recurrence intervals. A site plan shall be included showing the proposed storm water management system, including the location and size of all drainage structures, storm sewers, swales and swale sections, detention basins, outlet lines, and analyses of the effect of said improvement on the receiving outlet pipe and storm sewer and the associated swale and high water elevations for each storm event. Additional site specific information may need to be submitted as required by the City Engineer. (Ord. No. 8990-68, § 1, 2-5-90; Ord. No. 9091-132, § 4, 5-20-91; Ord. No. 9091-137, § 1-5, 6-3-91)

4. The owner/developer shall include in the plans a typical detail of the method of connection to the storm sewer and details for the replacement and restoration of all paved and unpaved portions of the public right-of-way. Inspection and approval of any work required by this Section VIII-3.H shall be the responsibility of the City Engineer.

Section VIII-4. Location of Parking Facilities

- A. The Zoning Administrator or his/her duly authorized agent shall cause parking citations to be issued for violations of this Section.
- B. All off-street parking spaces required by this Article shall be located on the same zoning lot as the use to which they are accessory, except as provided herein.
- C. Accessory off-street parking may be located on a lot other than on the same zoning lot where the principal use is located as provided for in Section V-3.G.
- D. Except as otherwise allowed herein, off-street parking in a required front or side yard, in a required open space area, or on an unapproved parking surface space is prohibited.
- E. Except for driveways serving a single-family or two-family residence, no parking space shall be permitted where the exiting vehicle must be backed into or out of a public street. Vehicles are allowed to back out toward public alleys when proper aisle widths are provided.
- F. *Parking in a Required Yard is Prohibited Except as Follows:*
 1. Access drives clearly serving single-family dwelling units, individual townhouses or duplex dwelling units may contain required parking for licensed passenger vehicles in the required front or side yard except that such area devoted to parking and access thereto shall not exceed 45% of the total lot width. Such spaces may be stacked.
 2. Accessory off-street parking may locate in encroach into 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 locate in encroach into the rear and side yard. (Ord. No. 9697-154, 6-16-97) (Ord. No. 1999-06-045, 06-11-99)
 3. Off-street parking in a required rear yard is prohibited in the MOR District unless it is determined by the Development Review Board that a combination of fencing and/or vegetation have been installed and maintained to meet the requirements of Section VIII-3.F and which can reasonably be expected to shield such parking from view from adjacent residential structures within five years of the date on which such parking is allowed.
 4. Parking in a B-2, B-3, B-3U, and IN district may locate encroach ten feet into the required front yard setback if a five foot buffer yard is maintained in accordance with Section VI-6.A.2.(o) of this ordinance. (Ord. No. 1999-08-079, 08-03-99)
 5. In the B-2, ~~B-3~~, B3-U Zoning Districts, parking is permitted to locate in encroach into the required side yard setback if the zoning district adjacent to the setback is designated B-2, B-3, or B-3U and if the adjacent area is also used for parking. ~~area adjacent to the proposed encroachment is also in use for parking.~~ (Ord. No. 2001-03-024, 03-19-01)

6. In the B-3 Zoning District, parking may locate in the required side yard setback if the zoning district adjacent to the setback is designated B-1, B-2, B-3, B-3U, B-4, B-4E, IN, MIC or OP and if the adjacent area is also used for parking.
7. Parking in the B-3, B-3U, CCD, and IN Zoning District shall be permitted to encroach ten feet into the required 15 foot front yard but no closer than five feet from the property line if the requirements set forth in Section VI-6.A.2.(o) are met. (Ord. No. 1999-08-079, 08-03-99)
- G. Where parking is permitted in a required yard in any zoning district, a minimum space of 18 inches shall be maintained from the nearest edge of the parking lot to the property line. A minimum of three feet is required where parking lot screening is required in conformance with Section VIII-3.F.
- H. In residential zoning districts the following shall regulate the parking of commercial vehicles, recreational vehicles, watercraft, and off-The-road vehicles:
 1. Recreational vehicles and watercraft, either of which are greater than 20 feet in length, and off-the-road vehicles shall be stored only in the following manner:
 - a) Inside a carport or garage in conformance with Section V-2.D.7, or
 - b) Outside behind the face of the principal building, or
 - c) Outside in the front yard at least five feet from the front lot line provided:
 - (1) Said parking is for loading and unloading operations completed within a 24 hour period, or;
 - (2) Space is not available in the side yard, or there is no reasonable access to either the side yard or rear yard. A lot shall be deemed by the Zoning Administrator to have reasonable access to the rear yard if terrain permits and access can be had without substantial damage to existing large trees or landscaping. A corner lot shall be deemed to have reasonable access to the rear yard.
 2. The length of the watercraft for the purpose of this paragraph shall not include any portion of any trailer used for transporting the watercraft which extends beyond the watercraft itself.
 3. For any single or two-family residential use, the parking surface of an accessory parking lot for passenger, recreational, watercraft and off-road vehicles shall consist of either asphalt, brick, concrete, CA-10 gravel with curb or border of railroad ties, cement, or any other surface approved by the Zoning Administrator. For any multiple-family residential use, the parking surface of any such parking lot shall conform with Section VIII-3.A. The surface area for accessory off-street parking for recreational vehicles, watercraft, and off-the-road vehicles shall meet the requirements for Section VIII-2-A unless said parking is on the site of a single family or two-family residence. Those accessory parking surfaces on the site of single or two-family residences shall meet the requirements of paragraph I below.
 4. No recreational vehicle shall be used for living, sleeping, or housekeeping purposes while stored.
 5. No more than two commercial vehicles shall be on the zoning lot parked at any one time. Commercial vehicles stored outside must be parked on an approved driveway or parking space. Such commercial vehicles shall not exceed three-quarter ton capacity and shall be used by an occupant of the dwelling for personal or business transportation. Commercial vehicles engaged in a lawful construction or service operation on the site are exempt from this requirement.

- I. Any vehicle regulated by this section that is stored outside shall be in mechanically and legally operable condition.
- J. In order to provide ~~single one~~ and two family residential uses ~~residences~~ an opportunity to establish an accessory parking area, two accessory, off-street parking spaces may be constructed for single and two family residences for passenger vehicles, recreational vehicles, watercraft and off-the-road vehicles. Said accessory parking must be in addition to and on other than the access drive. The surface for such a storage area shall consist of either pavement, bricks, concrete blocks, CA-10 gravel with curb or border of railroad ties or cement, or another surface acceptable to the Zoning Administrator. Said accessory parking area shall have approved access thereto. Dirt, woodchip, or sod surfaces are prohibited. (Ord. No. 1999-08-079, 08-03-99)
- K. Parking located at ground level below any portion of a principal structure shall be prohibited in the MOR District. Parking located underground below a principal structure shall be allowed in the MOR District in accordance with the provisions of Article VIII of this Ordinance.
- L. In any zoning district, accessory off-street parking associated with a permitted principal use, other than a non-conforming use, may be located on any separate zoning lot within 600 feet (exclusive of rights-of-way) of the principal use, subject to the following:
 1. If the principal use and the off-site parking are located in the same district, and the off-site parking is not located in a principal use parking lot as defined in Article II, the off-site parking is permitted under the same terms as the principal use. Conditional use or special use permits for the off-site parking, if applicable, may be requested simultaneously with the conditional use or special use permit for the principal use.
 2. If the principal use and the off-site parking are located in separate zoning districts, and the off-site parking is not located in a principal use parking lot as defined in Article II, the off-site parking shall be permitted according to the following rules:
 - a) The off-site parking shall be permitted by right if either the principal use or a "principal use parking lot," or both, are principal uses permitted by right at the location of the off-site parking, according to Table V-1, Table of Uses.
 - b) The off-site parking shall require a special use permit if a) above is not applicable.
 - c) The petitioner must demonstrate to the Zoning Administrator that the number of off-street parking spaces, plus any parking spaces maintained off-site, satisfies parking requirements for the principal use, and that said parking spaces are dedicated to serve the principal use.
 3. ~~If the off-site parking is located within 600 feet of property zoned R-1, R-2, or R-3, it shall require a special use permit subject to the provisions of Section VIII-2.~~
 4. If the off-site parking is located in a principal use parking lot, then its location is permitted by right or as a special use according to Table V-1, Table of Uses.
 5. In all cases in which off-site parking is permitted, the Certificate of Occupancy for the principal use shall specify the required number of parking spaces to be maintained in the accessory off-site parking. The Certificate of Occupancy shall state that the parking space sufficient to meet ordinance requirements is maintained on and/or off-site. ~~If the parking is maintained off-site, the petitioner must demonstrate to the Zoning Administrator that the number of off-street parking~~

~~spaces, plus any parking spaces maintained on-site, satisfies parking requirements for the principal use, and that said parking spaces are dedicated to serve the principal use.~~

Section VIII-5. Amount of Parking Required

- A. Except as otherwise provided ~~herein in this Article or Article VII entitled “Standards and Procedures for Conditional and Special Uses” and Article XI entitled “Administration, Enforcement, Amendments, and Fees,”~~ whenever a use is established or a building or structure is erected or converted to any use listed in this Section or the use amount required by Table VIII-6, “Parking Requirements by Use.” When a building or structure is enlarged, expanded, or structurally altered, and the existing parking is legally nonconforming, the total parking requirement shall be calculated by adding the number of existing off-street parking spaces to the number of newly required parking spaces for the additional floor area as determined by Table VIII-6.
- B. In the case of a use that is not specifically mentioned in Table VIII-7, parking shall be provided according to the requirements for the use to which it is most related or similar as determined by the Zoning Administrator.
- C. ~~The parking requirements in Section VIII-4 shall not apply in the B-4 Central Business Zoning District. Off-street parking is not required in the B-4 Central Business Zoning District. Any off-street parking that is provided shall be in conformance with Article VIII of this Ordinance. If parking is constructed in B-4, it shall be in conformance with these regulations.~~
- D. The off-street parking required by Section VIII-5 for land uses that are located in the B-4E Central Business Expansion Zoning District shall be provided at a rate equal to 50% of the amount required by Table VIII-6, entitled Parking Requirements by Use”. ~~The intent of this provision is to require developments to provide one-half the off-street parking that is normally required for the same land uses, except in the B-4 District where no off-street parking is required.~~ However, this reduction in parking within the B-4E District shall not apply to all residential and related uses which shall be required to provide the full amount of off-street parking as required in Table VIII-6.
- E. Where the applicable zoning district regulations permit, nothing in this Article shall be construed to prevent the provision of collective off-street parking facilities for two or more business or industrial uses. The required total of such off-street parking spaces supplied collectively shall not be less than 85% of the sum of the requirements computed separately. In cases of collective usage involving dwelling units, there shall be no reduction in the requirements of this Article. All such parking spaces shall be located in accordance with Section VIII-4.
- F. ~~Provisions must be made for the parking of bicycles for multiple family residential or commercial uses in those instances where ten or more automobile parking spaces are required. Bicycle racks with a minimum capacity for four bicycles shall be provided for bicycle parking. Parking areas for bicycles are permitted wherever automobile parking is allowed, and shall be paved with an all-weather dustless material approved by the Zoning Administrator. Bicycle parking areas shall not obstruct walkways or other pedestrian areas. Inclines shall be provided wherever there are curbs, stairways, or other grade separations between bicycle parking areas and the street or driveway. Provisions for the convenient and accessible parking of bicycles shall be made in accordance with Table VIII-7. 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-7, 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 20 or more automobile parking spaces per Table VIII-6.~~
- 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 City Engineer as part of the building permit review process.~~
- 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-4 and Table VIII-6.~~
- 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 zone, bicycle parking areas may encroach into the required front yard.~~
- j) ~~Bicycle parking areas are prohibited within the front yard setback in the all residential zoning districts 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-4 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.~~

TABLE VIII-6. BICYCLE PARKING REQUIREMENTS BY USE¹

Use	Number of Spaces Required
Multi-family, Boarding, or Rooming House, Dormitory	1 per 2 dwelling units
Public and Quasi Public Uses²	
All schools	4 per classroom
All other uses	40% of required automobile parking up to a maximum of 25 bicycle parking spaces
Commercial Uses^{2,3}	
All uses	40% of required automobile parking up to a maximum of 25 bicycle parking spaces
Industrial, Transportation & Related Uses²	
All uses	4% of required automobile parking up to a maximum of 25 bicycle parking spaces
<p>1. The Zoning Administrator shall determine whether propose 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 generated by the use, the location of the development, the proximity to other uses with bicycle parking demand, and other relevant factors.</p> <p>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.</p> <p>3. For non-residential uses, bicycle parking spaces shall be required only for developments with 20 or more automobile parking spaces required.</p> <p>4. Commercial uses include the following categories from Table VIII-6: Office and Related Uses, Service Business Uses, Retail Business Uses, and Commercial Recreational Uses.</p>	

G. Drive-through facilities shall provide a lane(s) for the stacking of motor vehicles waiting to use the drive thru the facility. The minimum length of each stacking lane for drive-in facilities other than fast-food restaurants (such as automobile washes, banks) shall be 60 feet per drive-up facility or window. The minimum total capacity of each stacking lane for fast-food restaurants shall be 90 feet per drive-up facility or window. Each stacking lane shall have a minimum width of seven and one-half feet. Such stacking lane(s) shall not include any portion of any access aisles for off-street parking lots. This subsection shall not apply to gas stations.

- H. Drive-through facilities for any use in the B-1, Neighborhood Business Zoning District shall be considered accessory to the principal use and shall require the granting of a Special Use Permit under the provisions of Article VII herein. (Ord. No. 2004-03-029, 04-30-04)
- I. For the purposes of determining off-street parking requirements listed in Table VIII-6, the following units of measurement shall apply:
1. *Floor area.* In the case of uses where floor area is the unit for determining the required number of off-street parking spaces, floor area shall mean the gross floor area as defined in Article II, Definitions, of the Zoning Ordinance but exclusive of such floor areas the Zoning Administrator determines to be storage closets.
 2. *Places of Public Assembly*
 - a) In stadiums, sports arenas, churches, and other places of public assembly in which those in attendance occupy benches, pews, and other similar seating facilities, each 22 inches of such seating facilities shall be counted as one seat for the purpose of determining the off-street parking requirements of the Urbana Zoning Ordinance.
 - b) For open assembly areas (no seats), the number of parking spaces shall be equal in number to 25% of the capacity in persons as determined by the Zoning Administrator.
 - c) In cases where a place of assembly has both fixed seats and open assembly areas, requirements shall be computed separately for each type and then added together to determine total parking requirement.
 3. When units of measurement determining the number of required parking spaces result in requirements of a fractional space, any fraction under one-half shall be disregarded, and any fraction of over and including one-half shall require one full parking space.
- J. Off-street parking required for commercial PUD/General Shopping Centers may be reduced in accordance with the provisions of Section XIII-3.E.3.(i) (Ord. No. 2000-11-135, 12-4-00)
- K. At least 60% of the total number of parking spaces in an accessory use parking lot must be dedicated to serve that principal use. If the accessory use parking lot is located in the R-1, R-2, R-3, R-4, R-5, R-6, R-6B, or R-7 use must be reserved for occupants of residential uses. If an off-site accessory use parking lot which is accessory to a residential use is located within 600 feet of any property zoned R-1, R-2 or R-3, at least 90% of the total number of parking spaces in the accessory use parking lot must be dedicated to serve the principal use. (Ord. No. 2005-02-017, 02-18-05)
- K. CCD, Campus Commercial District Parking Requirements. Parking requirements shall be calculated for individual uses permitted in the CCD, Campus Commercial District, as specified in Table V-1. Each use shall provide parking at a rate of one-half of the requirement for said use outlined in Table VIII-7, with the following exceptions:
1. Restaurants, Cafés, and Coffee Shops. 1 space per 400 square feet of floor area, including outdoor seating areas.
 2. Multiple Family Dwellings. 0.75 spaces per bedroom; no less than 1 space per dwelling unit.
 3. Technical Training and Test Preparation. 1 space per 600 square feet of floor area.

Section VIII-6. Off-Street Loading Regulation

- A. All off-street loading spaces shall have a vertical clearance of at least 14 feet.
- B. All off-street loading spaces shall be designed with adequate means of vehicular access to a street or improved alley in a manner that will least interfere with traffic movement.
- C. Off-street loading spaces shall be screened in accordance with Section VIII-3.F of this Article.
- D. Off-street loading berths and spaces shall be improved in accordance with Section VIII-3.A of this Article.
- E. In no case shall an off-street loading space be considered as part of the area provided to satisfy off-street parking requirements as listed herein.
- F. Off-street loading spaces may be located in a required rear yard.

Section VIII-6. Bicycle Parking

- A. Provisions must be made for the parking of bicycles for multiple-family residential or commercial uses in those instances where ten or more automobile parking spaces are required. Bicycle racks with a minimum capacity for four bicycles shall be provided for bicycle parking. Parking areas for bicycles are permitted wherever automobile parking is allowed, and shall be paved with an all-weather dustless material approved by the Zoning Administrator. Bicycle parking areas shall not obstruct walkways or other pedestrian areas. Inclines shall be provided wherever there are curbs, stairways, or other grade separations between bicycle parking areas and the street or driveway. Provisions for the convenient and accessible parking of bicycles shall be made in accordance with Table VIII-7. 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-7, 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 20 or more automobile parking spaces per Table VIII-6.
- 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 ~~City Engineer~~ as part of the building permit review process.
- 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-6.
- 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 zone, bicycle parking areas may encroach into the required front yard.
- j) Bicycle parking areas are prohibited within the front yard setback in ~~the all residential zoning districts 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.

TABLE VIII-6. BICYCLE PARKING REQUIREMENTS BY USE¹

Use	Number of Spaces Required
Multi-family, Boarding or Rooming House, or Dormitory	1 for every per -2 dwelling units
Public and Quasi Public Uses²	
All schools	4 for every per classroom
All other uses	10% of required automobile parking up to a maximum of 25 bicycle parking spaces
Commercial Uses^{2,3}	
All uses	10% of required automobile parking up to a maximum of 25 bicycle parking spaces
Industrial, Transportation & Related Uses²	
All uses	4% of required automobile parking up to a maximum of 25 bicycle parking spaces
<p>5. The Zoning Administrator shall determine whether propose 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 generated by the use, the location of the development, the proximity to other uses with bicycle parking demand, and other relevant factors.</p> <p>6. 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.</p> <p>7. For non-residential uses, bicycle parking spaces shall be required only for developments with 20 or more automobile parking spaces required.</p> <p>8. Commercial uses include the following categories from Table VIII-6: Office and Related Uses, Service Business Uses, Retail Business Uses, and Commercial Recreational Uses.</p>	

FIGURE VIII-1. Parking Modules with Flexible Aisle Widths

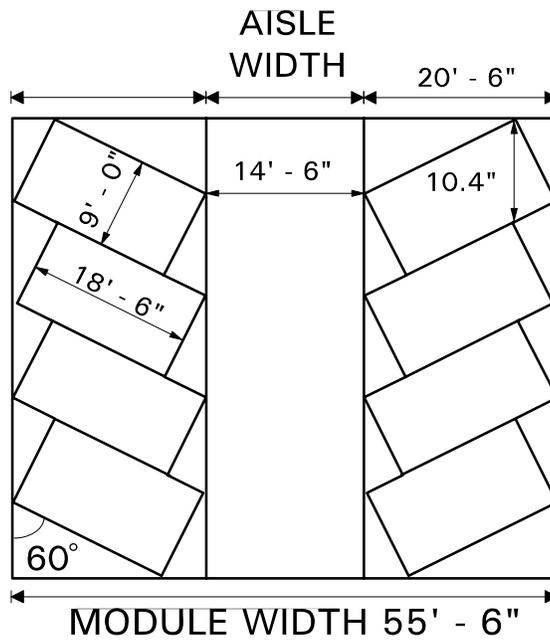
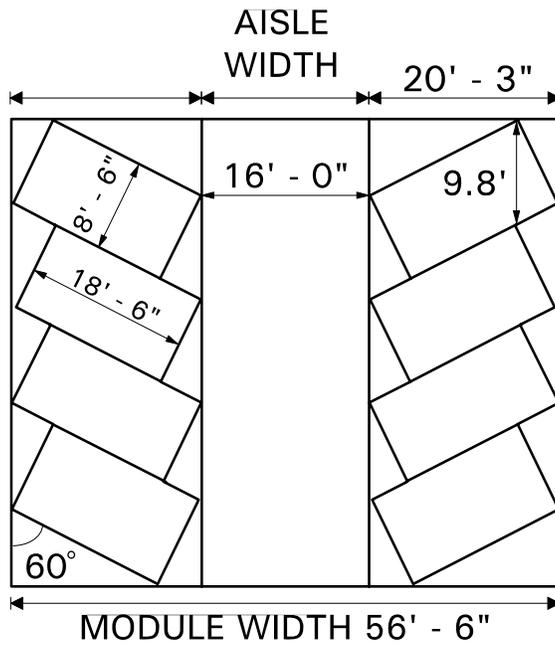


FIGURE VIII-2. Typical Turnaround Design for 90° Parking Access Drive

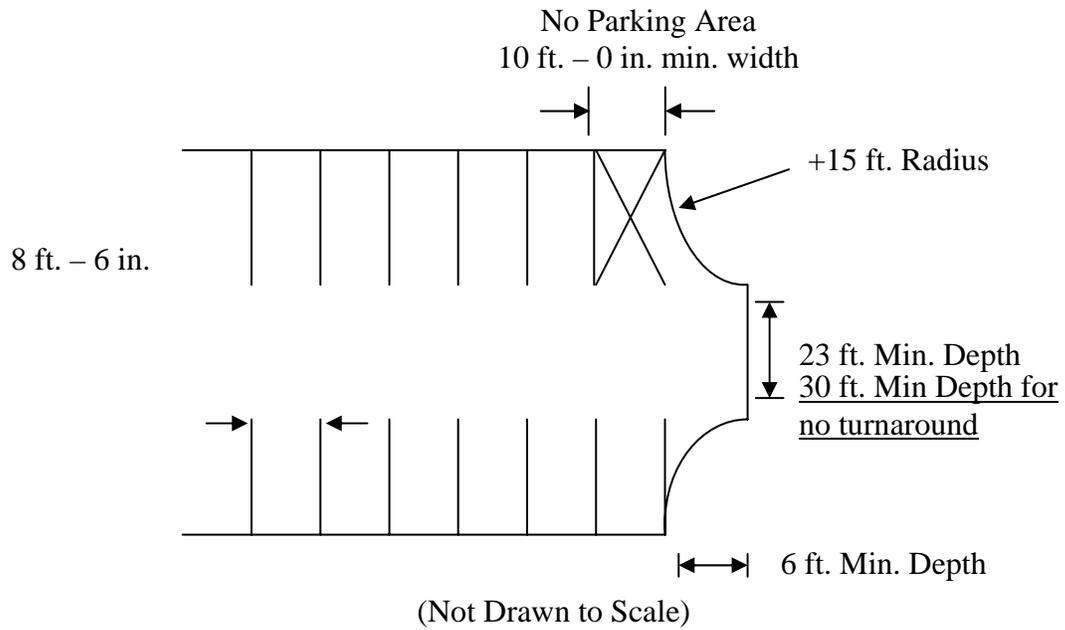


FIGURE VIII-3. Requirements for Access Drive

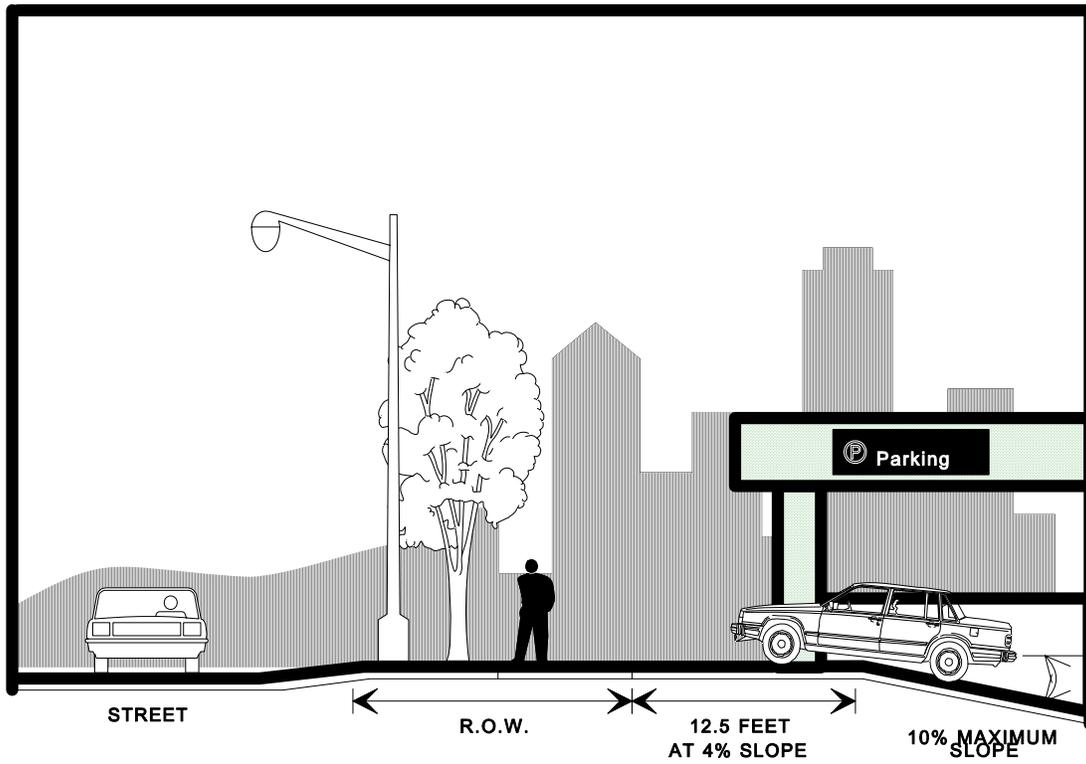


FIGURE VIII-4. Required Screening Between Uses

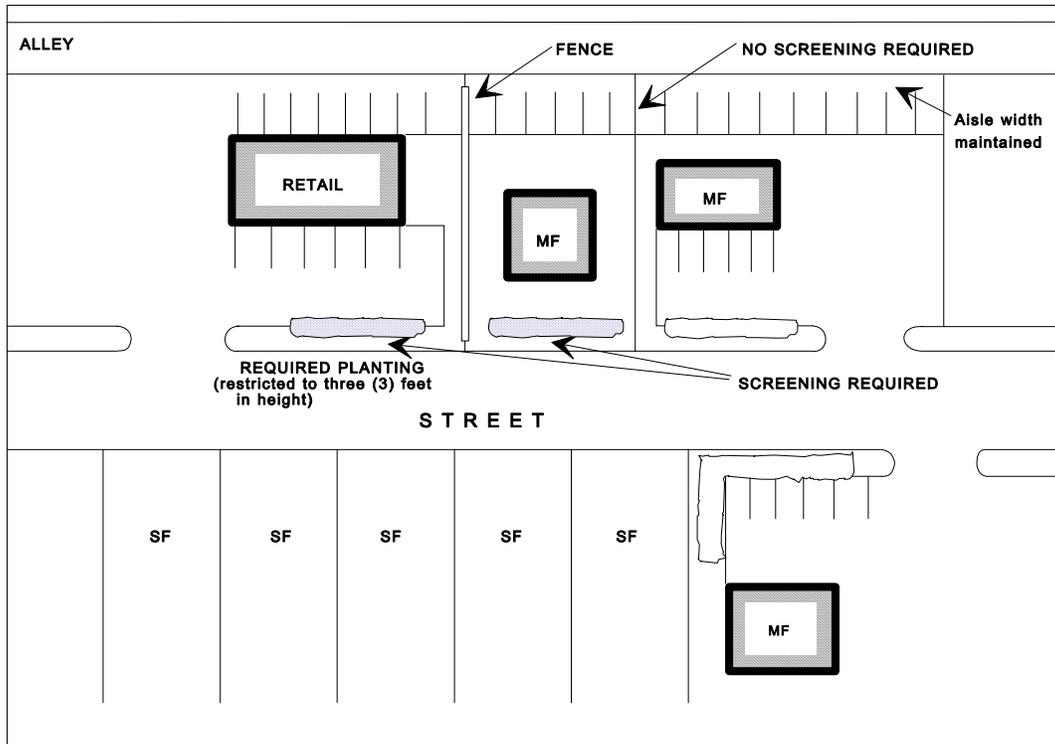


FIGURE VIII-5. Requirements for Shade Tree Planting in Parking Lots

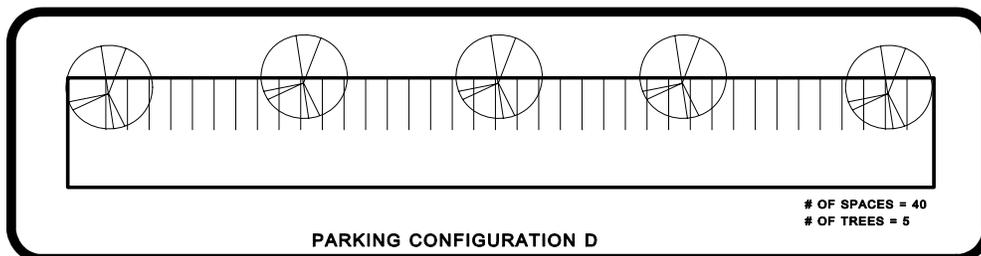
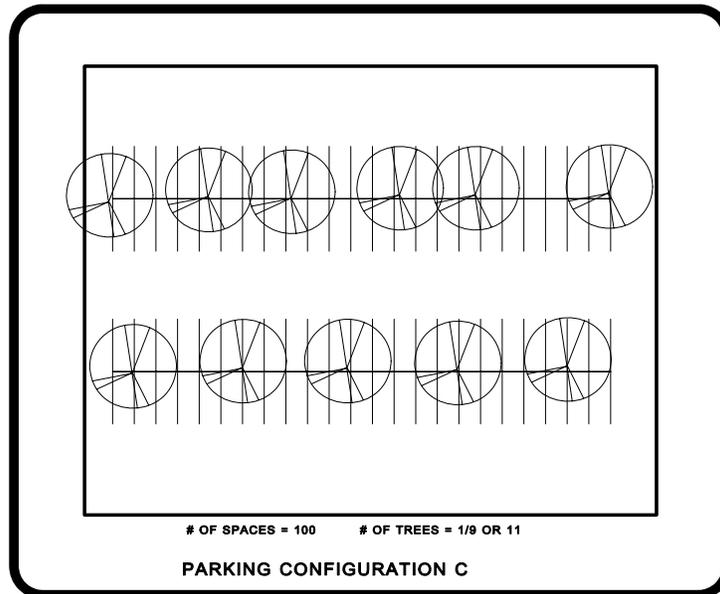
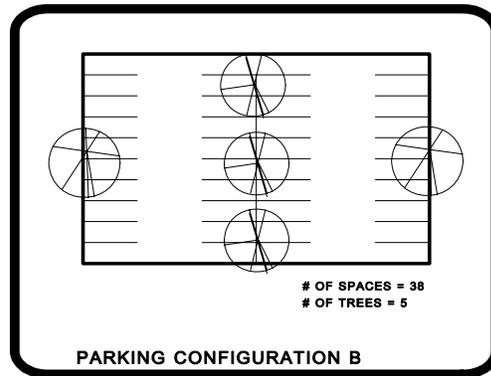
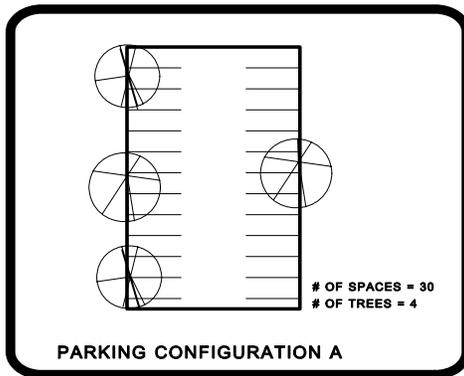


FIGURE VIII-6. Surface Drainage

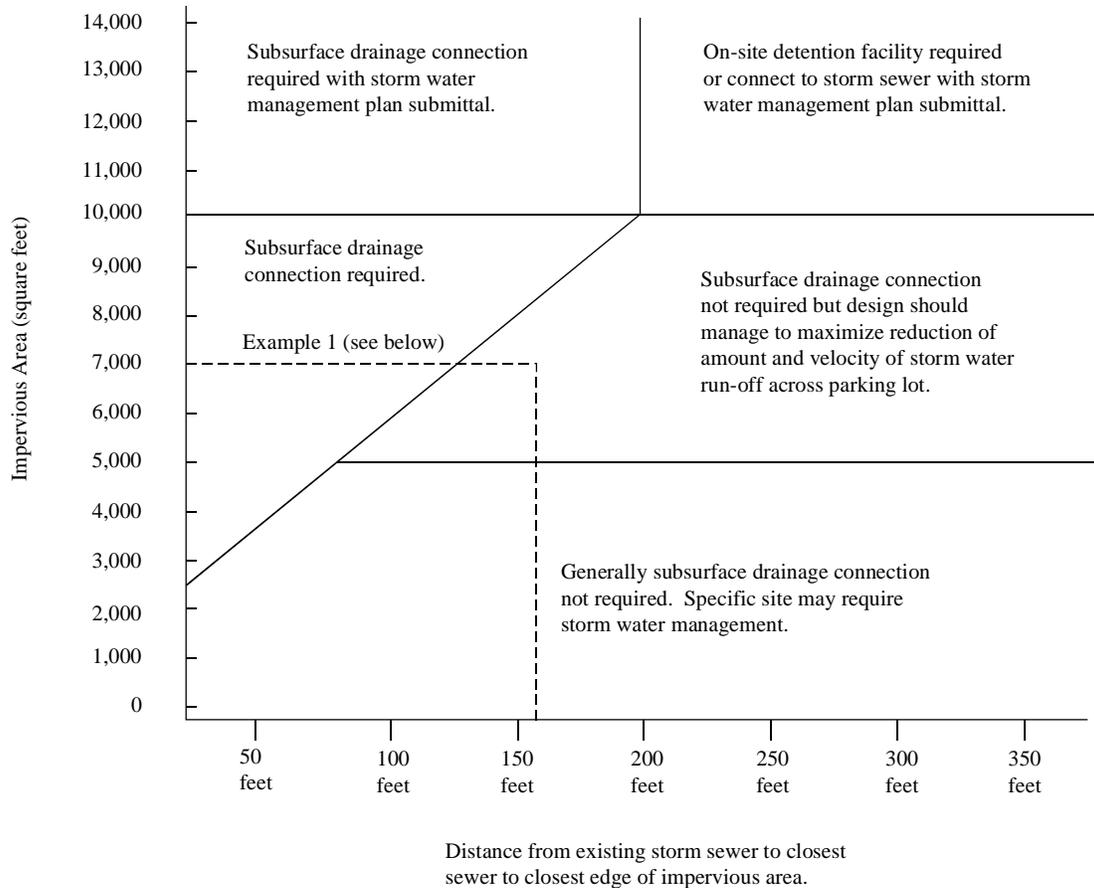


Figure VIII-6

Example 1

Given: Impervious area of development is 7,000 square feet and nearest public storm sewer is 160 ft. away. Enter left side Fig. VIII-6 at 7,000 square feet and then move across to intersect line at 160 ft. mark.

Result: Subsurface drainage connection not required but design needs to maximize reduction of surface run-off amount & velocity.

ARTICLE IX. COMPREHENSIVE SIGN REGULATIONS*

Section IX-1. Legislative Intent and Findings

Section IX-2. General Prohibition

Section IX-3. Definitions

Section IX-4. Measurement Standards

Section IX-5. General Sign Provisions for Signs and Outdoor Advertising Sign Structures Allowed in Specific Districts with a Permit

Section IX-6. Signs Allowed Without a Permit Subject to Certain Regulations

Section IX-7. Use of Noncommercial Signs in Business and Industrial Zoning Districts

Section IX-8. Prohibited Signs

Section IX-9. Permits for Signs

Section IX-10. Enforcement and Penalties

Section IX-11. Outdoor Advertising Sign Structures Moratorium

Section IX-1. Legislative Intent and Findings

The purpose of this Article is to establish regulations and controls which promote the goals, objectives, and policies of the City of Urbana Comprehensive Plan and to permit and regulate signs in such a manner as to support and complement the land use policies set forth in Article I, Section I-1. To these ends, this Article regulates the size, number, and spacing of signs which is intended to: aid in traffic safety by avoiding uncontrolled proliferation of signs which distract and endanger safety and traffic flow; reduce congestion of land, air, and space; preserve and protect property values; establish reasonable standards for the use of signs in order to maintain and encourage business activity and development; protect and enhance the physical appearance of the community and the scenic value of the surrounding area; and regulate signs located near or visible from public property such as streets, highways, parks, and schools where such signs could jeopardize the public's investment in these facilities.

The sign regulations expressly distinguish between "signs" and "outdoor advertising sign structures (OASS)" based on the specific finding that outdoor advertising sign structures represent a separate and unique communication medium available to the general public for the periodic display of signs for announcements of both a commercial and noncommercial nature, utilizing nationally standardized signs or painted panels. At the same time, the regulations recognize that a limitation upon the size, number, and spacing of such structures is consistent with and will further the goals expressed herein.

Recognizing that OASS's and other signage can be constructed to varying degrees of architectural compatibility or incompatibility with their surroundings, these regulations require that certain design standards be implemented when constructing OASS's. Further recognizing that the zoning districts in and routes along which OASS's may be erected are mainly commercial, rather than industrial, these provisions are intended to result in a minimum baseline of architectural features, and are intended to result in OASS's that have an acceptable commercial, as opposed to industrial, appearance. (Ord. No. 2001-05-044, 06-04-01) The sign regulations recognize the basic guaranteed right of freedom of speech and therefore are not intended to control the content of any message displayed on signs or outdoor advertising sign structures and do not discriminate between on-premise and off-premise signs.

* Editor's note — Ord. No. 8485-73, § 2, enacted Apr. 15, 1985, repealed in its entirety Article IX, §§ IX-1 — IX-9, comprising the City's comprehensive sign regulations, and enacted in lieu thereof similar materials designated as Art. IX, §§ IX-1 — IX-9. Prior to enactment of said Ord. No. 8485-73, Art. IX was derived from Ord. No. 7980-68, adopted Dec. 17, 1979; Ord. No. 8283-43, §§ 6, 7, adopted Jan. 17, 1983; and Ord. No. 8485-54, § 1, adopted Feb. 4, 1985.

Section IX-2. General Prohibition and Definitions

- A. Any sign or outdoor advertising sign structure not expressly permitted by or in compliance with this Article is prohibited in the City of Urbana. (Ord. No. 8458-73, 4-15-85)
- B. *Sign Definitions: Signs are generally defined as any name, identification, description, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land in view of the general public and which directs attention to a product, place, activity, person, institution, or business. The following are types of signs:*
1. *Commercial Sign:* A sign which directs attention to or identifies a commodity, service, or entertainment to be sold or offered for sale. Any sign displaying the name of a business enterprise shall be conclusively presumed to be a commercial sign.
 2. *Community Event Sign:* A sign advertising or announcing a special community event or activity conducted by or sponsored by or on behalf of a unit of local government, institution of an educational, philanthropic, or eleemosynary 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. (Ord. No. 8283-43, § 2, 1-17-83; Ord. No. 8485-73, § 1, 4-15-85)
 3. *Electronic Message Board (LED) Sign:* A sign with a fixed or changing message composed of a series of lights that may be changed through electronic means. A time and/or temperature sign shall not be considered a LED sign.
 4. *Freestanding Sign and Freestanding Outdoor Advertising Sign Structure:* Any sign or outdoor advertising sign structure completely or principally self-supported by posts or other supports independent of any building or other structures.
 5. *Grand opening Sign:* A temporary sign used to announce the opening of a new business or the change of ownership of a business. (Ord. No. 9495-81, 3-6-95)
 6. *Monument Sign:* A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.
 7. *Noncommercial Sign:* Any sign not defined as a commercial sign.
 8. *Outdoor Advertising Sign Company:* A commercial enterprise which owns, maintains, erects, and manages outdoor advertising sign structures which are designed, intended, and customarily used to mount periodically changing commercial or noncommercial messages, such standardized signs and sign space to be made generally available to the general public.
 9. *Outdoor Advertising Sign Structure (OASS):* A standardized outdoor advertising display, including the permanent framework, structural members, support or supports, foundation, scaffolding and illumination, facing or panels, and message, which is intended and whose customary use is to mount periodically changing commercial or noncommercial displays and which is made generally available for display to the public by an outdoor advertising sign company on a short term basis. Such OASS's shall be limited to two standardized structures.

- a. The “30 sheet poster panel” or painted bulletin, whose outside dimensions, including trim, if any, but excluding the base, apron, supports, and other structural members is approximately 12 feet by 25 feet, containing 300 square feet of total display area;
 - b. The “Junior panel” whose outside dimensions, including trim, if any, but excluding the base, apron, supports, and other structural members is approximately six feet by 12 feet, containing 72 square feet of total display area.
 - c. For the purpose of defining the height and width of an OASS, The term “approximately” shall permit the approval of an OASS containing lineal dimensions which deviate from the standardized dimension by no more than 20%. (Ord. No. 2001-05-044, 06-04-01)
10. *Permanent Sign*: A sign that is permanently affixed or anchored to the ground, building, or other structure.
 11. *Portable Sign*: A freestanding sign not permanently anchored or secured to either a building or structure.
 12. *Projecting Sign*: A sign, other than a wall sign, which projects from and is supported by, or attached to, a wall of a building or structure.
 13. *Roof Sign*: A sign erected, constructed, or maintained upon or over a roof, and more than half of whose height is above the building height. A sign mounted on a roof, which does not qualify as a roof sign, shall be considered a wall sign.
 14. *Shopping Center/Commercial PUD Sign*: A sign designed for the purpose of advertising an entire shopping center. Individual businesses may list but an individual listing may not exceed 50% of the area of any face of the sign.
 15. *Temporary Sign*: A sign intended for a limited or intermittent period of display which is readily movable and is not permanently anchored to the ground, building or other structure. Such sign is not a portable sign. See Section IX-4.F for regulations for temporary signs.
 16. *Wall or Wall-Mounted Sign and Wall Mounted Outdoor Advertising Sign Structure*: A sign displayed on or visible through a wall of a building or structure so as to be seen primarily from the direction facing the wall. A wall sign or outdoor advertising sign structure attached to the exterior wall of a building or structure, which (in a plane parallel to the plane of said wall) does not extend or project more than 18 inches.

Section IX-3. Measurement Standards

- A. *Measurement of Area of Sign*. The area of a sign shall be computed as:
 1. *Flat Sign*: The area of the smallest convex geometric figure encompassing the sign; or
 2. *Volumetric Sign*: The area of the smallest convex geometric figure encompassing the maximum projected area of the volume on a flat plane which completely encloses the extreme limits of the sign, including any frame, structural trim, or other material forming an integral part of the display as used to differentiate such sign from the background against which it is placed. Such measurement shall exclude the necessary supports or uprights on which the sign is placed, unless the supports or uprights constitute part of the display.

- B. *Height Measurement of Freestanding Signs and Outdoor Advertising Sign Structures.* The height of freestanding signs and outdoor advertising sign structures shall be the distance from the top of the highest portion of the sign or structure to:
1. The grade at the foundation of the sign or outdoor advertising sign structure; or
 2. The average grade of the lot, whichever is less.
- C. *Measurement of Outdoor Advertising Sign Structure Surface Display Area.* The surface area of a sign or surface display area of an outdoor advertising sign structure shall be the area of the smallest convex geometric figure encompassing the maximum projected area of the volume on a flat plane which completely encloses the extreme limits of the surface display area of writing, representation, emblem, advertising embellishment, or other figure of similar character or potential display area of an outdoor advertising sign structure, together with any material forming an integral part of the display or used to differentiate such sign or outdoor advertising sign structure from the background against which it is placed. Such measurement shall exclude the necessary supports or uprights on which the sign is placed, unless the supports or uprights constitute part of the display because of the predominant overall concept of the sign, and shall exclude the apron, if any, which itself covers structural members, supports or uprights. The lowest projection of the display area shall not be more than six inches above the lowest portion of any horizontal structural element of the OASS. (Ord. No. 2001-05-044, 06-04-01)
- D. *Measurement of Business Frontage.* Business frontage is the lineal footage of a lot, facing the public right-of-way, owned or rented by a person, business, or enterprise, and intended for business usage. (Ord. No. 8458-73, § 2, 4-15-85)
- E. *Measurement of Gas Station Canopy Display Area:* The area of a gas station canopy structure shall be computed as product of the height and length of a canopy structure's vertical face. The vertical supports of the canopy structure shall not be considered a display area.

Section IX-4. General Sign Provisions for Signs and Outdoor Advertising Sign Structures Allowed in Specific Districts with a Permit

- A. Signs located within a Residential Planned Unit Development, or signs and/or outdoor advertising sign structures located within a Planned Unit Development, shall be subject to the provisions applicable to the zoning district in which the PUD is located.
- B. Signs shall be subject to the provisions and standards specified in Table IX-1 through Table IX-4 and Table IX-6. Future OASS's shall be subject to the standards specified in Table IX-5.
- C. Sign standards for permitted and conditional uses in the AG, Agriculture District, shall be identical to the standards for the same use in the most restrictive district within which the use is permitted by right.
- D. In lieu of ~~Section IX-4.B paragraph B, above~~, Shopping Centers/Commercial PUD signs may alternatively comply with the standards set forth in Table IX-9. The erection of signs authorized under Table IX-9 precludes the erection of any freestanding signs authorized under Table IX-1.
- E. Signs in the MIC District shall be subject to the provisions and standards specified for the B-4E District. Signs in the CCD District shall be subject to the provisions and standards specified for the B-3U District.

F. Temporary Signs. In the B-3, B-3U, B-4, B-4E, and IN 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 commercial signs shall be allowed by permit in the following instances. Temporary Signs for non-residential uses in residential districts (as allowed in Table V-1) shall also be permitted in the following instances:

1. Each business (or other entity) shall be allowed to display one grand opening sign per business frontage, in the form of a banner securely fastened at both ends to a building or other structure, for a period not to exceed 30 consecutive days. Said display must occur within the first six months after either the opening of said business at that site or after there has been a change in ownership of the business.
2. Within the first 30 days of operation of a new on-site business, in addition to the banner signs as permitted in Section IX-4.F.1, a business having at least 50 feet of frontage shall be permitted to display additional grand opening signage in the form of inflatable signs and balloons for a period of no more than ten days.

An inflatable sign or balloon may not *itself* exceed 25 feet in height and shall not obstruct visibility necessary for safe traffic maneuvering. Such signs shall be set back from any property line a minimum distance equal to the height of the balloon plus five feet, and shall maintain a minimum 25 foot clearance in all directions from all electrical wires. No more than one such inflatable device shall be allowed on any premises. Any such sign or balloon must be securely fastened to manufacturers specifications and secured to minimize wind movement. The inflatable sign, if lighted, must be installed to a grounded outlet. Such inflatable signs must be installed by a commercial sign installer. Proof of liability insurance in a minimum amount of one million dollars must be shown before a permit for an inflatable sign may be issued. Such signs inflated with helium are strictly prohibited.

3. In addition to any permitted grand opening signs ~~permitted in paragraphs 1 and 2 above~~, each business shall be allowed up to four separate displays of a temporary commercial sign per business frontage per calendar year, also in the form of a banner securely fastened at both ends to a building or other structure. That means that if more than one business is located on a particular lot, then each business on that lot shall be allowed up to four separate temporary sign displays per calendar year for each portion of the lot that abuts a public street or alley. The total length of time for those four displays on a particular business frontage shall not exceed four weeks per calendar year.
4. The area of temporary banner signs shall be restricted to 100 square feet for wall banner signs or wall-mounted banner signs, and 50 square feet for freestanding banner signs.
5. A temporary banner sign shall be set back at least ten feet from the front property line, or shall be displayed so that the bottom edge of the sign is at least ten feet above grade level at all points.
6. A permit for a temporary sign shall specify the location of the sign and the period of time during which said sign may be displayed.
7. No fee shall be charged for a grand opening temporary sign. This fee language shall supersede the requirements of Chapter XIV of the City of Urbana Code of Ordinances governing fees for sign permits. The fees for other temporary commercial signs shall be as set forth in Chapter XIV for sign permits. (Ord. No. 9495-81, 3-6-95; Ord. No. 9697-154, 6-16-97)

G. *Electronic Message Board (LED) Signs.* In the B-3, General Business Zoning District, an electronic message board sign shall be allowed as either a freestanding or wall-mounted sign. Such signs shall be allowed by permit subject to the following conditions:

1. The LED display shall not be animated, flashing, multi-colored, or scrolling.
2. The frequency of message change shall be restricted to no more than once every 3 minutes.
3. The maximum area of an electronic message board shall not exceed 30 percent of the total sign allowance for the property.
4. The maximum height of an electronic message board shall conform to the standards of Table IX-1.

Section IX-5. Signs Allowed Without a Permit Subject to Certain Regulations

~~A. *Noncommercial Signs In Residential Zoning Districts Not Subject to Section IX-6.* Noncommercial signs not subject located in the AG, CRE, R-1, R-2, R-3, R-4, R-5, R-6, R-6B and R-7 zoning districts to Section IX-6 shall be permitted in all said zoning districts without a permit, subject to certain regulations. In the AG, CRE, and Residential Zoning Districts, Noncommercial signs may be freestanding or wall signs they and shall be limited to six square feet in area and, if freestanding, shall not exceed a height of five feet. Further, in Residential zoning districts No permanent noncommercial sign shall be located in a required yard nor be illuminated.~~

~~B. *Signs Allowed in Certain All Districts Subject to Certain Regulations.* The signs specified in the following subsections are allowed in all zoning districts, unless specified, without a building permit but are subject to the conditions and limitations set forth herein. Application to the City is still necessary to ensure zoning compliance for items 3, 5, 8, 9, 10 below.~~

- ~~1. *Official Signs:* Signs of a public, noncommercial nature erected by or on order of a public officer in the performance of a public duty. Such signs shall include but not be limited to safety signs, danger signs, traffic signs, memorial plaques, or signs indicating a scenic or historical point of interest.~~
- ~~2. *Flags:* Flags bearing the official design of a nation, state, municipality, or noncommercial organization or institution. There may be two of each type of flag per premise.~~
- ~~3. *Rental Property Identification Signs:* Signs which identify the business, owner, or manager, or resident address and/or phone number of a multi-family residential building or structure and set forth the address of the premises where the sign is located, and which contain no other material; There may be no more than two such signs per premise, in accordance with Section IX-5.B.12, , The total area of both signs shall not exceed 20 square feet, and the total height of such a sign, if freestanding, shall not exceed five feet.~~
- ~~4. *Integral Signs:* Names of buildings, dates of construction, commemorative tablets, and the like, when carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the building or structure.~~
- ~~5. *Institutional Signs:* Any sign or bulletin board setting forth and denoting the name of or simple announcement for any public, charitable, educational, or religious institution, when located on the premises of such institution, provided such sign or bulletin board or both shall not exceed a total of 20 square feet in display surface. If building mounted, these signs shall be flat wall signs, and~~

shall not project above the roofline or front façade of the building. If freestanding, the total height shall not exceed six feet.

6. *Private Traffic Direction Signs and Related Signs:* Signs directing traffic movement onto a premise or within a premise ~~when such signs are located on the premise,~~ The total area shall not exceed five square feet, and the total height shall not exceed five feet. The area of such signs shall consist of not less than 50% words and/or symbols that indicate the desired traffic movement instruction. do not exceed five square feet in area for each sign and, if freestanding, do not exceed five feet in total height. Such signs are considered to include parking directions, exit or entrance signs, drive-up window signs, restroom signs, and the like. Horizontal directional signs ~~on the~~ flush with paved areas are exempt from these standards.
7. ~~Individual Property Sale or Rental Signs:~~ Any sign announcing the name of the owner, manager, realtor, or other person directly involved in the sale or rental of the property, or announcing the purpose for which it is being offered. Such signs may be freestanding or wall-mounted only. Signs may not emit direct illumination, and must be removed within 14 days after the sale or rental of the property. Property sale or rental signs shall not be placed in the public right-of-way. Property sale or rental signs shall be subject to the standards and provisions specified in Table IX-7.
8. *Home Occupation Signs:* Home occupation signs shall be wall-mounted, ~~either wall-mounted or freestanding, not to exceed one per premise,~~ and not to exceed two ~~one~~ square foot in area. There shall be only one such sign per building or structure.
9. ~~Subdivision Sign:~~ Any sign announcing the names of a residential subdivision or neighborhood ~~architects, engineers, contractors, or other individuals or firms, involved with the subdivision of property (but not including any advertisement of any product) or announcing the character of the subdivision or the purpose for which it is intended.~~
 - a) These signs shall be confined to the major road accessing a subdivision or neighborhood site of the subdivision, and shall be permitted for one year from the date of erection of the first of such signs. If development of the subdivision is not completed within one year after erection of the signs, the sign shall be permitted to exist an additional period, not to exceed one year.
 - b) Subdivision signs shall not be placed in the public right-of-way.
 - c) Subdivision signs shall be subject to the provisions and standards specified in Table IX-8.
10. ~~Construction Development Signs:~~ Any sign announcing the names of architects, engineers, contractors, or other individuals or firms involved with the construction, alteration, or repair of a building or subdivision of property (but not including any product) or announcing the character of the building enterprise or the purpose for which the building is intended, ~~or to indicate the presence of underground public utility structures to avoid damage to structures by excavation.~~
 - a) Such signs shall be confined to the site of the construction, alteration, or repair, and shall be removed within 21 days after completion of the work.
 - b) Signs shall conform to the standards provided in Table IX-7, for individual property sale or rental signs in Section IX-5.B.7 paragraph 7, above.
11. *Underground Public Utility Warning Signs:* Standard types of warning signs marking the routes of underground public utility pipes, conduits, and cables.

12. ~~*House or Building Address:* Any sign that sets forth the house or building address, provided that the individual characters of the signs do not exceed six inches in height.~~
13. *Sandwich Boards:* Any portable sign that advertises daily specials or sales for a business. Such signs shall not be located in the traveled roadway or block pedestrian traffic, and shall be moved indoors at the end of business hours. Such signs shall be permitted in the B-1, B-2, B-3U, B-4, B-4E, or MOR Zoning Districts, and shall not exceed eight square feet in area and four feet in height.

Section IX-6. Use of Noncommercial Signs in Business and Industrial Zoning Districts

- A. Permanent noncommercial signs shall be permitted in all commercial and industrial zoning districts in accordance with the established sign standards by district and by sign type specified in Table IX-1 through Table IX-4 and Table IX-6 and shall require a sign permit. However, with the exception of time and temperature signs up to 26 square feet in area, the erection of such signs authorized by this section waives the right to erect any permitted commercial signs of the same type authorized by this Article.
- B. Temporary noncommercial signs may be erected without a permit and without affecting the right to erect any permitted commercial sign or permanent noncommercial sign. Such temporary noncommercial sign shall be limited to six square feet in area.
- C. *Community Event Signs Requiring a Permit:*
1. No community event sign shall be erected or maintained on or over any property owned or controlled by the City or public right-of-way by any person without first obtaining a permit issued by the Zoning Administrator, who shall observe the requirements and restrictions of this subsection of this Article in approving or disapproving the method of display, location, number and sizes of signs. The Zoning Administrator shall require submission of evidence as to general liability insurance or its equivalent which names the City as an additional insured in amounts of no less than combined property damage and personal injury limits of \$200,000 prior to issuance of a permit.
 2. *Zoning Districts Allowed:*
 - a) B-4, Central Business
 - b) B-4E, Central Business-Expansion
 3. *Numbers and Sizes of Signs:*
 - a) Permits shall be granted for no more than ten community event signs to be displayed on any day. Where approved applications are received from more than one organization for such signs to be displayed on the same day, and the total number exceeds the maximum provided in this section, each organization shall receive a pro rate number of such signs.
 - b) Community event signs shall be no larger than 50 square feet in display area.
 4. *Length of Time of Display:*

- a) Community event signs shall be displayed for not more than a consecutive 30 day period.
 - b) No more than two days following the community event for which a sign permit is granted pursuant to this section, such special event signs shall be removed, and the area where such signs have been displayed shall be cleaned and restored to its condition prior to display of such signs.
5. *Electronic Display of Community Events Sign.* Permanent signs providing notice of community events on a continuous basis by means of electronic display may be permitted with Zoning Administrator approval, subject to the placement and size limitations contained within this subsection. ~~Community events information and/or time/temperature announcement must constitute more than 50% of the sign content in order to be considered a noncommercial sign. Commercial related information may otherwise be displayed, but shall not exceed 49% of the sign content.~~ The Zoning Administrator shall consider the following criteria in reviewing a permit application for electronic display signs:
- a) The sign must display a preponderance of community event messages in volume, number, and frequency;
 - b) Illumination from the sign will not cause a nuisance to any nearby residential district or use;
 - c) The sign will not blink, flash, or otherwise display electronic messages in a manner that may cause a traffic or safety hazard; and
 - d) The sign shall not be located within 450 feet of another community event electronic display sign.
 - e) The sign shall not be located within 100 feet of a residential district or use. (Ord. No. 2002-02-011, 02-04-02)
 - d) The maximum area of a led display shall not exceed 25 square feet. This counts against the total sign allowance for a business frontage.

Section IX-7. Prohibited Signs

- A. The following signs are specifically prohibited by this Ordinance:
1. Any sign which, by reason of its size, location, movement, content, coloring, or manner of illumination, constitutes an obvious traffic hazard or a detriment to traffic safety by obstructing or detracting from the visibility of any official traffic control device;
 2. Any sign which contains or is an imitation of an official traffic sign or signal, except for private traffic direction signs specifically permitted in Section IX-5.B.6;
 3. Any sign which moves or rotates in any way provided, however, that a sign which revolves 360° degrees but does not exceed eight revolutions per minute is permitted, except within 50 feet of any public street or where the nearest lot contains a residential dwelling unit, public school, park, hospital, or nursing home;

4. Any sign which contains blinking, flashing lights, unless such lights are permitted in Section IX-4.G, Section IX-5, or Section IX-6; (Ord. No. 2002-02-011, 02-04-02)
5. Any sign which contains or consists of banners, pennants, ribbons, streamers, strings of light bulbs, spinners, or similar devices, unless such signs are permitted in Section IX-4 through Section IX-6;
6. Any sign which for 30 consecutive days has directed attention to a product, place, activity, person, institution, or business which was formerly but is no longer in operation or existence on the premises;
7. Any sign not in compliance with the requirements of Section IX-4 through Section IX-6.
8. Any portable sign, except sandwich boards as defined in Section IX-5. (Ord. No. 9495-81, 3-6-95)

B. *Removal of Prohibited Signs:*

1. If a permanent sign shall become prohibited under Section IX-7.A.6, notice shall be given to the land owner, and business owner, under Section IX-9.C, and he/she shall have 15 days from the date of notice in which to remedy or remove the sign.
2. All other signs prohibited by this section shall be brought into conformity as provided for in Section X-9. (Ord. No. 9697-154, 6-16-97)

Section IX-8. Permits for Signs

- A. *Requirements.* It shall be unlawful for any person to install, construct, erect, alter, reconstruct, or relocate any sign or outdoor advertising sign structure without first obtaining a valid permit, in writing, from the Zoning Administrator, and making payment of the fees required by Section XI-8 of this Ordinance, unless such signs or outdoor advertising sign structures are permitted without a permit by Section IX-5.B.

Relocation or reconstruction of signs or outdoor advertising sign structures to conform with the requirements of this Ordinance, when such signs or outdoor advertising sign structures existed on April 15, 1985, is excepted from the requirement for a permit as described, provided such signs and outdoor advertising sign structures conform to all requirements of this Ordinance thereafter. A permit is required for relocation of nonconforming signs and outdoor advertising sign structures as provided in Section X-9.B.6 of this Ordinance.

- B. *Application for a Permit.* Application for a sign permit shall be filed by the owner of the sign or an outdoor advertising sign structure, or by his/her agent, with the Zoning Administrator of the City of Urbana. The application shall contain the following information:
1. Name, address and telephone number of the owner of the sign or outdoor advertising sign structure and agent, if any;
 2. Location of building, structure, or lot to which or upon which the sign or outdoor advertising sign structure is to be attached or erected;
 3. Position of the sign or outdoor advertising sign structure in relation to nearby buildings or structures;

4. Two prints or ink drawings of the plans and specifications indicating the method of construction and attachment to the buildings or in the ground. No such prints or ink drawings shall be required for Section IX-5 signs, unless such signs require a permit, for temporary signs permitted in Section IX-4, for signs the fair market value of which is less than \$500 and which are erected in compliance with a standard method, the plans for which are now with the City, or for signs or outdoor advertising sign structures where drawings are already on file with the Zoning Administrator;
 5. Name of person, firm, corporation, or association erecting sign or outdoor advertising sign structure;
 6. Evidence of written consent of the owner of the building, structure, or land to which or on which the sign or outdoor advertising sign structure is to be erected;
 7. Such other information as the Zoning Administrator shall require to show full compliance with this and all other laws and ordinances of the City. (Ord. No. 9495-81, 3-6-95)
- C. *Inspection upon Completion.* The applicant who has been issued a permit for construction, installation, erection, relocation, or alteration of a sign or outdoor advertising sign structure shall, upon completion of the work, notify the Zoning Administrator, who shall inspect the condition of the sign or outdoor advertising sign structure with respect to its safety and location, and, if he/she finds that the same has been constructed in compliance with the ordinances of the City, he/she shall then issue such applicant a permit in writing, authorizing such applicant to operate and maintain the sign or outdoor advertising sign structure.
- D. *Nullification.* If the work authorized under a permit to build has not been substantially completed within six months after the date of its issuance, the permit shall become void.
- E. *Permit Exceptions.* The following operations shall not be considered as “installing, constructing, erecting, altering, reconstructing, relocating,” or creating a sign or outdoor advertising sign structure and shall not require a permit, notwithstanding the foregoing requirements of Section IX-8.A:
1. The changing of the advertising copy, facial panel or panels, or message on an outdoor advertising sign structure, painted or printed 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.
 3. Existing OASS's (other than those to be removed by Settlement Agreement arising out of litigation in Case No. 76-C-1070) may continue to be maintained in all respects; may be rebuilt for any reason; but may not be enlarged.
- F. *Issuance of Permit.* The permit shall be issued by the Zoning Administrator within 30 days of application once all of the above requirements are met.

Section IX-9. Enforcement and Penalties

- A. The Zoning Administrator is hereby authorized and directed to administer and enforce all the provisions of this Article. Whenever necessary, the officials of other departments of the City shall give such assistance as is consistent with the usual duties of their respective departments. Upon

presentation of proper credentials, the Zoning Administrator or his/her duly authorized representative may enter at reasonable times any premises when necessary to perform any duty imposed upon him/her by this Article.

- B. Whenever it shall appear to the Zoning Administrator that any permanent sign or outdoor advertising sign structure has been constructed or erected, or is being maintained in violation of any of the terms of this Ordinance, or after a permit for a sign or outdoor advertising sign structure has been revoked or become void, or that a sign is unsafe or in such condition as to be a menace to the safety of the public, the Zoning Administrator shall issue a notice in writing to the owner or lessee of the sign or outdoor advertising sign structure or the owner of the premises upon which the sign or outdoor advertising sign structure is erected or maintained. Such notice shall inform such person of the violation and shall direct him/her to make such alteration, repair, or removal as is necessary to secure compliance with this Ordinance within a reasonable time limit, which shall not be less than 20 days nor more than 60 days.

If a temporary sign is displayed in violation of this Ordinance, the Zoning Administrator or his/her duly authorized representative shall issue a written warning to any person reasonably believed to be an employee of the business at the location of the illegal sign display if the individual or business that is responsible for said sign has not violated the regulations pertaining to temporary sign displays within the preceding 365 days. The warning shall require that either the offending sign be removed or that a permit for said sign be obtained within 24 hours or receipt of the warning. If the offending temporary sign is not removed or a permit for said sign is not obtained within that 24 hour period, or if the business or individual responsible for said sign has violated the regulations pertaining to temporary sign displays within the preceding 365 days, then that individual or business shall be subject to fines pursuant to Section XI-9 of the Ordinance.

Upon failure of the sign or outdoor advertising sign structure owner or the person or business responsible for the temporary sign display to comply with the terms of the notice of violation, the Zoning Administrator or his/her authorized representative is authorized and empowered to remove, alter, or repair the sign or outdoor advertising sign structure in question so as to make it conform with this Ordinance and charge the expenses for such work to the person named in the notice.

Except as otherwise provided, the Zoning Administrator or his/her authorized representative may remove or cause to be removed a sign or outdoor advertising sign structure immediately and without notice, if, in his/her opinion, the condition of the sign is such as to present an immediate threat to the safety of the public. (Ord. No. 9495-81, 3-6-95)

- C. The owner of the sign shall remove it if such a sign identifies the location of a product, place, activity, person, institution, or business that no longer exists at that location. If the owner or lessee fails to remove the sign, the Zoning Administrator shall notify the owner or lessee, in writing, and allow fifteen days for removal. Upon failure of the owner or lessee to comply with the notice, the Zoning Administrator may remove the sign at cost to the owner or lessee.
- D. Signs and outdoor advertising sign structures may be inspected periodically by the Zoning Administrator for compliance with this Ordinance and with other ordinances of the City. All signs, sign structures, and outdoor advertising sign structures and their component parts are to be kept in good repair and in safe, sanitary condition.

Section IX-10. Outdoor Advertising Sign Structures Moratorium

- A. Statement of Purpose – The purposes of the regulations contained in this Article are as follows:

1. To preserve and protect the health, safety, and welfare of the citizens of the City by preventing the erection of new OASS which conflict with the intent and purpose of the Comprehensive Sign Regulations of the Zoning Ordinance or with the implementation of the City's comprehensive plans and adopted redevelopment plans or programs.
2. Review the advisability, the details, and ramifications of potential revisions to the number, placement, and development regulations pertaining to OASS. In doing so, consider the following:
 - a) Review issues of potential benefits and costs to the community.
 - b) Review the ramifications of OASS regulation with respect to relevant legislation and case law.
 - c) Review the ramifications of OASS regulation with respect to relevant legislation and case law.
 - d) Consider the impacts of any moratorium and subsequent amendments upon vested rights and property rights.
 - e) Review the influence of OASS regulation of other communities.
3. Review potential amendments to the current regulations such as: The advantages and disadvantages for "cap and replace" type restrictions and/or limitations on the total number of allowable OASS.
 - a) Increase in the spacing requirement between OASS
 - b) Imposition of a minimum height for OASS in several or certain locations and/or introduce limitations on the permitted deviation in the requested versus actual built heights.
 - c) Treatment of OASS as principal uses.
 - d) Improvements to existing landscape and appearance regulations for OASS
 - e) Review of maximum permitted sign face area for OASS. (As recommended by Plan Commission)
4. Seek resolution of issues posed by overlapping Illinois Department of Transportation sign regulations.
5. Review potential application of new technologies for OASS display, including tri-vision messaging.
6. Review consistency of OASS regulations with the City's Comprehensive Plan and Redevelopment Plans.
7. Review impacts of OASS placement on business visibility, site development potential, and other zoning regulations.
8. Consider changes to permitting procedures.
9. Review the impact of existing OASS's on downtown and methods of reducing the impact of future development of OASS's on the downtown business area.

- B. *Boundaries.* The Interim Development Ordinance (IDO) would apply to all property within the Urbana City limits (and any property that may be annexed during the period of the moratorium) that permit the construction and operation of an OASS. These areas are along FAP or FAI routes in areas zoned B-3 (General Business), B-4E (Central Business Expansion) and IN (Industrial) and within 660 feet of either side of such FAP/FAI routes; in B-3, and IN districts along Lincoln Avenue north of Bradley Avenue; and in B-3, B-4, B-4E and IN districts along Vine Street between Main Street and University Avenue, as set forth in the Urbana Zoning Ordinance.
- C. *Use Regulations.* The IDO will prevent the issuance of all permits for OASS, other than those that meet the requirements for the variations and exceptions listed below. The IDO would not apply to other types of signs.
- D. *Duration.* The IDO will be in effect for 365 calendar days from the date of adoption by the City Council, as amended.
- E. *Variation or Exception.* The proposed amendment allows some exceptions to the moratorium on permits to accommodate special circumstances that may occur while the IDO is in effect. Under the proposal, permits for OASS may be allowed under the following circumstances:
1. Previously Approved - Those OASS that have been previously approved but not yet erected, for which substantially completed applications were received prior to the adoption of Resolution 2004-08-018R, and/or which are referenced as a part of a previously approved development agreement or annexation agreement shall not be covered by the moratorium.
 2. Replacement - The Zoning Administrator may authorize issuance of a permit to replace an existing OASS if said OASS is damaged, through no fault of the owner, to the extent that complete removal and replacement is required.
 3. Repair - The Zoning Administrator shall allow permits for repair and maintenance of existing OASS, particularly where issues of safety or blight are present.
 4. Hardship - The Zoning Administrator may authorize the issuance of a permit for a new OASS when the owner of the property can demonstrate that disallowing such a permit would eliminate any reasonable use of the property.

(Ord. No. 2004-09-126, 09-28-04)

TABLE IX-1. STANDARDS FOR FREESTANDING SIGNS¹

Districts Permitted	Maximum Number Permitted	Maximum Area Of Sign	Maximum Height Of Sign	Location of Sign
B-1 Neighborhood Business (Ord. No. 2004-03-029, 04-30-04)	Each business is permitted one freestanding sign One per business except that no freestanding sign is permitted if a projecting or roof sign exists on the lot. In the case where If a lot has two frontages, one sign per frontage is permitted provided the cumulative square footage of both freestanding signs does not exceed 32 square feet in area.	32 square feet	15 feet at minimum setback line and 1 foot per 2 feet additional setback, up to 25 maximum.	Signs shall not extend over the public right-of-way, and shall conform to the setback requirements for structures in the applicable district. No freestanding signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home.
B-2 Neighborhood Business Arterial	Each business is permitted one sign per business frontage up to 300 feet, and one additional sign for up to each <u>additional</u> 300 feet of business frontage thereafter; except that no free-standing sign is permitted if a projecting or roof sign exists on the same frontage.	32 square feet <u>50 square feet if combined or monument</u>	15 feet at minimum setback line and 1 foot per 2 feet additional setback, up to 25 maximum.	Signs shall not extend over the public right-of-way, and shall conform to the setback requirements for structures in the applicable district. No freestanding signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home.
B-3 General Business		50 square feet <u>75 square feet if combined or monument</u>	25 feet at minimum setback line and 1 foot per 2 feet additional setback, up to 25 feet maximum	
B-4 Central Business		450 <u>100</u> square feet	25 feet at minimum setback line and 1 foot per 2 feet additional setback, up to 40 feet maximum <i>(See note below)</i>	
IN Industrial				
B-4E Central Business Expansion	Each business is permitted one sign per <u>business</u> frontage up to 300 feet, and one additional sign for each <u>additional</u> 300 feet of frontage thereafter; except that no freestanding sign is permitted if a projecting or roof sign exists on the same frontage.	50 square feet <u>75 square feet if combined or monument</u>	5 feet within front setback; 19 feet at minimum setback line and 1 foot per 2 feet additional setback up to a maximum of 30 feet.	Signs shall not extend over the public right-of-way. No freestanding signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home.
B-3U General Business - University	Each business is permitted one sign per <u>business</u> frontage, except that no free-standing sign is permitted if a projecting sign exists on the same frontage.	32 square feet	8 feet	Signs shall not extend within 5 feet of any property line.
MOR Mixed Office Residential			5 feet	Signs shall not extend within one foot of any property line nor constitute a traffic hazard as determined by the Development Review Board or any city ordinance.

NOTE: If a sign in the B-3, General Business, or IN, Industrial, zone is: (1) directed primarily toward the users of an interstate highway; (2) within 2,000 feet of the center line of an interstate highway; and (3) more than 500 feet from any residential district, school, park, hospital, or nursing home, it may rise only to such a height as to be visible from within one-half mile away along the highway, but not to exceed a height of 75 feet and an area of 150 square feet.

¹For buildings with multiple businesses, refer to Table IX-1. Freestanding Shopping Center Signs.

²Combined Sign: If a property has two business frontages, a single sign may be constructed with a larger maximum area as defined in Table IX-1.

Monument Sign: If a monument sign (as defined in Article II) is proposed, said sign may be constructed with a larger maximum area as defined in Table IX-1.

TABLE IX-2. STANDARDS FOR WALL SIGNS AND WALL-MOUNTED SIGNS

District Permitted	Maximum Number Permitted	Total Maximum Area Of Wall Signs per Frontage	Maximum Height and Location of Signs
R-6B Restricted Business B-1 Neighborhood Business B-2 Neighborhood Business-Arterial B-3U General Business – University	No Limit	8 10% of wall area, not to exceed 150 sq. ft. maximum	Signs shall not project extend beyond the top or ends of the wall surface on which they are placed. In the B-1, Neighborhood Business Zoning District, no wall signs are permitted when the wall immediately faces a residential use or zone and is not separated by a right-of-way. (Ord. No. 2004-03-029, 04-30-04)
B-3 General Business B-4 Central Business B-4E Central Business Expansion		10% of wall area, not to exceed 175 sq. ft. maximum	
IN Industrial		10 15% of wall area, not to exceed 200 sq. ft. maximum	
MOR Mixed Office Residential		8 40% of wall area, not to exceed 75 sq. ft. maximum	

TABLE IX-3. STANDARDS FOR PROJECTING SIGNS

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height and Projection of Sign	Location of Sign
B-1 Neighborhood Business B-2 Neighborhood Business - Arterial B-3U General Business - University B-3 General Business B-4E Central Business Expansion CCD Campus Commercial MOR Mixed Office Residential	One per business frontage, except that no projecting sign is permitted if a free-standing sign, roof sign, or canopy sign exists on the same frontage. Projected signs are not allowed above the first story.	32 square feet	8-foot minimum clearance above ground. No sign shall extend above that portion of the roof immediately adjacent to the sign. No sign shall project more than 5 feet from the face of the building to which it is attached.	Not to extend over any public right-of-way.
B-4 Central Business	See Note 1 regarding spacing requirements for projecting signs extending over the right-of-way in the B-4 District.	32 square feet: 40 <u>12</u> square feet if any portion extends over public right-of-way		In the B-4 District, projecting signs with a maximum area of 40 <u>12</u> square feet may project a maximum of 5 feet from the face of the building to which it is attached, or to within two feet from the curb face, whichever dimension is smaller. ¹
IN Industrial		75 square feet		

Note 1: Projecting signs extending over the right-of-way shall not be lit internally; the dimension between the two principal faces (i.e., the thickness or depth) shall not be greater than six inches; and a minimum separation of 20 feet must be maintained between such signs; however in no case should more than one such sign per business frontage be permitted. (Ord. No.2002-09-111, 06-17-02)

TABLE IX-4. STANDARDS FOR ROOF SIGNS

District Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
B-3 General Business	One per premise, except no roof sign is permitted if a freestanding sign or projecting sign exists on the same frontage.	50 square feet	9 feet as measured from that part of roof immediately below sign, but in no case shall the height exceed maximum height authorized in zoning district.	Sign must be located wholly within the roof area of structure.
B-4 Central Business B-4E Central Business Expansion		75 <u>50</u> square feet		
IN Industrial		100 <u>75</u> square feet	11 feet as measured from that part of roof immediately below sign, but in no case shall height exceed maximum height authorized in zoning district.	

TABLE IX-5. STANDARDS FOR FUTURE NEW OUTDOOR ADVERTISING SIGN STRUCTURES

Districts Permitted	Type	Maximum Number Permitted	Maximum Area of OASS	Maximum Height of OASS	Location of OASS and Separation	Design Criteria
Such new OASS's shall be allowed only along FAP or FAI routes, as designated by IDOT as of March 1, 1981, in areas zoned B-3 (General Business), B-4E (Central Business Expansion) and IN (Industrial) and within 660 feet of either side of such FAP/FAI routes; in B-3, and IN districts along Lincoln Avenue north of Bradley Avenue; and in B-3, B-4, B-4E and IN districts along Vine Street between Main Street and University Avenue ^{2,4,5}	Wall	One per wall provided no other exterior wall signs are on display.	300 sq.ft.	Not to project above roofline or edges of wall upon which OASS is mounted.	OASS shall conform to the setback requirements for buildings in the IN, B-3 and B-4E zoning districts ¹² . No OASS shall be permitted within 500 feet of any Residential, CRE or AG Zoning District. Further, such OASS's shall not be located within 300 feet of any free-standing or wall mounted OASS. ³	See footnotes 8,9, and 13
	Free-standing	2 <u>faces</u> per OASS	300 sq.ft. (back-to-back displays shall be deemed to be a single structure) ¹	IN – 40 feet ² B-3, B-4 – 35 feet, B-4E – 35 feet ¹¹	Same as wall OASS's.	See footnotes 7,8,9,10, and 13

Notes: No outdoor advertising sign structure shall be erected on a roof or marquee. Further, these regulations must be interpreted consistent with the injunction issued in Champaign County Circuit Court 76-C-1060, C-U Poster versus Urbana.

1. "Back-to-back" shall mean faces erected at a parallel plane separated by no greater than three feet, or faces erected at no greater than a 45 degree angle to each other.
2. If an OASS is: (1) directed primarily towards users of a highway in the National Interstate and Defense Highway System, (2) within 2,000 feet of the center line of such highway, and (3) more than 500 feet from any residential district, school, park, hospital, nursing home or other OASS, then the sign may be erected to such height as to be visible from a distance of one-half mile on the highway or a maximum height of 75, feet, whichever is less, and the sign may have an area not greater than 300 square feet. Said regulations apply only to OASS's facing Interstate Highway 74; they do not apply to OASS's facing Federal Aid-Primary Highways.
3. For purposes of determining separation measurements, the following shall apply:
 - a. Separation measurements between OASS's shall be measured along same side of a street.
 - b. Measurements from wall OASS's shall be made from the closest edge or projection of the OASS to the OASS which it is being separated.
 - c. Measurements from freestanding OASS's shall be made from the closest ground projection or support of the structure to the structure from which it is being separated.

4. Said FAI and FAP areas include Routes 45, 150, and 10 (University Avenue from Wright Street to I-74); all of Route 45 (Cunningham Avenue) north of University Avenue; and I-74. For purposes of future OASS erection, South Philo Road shall not be included as FAP, although it may be or may have been so designated by the Illinois Department of Transportation.
5. OASS's along Vine Street between Main Street and University Avenue shall be located within one hundred feet (100') of the centerline of Vine Street.
6. This table sets standards for future outdoor advertising structures. Except for those outdoor advertising sign structures which are to be removed pursuant to the Settlement Agreement arising out of the litigation in 76-C-1070, existing outdoor advertising sign structures in the City of Urbana are expressly permitted and in compliance with this Article.
7. Structural members of an OASS attached to the ground shall be encompassed by landscaping for a minimum horizontal radius of five feet from the center of the structural element. Landscaping must be planted and maintained according to the standards of Section VI-6.A.2.(h), (i), (j), (k), (l), and (n). OASS's may also be approved which contain, as a component of the OASS, a geometric shape enclosure around the supporting pole(s) with a vertical dimension twice that of its horizontal dimensions and an architectural design consistent with the intent of the Comprehensive Sign Regulations, or another design feature consistent with these regulations, as defined in Section IX-1., Legislative Intent and Findings. All supporting poles, such as I-beams, must be enclosed.
8. All visible structural elements (excluding the changeable portion of the display) shall be compatible with the surrounding area in terms of architectural design and/or color, as determined by the zoning Administrator based on the Comprehensive Sign Regulations.
9. OASS shall not include ladders as an element thereof, except those ladders that are contained entirely in the area behind the display area(s).
10. OASS shall not be cantilevered, other than the "flag" design. That is, the structure shall not use an offset beam to support the display area(s).
11. No portion of a freestanding OASS shall encroach more than nine feet into the airspace created by the outline of a roofline projected upward. Any OASS encroaching into a roofline shall have a minimum clearance of three feet over the building above which it is located.
12. In the B-3 Zoning District, OASS may encroach five feet into the ten side yard setback if the property on which the OASS is proposed is adjacent to another property zoned B-3.
13. OASS are limited to two standard structures, as indicated in the definition.
 - a. The "30 sheet poster panel," or painted bulletin, whose outside dimensions, including trim, if any, but excluding the base, apron, supports and other structural members is approximately 12 feet by twenty-five 25 feet, containing 300 square feet of total display area;
 - b. The "junior panel" whose outside dimensions, including trim, if any but excluding the base, apron, supports and other structural members is approximately six feet by 12 feet, containing 72 square feet of total display area.
 - c. For the purpose of defining the height and width of an OASS, the term "approximately" shall permit the approval of an OASS containing lineal dimensions that deviate from the standardized dimension by no more than 20%.

TABLE IX-6. STANDARDS FOR SIGNS ATTACHED TO CANOPIES AND ENTRANCE STRUCTURES¹

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Height of Sign	Location of Sign
<p>R-6B Restricted Business</p> <p>B-1 Neighborhood Business</p> <p>B-2 Neighborhood Business Arterial</p> <p>B-3U General Business University</p> <p>MOR Mixed Office Residential</p>	<p>One sign per business frontage up to 100 feet. One additional sign for each 100 feet thereafter.</p>	<p>40 <u>15</u> square feet</p>	<p>9 foot minimum clearance to ground</p>	<p>No sign may project more than 2 feet from any canopy, or other such structure.</p>
<p>B-3 General Business</p> <p>B-4 Central Business</p> <p>B-4E Central Business Expansion</p>		<p>45 <u>25</u> square feet</p>		
<p>IN Industrial</p>		<p>20 <u>25</u> square feet</p>		

¹ These standards do not apply to gas station canopies. See Table IX-2 for wall-sign standards and Section IX-3.E for regulations related to gas station canopies.

TABLE IX-7. STANDARDS FOR PROPERTY SALE AND RENTAL SIGNS

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Free-standing Sign (See Note 2)	Location of Sign
R-1 and R-2 Single-Family & R-3 Single & Two-Family Residential	One per dwelling	3 square feet	5 feet	10-foot minimum setback from curb line but wholly upon the premises.
R-4, R-5, & R-6 Multiple Family Residential R-6B Restricted Business R-7 University Residential	One per apartment building or dwelling	10 square feet	10 feet	10-foot minimum setback from curb line but wholly upon the premises.
AG Agriculture	One per 660 foot frontage	32 square feet	15 feet	Signs shall conform to the setback requirements for structures in the applicable districts.
B-1 Neighborhood Business B-2 Neighborhood Business Arterial B-3U General Business University MOR Mixed Office Residential	One per frontage			
B-3 General Business B-4 Central Business B-4E Central Business Expansion	One per frontage (See Note 1)	50 square feet	25 feet	
IN Industrial		450 100 square feet		

Notes: 1. An apartment complex, shopping center, highway plaza, or industrial complex is permitted one sign per frontage, up to 200 feet, and one additional sign for each 300 feet thereafter. 2. Wall signs shall not extend beyond the top or ends of the wall surface on which they are placed.

TABLE IX-8. STANDARDS FOR SUBDIVISION SIGNS

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
R-1 & R-2 Single-Family & R-3 Single- & Two-Family Residential	One sign per street bordering or entering the subdivision	50 square feet	10 feet	10-foot minimum setback wholly upon the premises.
R-4, R-5, R-6 Multiple Family Residential R-6B, Restricted Business & R-7, University Residential				Signs shall conform to the setback requirements for structures in applicable district.
AG Agriculture B-1 Neighborhood Business B-2 Neighborhood Business Arterial B-3 General Business B-3U General Business University				
MOR Mixed Office Residential				
B-4 Central Business B-4E Central Business Expansion		75 square feet	15 feet	
IN Industrial		100 square feet	20 feet	

TABLE IX-9. FREESTANDING SHOPPING CENTER SIGNS

Class of Shopping Center/ <u>PUD</u>	Districts Permitted	Maximum Number Permitted	Maximum Area ¹	Maximum Height	Location	Individual ³ Business May List
Shopping Center – <u>General</u> <u>(minimum four acres and 50,000 square feet of building area)</u>	R-6B B-2 B-3 B-3U B-4 B-4E IN	Two signs per frontage	150 square feet, for shopping center located on lots greater than five acres <u>In addition, 50 additional square feet may be permitted for use as a directory</u>	30 feet at minimum setback line plus one additional foot per 2 feet additional setback thereafter up to 40 feet maximum	Signs shall not extend over the public right-of-way, and shall conform to the setback requirements for structures in the applicable district. No freestanding signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home.	Yes
Shopping Center - <u>Convenience</u> <u>(between one and four acres and 12,000 – 50,000 square feet of building area)</u>	R-6B B-1 B-2 B-3 B-3U B-4 B-4E IN		75 <u>100</u> square feet ²			

Notes:

¹Maximum area refers to combined area of both signs, or of one sign if there is only one.

²Size of sign may be increased to 150 square feet under special use procedures.

³Individual businesses may list, but an individual listing may not exceed 50% of the area of any face of the sign.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: March 23, 2006

TIME: 7:30 P.M.

PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Jane Burris, Laurie Goscha, Lew Hopkins, Michael Pollock, Bernadine Stake, Don White

MEMBERS EXCUSED: Ben Grosser, Marilyn Upah-Bant, James Ward

STAFF PRESENT: Elizabeth Tyler, Director of Community Development Services; Robert Myers, Planning Manager

OTHERS PRESENT: Susan Taylor

CONTINUED PUBLIC HEARINGS

Plan Case 1979-T-06 – Omnibus Text Amendment to the Urbana Zoning Ordinance

Elizabeth Tyler, Director of Community Development Services, presented an update to the case. She reminded the Plan Commission that all of the Articles have been reviewed with the exception of Article IX. She mentioned that there was a handout in front of each Plan Commission member, which was an updated modified draft of Section IX-4 of the Urbana Zoning Ordinance. It incorporates some of the discussion from the last Plan Commission meeting as well as some comments that City staff had received from the City Council members. City staff held a study session/introduction on the proposed Zoning Ordinance changes for the City Council to get their input as well.

She went on to review the changes being proposed to the following Sections of Article IX in the handout:

- Section IX-4.F – Temporary Signs for Non-Residential Uses
 - Add language to allow temporary signs for non-residential uses in residential zoning districts.
- Section IX-5.B.3 – Rental Property Identification Signs

- Restrict information allowed on the signs to owner/manager, address and phone number to clarify that these signs are only for multi-family residential buildings or structures.
- Eliminate references to specific zoning districts.
- Clarify that there be no more than two signs per premise.
- Change the maximum square feet to 20 square feet. City staff had researched this by measuring existing signs, and most of them are around 18 square feet.
- Section IX-5.B.6 – Private Traffic Direction Signs and Related Signs
 - Limit what is shown on the signs.

Mr. Pollock inquired if City staff planned to grandfather in all of the current existing signs. Ms. Tyler stated that the City would probably need to discuss the possibility of grandfathering in some of the property identification signs. There were some provisions for non-conforming signs in the back of the Zoning Ordinance, so the City staff does have the ability to remove non-conforming signs, particularly when a business vacates.

Mr. Pollock asked if it was staff's recommendation that all of Section IX-5 come back for a text amendment at a later date. Ms. Tyler believed that staff should review the entire Section, but it would be helpful if the Plan Commission and the City Council would approve these placeholder changes now until such time that staff could bring forward a revision of the entire Section.

Ms. Tyler continued her review of the changes being proposed to the following Sections of Article IX in the handout:

- Section IX-5.B.7 – Property Sale or Rental Signs
 - Clarify that these signs shall not be placed in the public right-of-way.
- Section IX-5.B.9 – Subdivision Signs
 - Limit what information can be shown on these types of signs.
 - Clarify that these signs shall not be placed in the public right-of-way.
- Section IX-5.B.13 – Sandwich Boards
 - Clarify that these types of signs not be located in the traveled roadway or block pedestrian traffic.

With regards to the written staff report dated March 17, 2006, which was mailed out in the packet of information, Ms. Tyler reviewed the concerns and proposed changes to Table VIII-3, Widths for Access Drives in Article VIII. Parking and Access. City staff spoke with the City Engineer regarding the maximum width for a primary driveway. The maximum width of 30 feet was being proposed to accommodate three-car garages. Although it is hard to imagine a 30-foot wide driveway in the older parts of town; however, in the newer, larger subdivisions, the driveways will often bulb out to this dimension. Therefore, the City Engineer felt there was value in setting 30 feet as a maximum width so as to avoid huge driveways.

Chair Pollock opened the hearing up for public discussion. With no public input, he closed the public hearing, and then opened it up for Plan Commission discussion.

Ms. Goscha understood that driveways in newer subdivisions may bulb out for a three-car garage. However, she understood the proposed language to mean that the driveway would be 30 feet all the way to the curb cut. Ms. Tyler responded by saying that would be a maximum. The reason why staff did not get into defining limits of when driveways could flare out was because some lots have shorter dimensions or setbacks than others. Some homes are designed so the garages extend out in front; whereas other homes are designed where the garages are placed further back. Therefore, staff was unable to define the best geometric.

Mr. Myers mentioned that in his discussions with the City Engineer, he found that there had not been any maximum limitation on driveway widths in the past. The City Engineer has had a few applications for 50-foot wide driveways off of a street. The City Engineer felt that there should be a limit placed on the maximum width of a driveway.

Ms. Stake wondered if there was a definition of “other advertising entity” somewhere in the Zoning Ordinance. Ms. Tyler stated that she made up this term to basically describe the uses in the Table of Uses that were not residential but were allowed in residential districts. Some of these types of uses would include churches, institutions, daycare centers, etc. The reason she chose “advertising” was because these types of uses were typically the ones asking for temporary banners. Other suggestions would be welcomed.

Ms. Stake suggested that they define “other advertising entity”, so that other people would know what was meant by this term. Ms. Tyler mentioned that they could even make a reference to the Table of Uses and leave out the word “advertising”.

Ms. Goscha asked what the definition was for a “secondary driveway” in relation to a single-family unit. Mr. Hopkins understood a secondary driveway to be the second curb cut for example in a circular driveway. The primary driveway would be the driveway that lines up with the garage.

She commented that she was not in favor of a 30-foot wide curb cut, if it could at all be avoided. She understood the strange shapes that are sometimes formed in new subdivisions, which is one reason why garages might be pushed closer to the street than desired. She was not sure what a good solution would be.

Ms. Burris wanted to know what the relationship was between the curb cut width and the actual lot size. She did not see a problem with a 30-foot curb cut if a lot is bigger. However, if it is a smaller lot, then 30-feet seems excessive. It should depend on the size of the lot. Mr. Myers responded by saying that if the City set a standard that curb cuts be proportionate to the width of a lot, there might be unintended consequences, such as having a driveway too narrow to drive on with smaller lots.

Ms. Goscha asked about the level of review for curb cuts and access driveways. Are these reviewed through building permits? Ms. Tyler answered by saying that they require driveway permits, and the Engineering Department issues those.

Ms. Stake wondered what the object was for determining the size of the curb cuts and width of the driveways should be. Is it for the aesthetics or is it for saving green space? Ms. Tyler believed that aesthetics and saving green space was part of it. Conformity was also important.

Reduced pavement is better for drainage. Too much in the way of curb cuts causes gravel in the streets, and it becomes hard to maintain.

Mr. Pollock commented about over regulating. Driveways are really expensive and require hard surfaces. People are not going to put in giant driveways unless they need them. Having a maximum width of 30-feet would not be that much of a problem.

Mr. White said that the only problem with a 30-foot wide driveway is when it becomes a parking lot. He went on to say that the main reason for allowing 30-foot wide driveways is to accommodate for a three-car garage. Do we really want to start regulating garage sizes? Ms. Tyler stated that was mentioned in the Zoning Ordinance under Accessory Buildings. The rules differ depending on whether a garage is attached or detached; however, there were limits on the size of a garage to keep it accessory to the main building. There were not any requirements in that Section regarding driveway width.

Ms. Goscha wanted to know if someone wanted a 30-foot driveway for a two-car garage, then how would the City view this? Mr. Pollock stated that a family could have a two-car garage and own more than two cars. It would still depend on where the garage was located on the lot as to whether or not they would need a wider driveway all the way down to the curb cut.

Mr. Pollock inquired as to whether the Plan Commission wanted to change the maximum width of a driveway. Ms. Goscha replied that she agreed it would be hard to micromanage it. Her personal aversion to lots of concrete did not necessarily mean that it would be wrong for other people to have 30-foot wide driveways. She felt it was good for the City to set a maximum, and they could always change it in the future if it proves to be too much pavement. Therefore, she felt the proposed maximum would be fine.

Ms. Stake mentioned that in Chicago, people use permeable driveways to allow for drainage under the driveway. She said that she heard of this about 20 years ago, but no one ever has done anything about it here in Urbana.

Chair Pollock then took a poll of the Plan Commission members as to whether or not to forward Article VIII. Parking and Access on to the City Council. They agreed to forward with a recommendation for approval.

Moving on to Article IX. Sign Regulations, Chair Pollock asked if the Plan Commission had any concerns. He inquired as to when City staff would be bringing a text amendment on this Article to the Plan Commission. Ms. Tyler remarked that there were many text amendments lined up to be brought before the Plan Commission and City Council. However, she felt that since everyone was still thinking about this one, City staff should make this their next priority.

Ms. Stake commented that these remarks make a difference in how she feels about the proposed language changes. If City staff is going to make a text amendment on Sign Regulations their next priority, then she may not have as many objections to this amendment.

In Section IX-5.B, Mr. Hopkins commented that as a potential applicant he might not know what “In most cases, application to the City is still necessary to ensure zoning compliance.” would mean. Ms. Tyler said that they could reword it to say that “Application may still be necessary.” Mr. Hopkins preferred it to say that “Application to the City is still necessary...”. City staff could tell applicants when they apply that it is a default decision. Ms. Tyler agreed to this change and felt it was good, because for some of these things, it is better for applicants to ask rather than not.

In Section IX-5.B.3, Mr. Hopkins inquired as to what the definition of multi-family is. He wanted to know if a duplex would be considered multi-family residential. Ms. Tyler replied that a multi-family unit would be three units or more.

Mr. Hopkins commented that he was comfortable with this language. A single-family or duplex could only ask for a temporary sign under the conditions of Item 7; whereas Item 3 allows a permanent sign for three or more units. This makes sense.

Mr. Hopkins pointed out a typo in the last sentence of Section IX-5.B.6, which should read as follows: “Horizontal directional signs ~~on the~~ flush with paved areas are exempt from these standards.”

The Plan Commission agreed to the above changes.

Mr. Pollock questioned if Rental Property Identification Signs would be permanent signs. He did not want landlords having to apply every time a vacancy came about. Ms. Tyler stated this is not something that staff wants to issue permits for. She mentioned that staff planned to move the types of signs that need to be permitted to a separate Section in the Zoning Ordinance in a future text amendment. Mr. Hopkins added that if a sign is permanent, then it would fall under Item 3. If a landlord takes a sign down when there is no vacancy, this type of sign would fall under Item 7 (Property Sale or Rental Signs). Mr. Pollock stated that in the interim until the next text amendment on Sign Regulations comes before the Plan Commission, Property Sale or Rental Signs will require an application, which is what he does not want to happen. If staff brings a text amendment on Sign Regulations through in the near future, then it should not be a problem. However, if it takes staff a while to bring another text amendment through, then it would require landlords to apply for temporary signs every time there is a vacancy.

Mr. Hopkins stated that they needed to move Item 7 out of Section IX-5. Ms. Tyler noted that this whole Section was originally for signs not requiring permits. Staff realized that some of the signs listed have caused problems and need to be regulated more. Staff is trying to get to a temporary situation where staff can work on removing these types of signs from this Section. Mr. Hopkins did not feel that Item 7 should be placed in Section IX-5 even on a temporary basis.

Ms. Goscha suggested that the Plan Commission change the language in the beginning paragraph of Section IX-5.B to read as follows: “Application to the City is still necessary to ensure zoning compliance for Items 3, 5, 8, 9 and 10.” Mr. Pollock felt this would be a smart way to address this issue on a temporary basis.

Ms. Stake inquired about the removal of the language listing the zoning districts which the signs would be allowed in. Mr. Myers stated that the language refers to the use rather than the zone by removing the zoning districts. Ms. Tyler added that staff limited these signs to be placed only in multi-family residential areas.

Ms. Stake wondered if these types of signs could be located in a R-1 Zoning District. Ms. Tyler said that it would depend on what other uses were allowed in the R-1 Zoning District. She reviewed the list of uses allowed by right, with a conditional use permit and with a special use permit. With the exception of daycare center, all of the other uses would not be considered a business-type of use.

With no other discussion, Ms. Stake moved that the Plan Commission forward the proposed omnibus (including the changes made at both meetings) to the Urbana City Council with a recommendation for approval. Ms. Burris seconded the motion.

Roll call on the motion was as follows:

Ms. Burris	-	Yes	Ms. Goscha	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Mr. White	-	Yes

The motion was passed by unanimous vote. Ms. Tyler noted that this case would be presented to the City Council along with the Plan Commission's recommendation on Monday, April 3, 2006.