



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Planning Division*

**m e m o r a n d u m**

**TO:** Urbana Plan Commission

**FROM:** Jeff Engstrom, AICP, Planner I

**DATE:** July 16, 2010

**SUBJECT:** Plan Case 2122-T-10: Multipart Text Amendment to the Urbana Zoning Ordinance

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**Introduction**

The Zoning Administrator is requesting a multipart amendment to the Zoning Ordinance. The update includes such changes as updating definitions, reorganizing sections, revising allowed uses and parking requirements, and a 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. This set of changes is meant to fix typographical errors and inconsistencies that have been identified since the ordinance was last updated. On their own, many of these changes would not otherwise warrant a separate text amendment. Additionally, staff is proposing amendments involving:

- Regulations to reduce the impacts of loading areas on adjacent residences
- Changes to the fence code to improve safety and visibility.

**Background**

The last series of omnibus Zoning Ordinance amendments were approved in 2008. Since then some typographical errors and inconsistencies have been found. In addition, current professional practice and policies and the City's adopted plans and policies may differ from what is permitted by the Zoning Ordinance. The more substantial of the proposed changes are the result of staff experiences while administering the Zoning Ordinance. Some changes have been previously discussed, while others are in response to new development patterns, professional practices, City policies, or specific requests by policy makers.

Future and pending amendments to the Zoning Ordinance include separating light and heavy industrial zoning districts, establishing wind turbine standards, establishing pedestrian access standards and creation of a University District.

## **Discussion**

This memorandum discusses more significant Zoning Ordinance changes, but summarizes all minor changes. The attached Zoning Ordinance (see Exhibit A) outlines all of the proposed changes using a strikethrough and underline notation system. A strikethrough is used to indicate ~~deleted~~ language, while an underline is used to indicate added language. Staff is suggesting a number of grammatical corrections and organizational changes.

Upon adoption of this multipart amendment, staff will republish the Zoning Ordinance, including several text amendments adopted over the past two years. The following is a list of adopted text amendments, followed by plan case number and adopting ordinance number:

- New Outdoor Lighting Design Standards (2081-T-08, 2009-03-018);
- A renewed Article IX Sign Regulations (2104-T-09, 2009-05-053);
- Changes regarding driveway widths (2113-T-09, 2009-09-103);
- Additional use regulations in the MOR District (2098-T-09, 2009-03-015);
- A new allowance to rebuild garages close to the property line (2097-T-09, 2009-03-019);
- Design Review Board and Lincoln-Busey Corridor Guidelines (2074-T-08, 2009-01-004 & 2009-01-005);
- Design Review Guidelines for Historic East Urbana (2130-T-10, 2010-06-044); and
- Sign Illumination limits (2110-T-09, 2009-09-106).

Many of the adopted amendments are directly related to Goals and Objectives or Implementation Strategies from the 2005 Urbana Comprehensive Plan. These adopted amendments will be summarized in the table which precedes the text of the Zoning Ordinance upon republishing.

Below is a brief summary of the miscellaneous proposed changes organized by Zoning Ordinance article. Changes are listed in bullet points, followed by analysis in italics. Following the miscellaneous text changes are discussions of the more significant changes.

### **Part A: Miscellaneous Text Changes**

#### ***Article II. Definitions***

- Remove the definition of *Area, Building*.

*The term “Building Area” is used only in Section V-2.D.7, and is separate from “Floor Area”. The maximum size of an accessory structure is based on “building area” of the home. The definition of*

*“building area” contains the area of both principal buildings and all accessory structures. This conflicts with its use in Article V, where it is meant to refer to either the footprint of the house or the area of the accessory structure, but not both. Section V-2.D.7 is proposed to be amended so that the term is not used.*

**Article V. Use Regulations**

- Amend V-2.D.7 to refer to footprint instead of building area.

*“Footprint” is a standard term to describe the area a building takes as viewed from above.*

**Table V-1. Table of Uses**

- Allow “Mobile Home in approved Mobile Home Park” to be permitted by right in the AG District.

*Mobile Home Parks require a detailed site plan and Special Use Permit approval, as detailed in Section XIII-2. As currently written, each individual mobile home in a mobile home park would also require a separate Special Use Permit. Once the initial mobile home park is approved through a Special Use Permit, individual mobile homes should be allowed to be installed without further action by City Council.*

- Allow Self-Storage Facility as a Conditional Use in the B-3 District.

*Currently, these uses are only permitted in the Industrial District. Many of the existing self-storage facilities in the city are located in the B-3 District. Allowing them with a CUP will allow for these existing non-conforming uses to be rebuilt if destroyed.*

**Article VI. Development Regulations**

- Rearrange Section VI-6 so that the general provisions (F and G) are at the beginning of the section.

*Changing the order of regulations to go from general to specific improves the readability of the Zoning Ordinance.*

- Move Screening Requirements for parking lots from Section VIII-3.F to Section VI-6.B and rename the section to “Screening of Off-Street Parking and Storage Areas”.

*It is more consistent to have all screening regulations in one section. Note that Shade Tree requirements will stay in Article VIII.*

- Amend Paragraph VI-6.B.2 so that it does not state the required front yard setback is 15 feet

and remove CCD.

*This paragraph allows vehicles to encroach 10 feet into the required front yard setback if properly screened. Since this provision applies to the IN District, which has a required front yard setback of 25 feet it is confusing to state the required yard is 15 feet. Also, the CCD District has a required front yard of six feet. A ten-foot encroachment in this district would allow vehicles to park on the ROW, which is not allowed. Therefore the CCD District should be removed from this provision.*

- Add headings to Paragraph VI-6.C and D.

*This will improve readability of the Zoning Ordinance.*

- Amend Table VI-3 to increase allowed FAR in the CRE District to 0.40.

*All of the Urbana School District properties are zoned CRE, Conservation, Recreation, and Education District. Three of the eight properties exceed the current maximum FAR for CRE, 0.25. In order to allow these older schools to remodel or expand, the Zoning Administrator proposes increasing the maximum FAR to 0.40. This matches the FAR for R-2 and R-3 districts which most often surround public schools.*

#### **Article VIII. Parking and Access**

- Amend Section VIII-3.E to reference the proposed Figure VIII-8 regarding standards for circular access drives. Insert Figure VIII-8, Standards for Circular Access Drives.

*The Zoning Ordinance does not currently address circular access drives. The proposed graphic includes minimum turning radii and setbacks for safety.*

- Amend and rename Section VIII-3.F so that it only addresses shade tree requirements.

*Screening requirements for parking lots are proposed to be moved to Section VI-6.B.*

- Amend Paragraph VIII-4.F.6 so that it does not state the required front yard setback is 15 feet and remove CCD.

*This paragraph requires the same as VI-6.B.2.*

- Restore language mistakenly removed from Paragraph VIII-5.A.

*This language regarding when new off-street parking is required was unintentionally deleted from the Zoning Ordinance during a previous republication.*

- Amend Table VIII-7, Parking Requirements by Use.

*Uses such as grocery and appliance stores are not currently on this list, and parking space requirements based on modern standards are proposed to be added. Comparable cities such as Champaign, Madison, and East Lansing require one parking space per 300 square feet at grocery stores, and this is what staff recommends for Urbana. A requirement for Copy/Printer Service has been added.*

## **Part B: Loading Area Standards**

Loading docks located next to residences present potential land use conflicts. Trucks idling and backing, as well as refrigeration units, can cause disruptive noise. Moving trucks in and out of position can cause headlight beams to intrude into residences. These impacts are especially disturbing late at night and very early in the morning. Other communities handle these impacts in a variety of ways. Some require that loading docks be set back a minimum distance from residential properties, usually between 50 and 100 feet. Most cities, including Champaign, require that loading docks be screened from residences with an opaque fence, usually at least six feet high. Some cities have additional requirements, including limiting hours of operation, requiring loading spaces to be inside buildings, or requiring noise-reduction measures.

The current Zoning Ordinance standards in Section VIII-6 do not adequately address the effects of loading docks. Currently, loading docks must be screened to the standard of off-street parking lots, which require a landscape screen no less than three feet in height. Article VI does require a six-foot solid fence between single-family zoning districts and business districts, but this does not provide protection for the R-4, R-5, R-6, R-6B, R-7 or MOR districts. In order to provide improved protection for all residences from the impacts of loading docks, the following changes are proposed.

First, the Zoning Ordinance is proposed to be amended to distinguish between loading spaces and loading docks. Loading spaces are essentially large parking spaces where trucks can park to load or unload to and from a building, generally with a hand truck. Loading docks are a specific type of loading space that are connected to the building and usually have an overhead door that allows for direct loading to and from the truck with pallets. Loading spaces involve a less intensive use associated with many businesses, and are used primarily during daytime business hours.

All loading areas, including docks and spaces, will be required to be screened from adjacent residences with a solid fence at least six feet tall. Loading docks will be subject to further limitations: They must be set back at least 75 feet from adjacent residences. This is consistent with existing loading docks in Urbana, which are on average 67 feet away from residential properties. The smallest set back is at the former Jerry's IGA, which is only 44 feet from the property line. The farthest is Aldi, at 135 feet. Meijer's loading dock is 65 feet away from the property line.

Staff is suggesting the following additional requirements to protect residences from the impacts of nearby loading docks. The following options represent a range of regulations that several other cities have in place in order to reduce conflicts between residences and loading docks. Loading

docks within 150 feet of residential properties will be required to meet at least one of the following:

- 1) The loading dock shall be screened from adjacent residences by use of a wing wall of sufficient height and length to effectively screen any vehicles and trailers parked in said space; or
- 2) The loading dock shall be fully enclosed within a building; or
- 3) The loading dock shall not be utilized between the hours of 10:00 PM and 7:00 AM; or
- 4) The loading dock shall implement alternative measures sufficient to mitigate noise, such as a noise wall, shield, or baffle, with such measures to be approved by the Zoning Administrator and City Engineer.

Specific changes regarding loading spaces include:

- Add the definitions for *Loading Dock* and *Loading Space* to Article II.
- Change language in Paragraph VI-6.B.5 so that it does not refer to loading areas. Loading areas are to be addressed in the proposed Section VI-6.F.
- Add a new Paragraph VI-6.F, Screening of Loading Docks and cross-reference new requirements for loading docks in Section VIII-6.
- Amend Section VIII-6 regarding Off-Street Loading Regulations. Proposed changes include:
  - Revise language in paragraph VIII-6.C to reference screening requirements for loading docks specified in Section VI-6.F.
  - Specify that loading docks must be paved with a hard surface.
  - Add requirements for the location and design of loading docks in Section VIII-6.G as described above.

### **Part C: Fence Code Changes**

In addition to the Zoning Ordinance changes, the Zoning Administrator is proposing changes to the Urbana Fence Code in order to improve safety and visibility. It may be difficult for drivers backing on driveways to see pedestrians on the sidewalk if there is a solid six foot fence along the property line. The Fence Code only regulates fences within the required front, side, or rear yard. Fences may be up to six feet high in the required front yard, and up to eight feet high in required side and rear yards. Currently there are no restrictions on opacity or requirements for visibility. The Fence Code is included in Chapter Seven of the City Code of Ordinances, and is not in the Zoning Ordinance. In order to amend the Fence Code, City Council must make a separate motion and pass a separate ordinance.

The Fence Code was adopted in 1977. Since that time, the required height and/or opacity of fences in the required front yard has been changed five times. From 1988 until 1998 fences in the front yard were required to be at least 30% transparent, and up to 70% transparent depending on height.

The most recent transparency requirement, repealed in 1998, was that any portion of a fence over four feet high be no more than 50% solid. The Building Inspector responsible for fence permits noted that the previous transparency requirements were complex and difficult to enforce. The proposed changes are designed to be simple to assist with administration, while providing better visibility and safety:

- Fences in the required front yard shall be no more than 50% opaque, and shall be no taller than four feet. To be considered at least 50% opaque, the fence should allow the direct passage of light through at least half of the fence area. Most chain link and picket fences are less than 50% opaque. This requirement is consistent with the vast majority of existing fencing within Urbana. Other cities such as Champaign, Bloomington and Normal also limit fence height to three or four feet in the required front yard setback or require them to be 50% transparent if taller.
- On a corner lot, fences behind the front face of the house will be allowed to be six feet tall and solid. This will allow for privacy fences on corner lots, which have two front yard setbacks. Privacy fences are usually 100% opaque.
- Within ten feet of the intersection of a driveway and sidewalk, fences must be at least 50% transparent. This ensures that driveways on corner lots will not be obstructed.
- The Building Official will be allowed to grant an administrative variance to the height limits if there is a demonstrated nuisance, hazard, or security concern. Currently, the Building Official may grant administrative variances to allow for barbed wire if there is a demonstrated security concern.

Additionally, Figure 1 is proposed to be added to the Fence Code to illustrate proposed height and transparency limits.

## **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.
4. The proposed amendment conforms to notification and other requirements for the Zoning Ordinances as required by the State Zoning Act (65 ILCS 5/11-13-14).

5. The proposed amendment will reduce land use conflicts between businesses and residences.
6. The proposed amendment will improve pedestrian visibility.
7. The proposed amendment will reduce the amount of non-conforming land uses in the City.

## **Options**

Given the large number of changes in the proposed amendment, the Plan Commission may choose to forward all four parts of the amendment in whole or with specific suggested changes. If the Plan Commission feels that a certain change requires additional analysis and discussion, a separate Plan Case can be created and discussed at a later meeting.

The Plan Commission has the following options for recommendation to the Urbana City Council regarding Plan Case 2122-T-10. For Part A, Miscellaneous Text Changes, Part B, Loading Dock Regulations, the Plan Commission may:

- a. forward this case to City Council with a recommendation for approval as presented herein;
- b. forward this case to City Council with a recommendation for approval as modified by specific suggested changes; or
- c. forward this case to City Council with a recommendation for denial.

Part C, Fence Code Changes, only relates to City Code changes and is not part of the Zoning Ordinance, but Plan Commission review and comments are requested.

## **Staff Recommendation**

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission recommend **APPROVAL** of the proposed multipart text amendment to the Zoning Ordinance in its entirety, as presented herein.

Attachments:

Exhibit A: Zoning Ordinance Proposed Changes

Exhibit B: Fence Code Proposed Changes



# Exhibit A: Zoning Ordinance Proposed Changes

## Article II: Definitions

~~*Area, Building:* The total area, taken on a horizontal plane at the largest floor level, and measured to the outside face of the outside walls, of the main or principal building and all accessory buildings on the same lot, exclusive of uncovered porches, terraces, steps, awnings, marquees, and nonpermanent canopies and planters.~~

*Loading Dock:* a loading space adjacent to a platform or pier from which loading and unloading takes place.

*Loading Space:* an area within a building or on the same lot, providing for trucks and tractor trailers to be temporarily parked while loading and unloading from or to a building.

### Section V-2.D

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~~ footprint of the single- or two-family dwelling on the lot does not exceed 1500 square feet, the aggregate area of all accessory structures shall not exceed 750 square feet.
  - b) If the ~~building area~~ footprint of the single- or two-family dwelling on the lot is greater than 1500 square feet, the ~~building~~ area of the accessory building(s) shall not exceed 50% of the ~~building area~~ footprint 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.

**Table V-1**

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	IN	MOR	OP
<b>Residential</b>																				
Mobile Home Park (See Section VII-4)									S											
Mobile Home in <u>approved</u> Mobile Home Park									S											
<b>Miscellaneous Business</b>																				
Self-Storage Facility												C							P	

### Section VI-6. Screening

<FIRST TWO PARAGRAPHS MOVED FROM THE END OF VI-6 TO BEGINNING>

Screening required by the Zoning Ordinance shall be well maintained and shall be repaired or replaced to the original required state if damaged, destroyed, or in need of repair. Walls and fences shall be maintained in an upright condition. Deteriorated or damaged masonry and wood fences shall be replaced within a period of thirty days, or as soon as weather permits. Plant

material shall be maintained in accordance with Section VI-6.A.2.b.8. If the screen is destroyed by any force majeure, the replacement period may be extended by the Zoning Administrator upon written application.

Screening and landscaping, whether or not required by this Ordinance, shall not obstruct or interfere with the visibility triangle specified in ~~Section VI-5.E.4~~ Chapter 20 of the Urbana City Code. Within a ten foot radius of the point where driveways or alleys intersect sidewalks or property lines, no vegetation, landscape feature, or appurtenance shall obstruct views so as to create a hazardous condition for egress and ingress.

A. Buffer and Landscape Yards <NO CHANGES>

B. Screening of Off-Street Parking and ~~Loading~~ Storage Areas

- 1) ~~All off-street parking lots shall be screened with an adequate screen fence or screen planting as required in Section VIII-3.F.~~

< NEW PARAGRAPHS 1, a, b, c MOVED FROM VIII-3.F >

Off-street parking that is located 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.

Design of Parking Screening, Materials, and Maintenance

- a) Landscaped screening shall 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. 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~~ shall conform with 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 minimum three-foot 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.
- 2) In the B-2, B-3, B-3U, ~~CCD~~ and IN Zoning Districts, parking or storage of vehicles for sale is permitted to encroach ten feet into the required ~~45-foot~~ front yard setback if the

encroachment conforms to the regulations set forth in Section VI-6.A.2.b.3, 4, 5, 6, 7 and 8.

3) <NO CHANGES>

4) <NO CHANGES>

5) ~~Loading areas and~~ Non-refuse storage areas which adjoin a residential district or use, or which are separated by a public right-of-way from a residential district or use, shall be screened to meet the requirements for the screening of off-street parking areas, as specified in Section ~~VIII-2.F~~ VI-6.B.1.

C. Screening of Trash Containers.

Trash containers and trash collection areas for all non-residential and multi-family uses shall be screened so that no portion of such container or area is visible from public rights-of-way or adjacent properties. Screening may consist of a wall, opaque fence, earthen berms, landscaping, or any combination thereof.

D. Screening of Mechanical Equipment.

Ground-mounted mechanical equipment for all non-residential uses shall be screened from view at ground level from public rights of way and adjacent residential districts. Screening may consist of a wall, opaque fence, earthen berms, landscaping, or any combination thereof.

E. Outdoor Storage Screening <NO CHANGES>

F. Screening of Loading Areas

Off-street loading docks and loading spaces which adjoin a residential district or use shall be screened by a solid fence at least six feet tall composed of wood, masonry, or other materials as approved by the Zoning Administrator. Loading docks and loading spaces shall meet the requirements of Section VIII-6.

~~F. Screening shall be well maintained and shall be repaired or replaced to the original required state if damaged, destroyed, or in need of repair; walls and fences shall be maintained in an upright condition; deteriorated or damaged masonry and wood fences shall be replaced within a period of thirty days, or as soon as weather permits; plant material shall be maintained in accordance with Section VI-6.A.2.b.8. If the screen is destroyed by any force majeure, the replacement period may be extended by the Zoning Administrator upon written application.~~

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

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

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum or Average Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (In Feet) <sup>1</sup>		
						Front	Side	Rear
<b>CRE</b>	<b>1 acre</b>	<b>150</b>	<b>35<sup>3</sup></b>	<b>0.25-0.40</b>	<b>0.55</b>	<b>25</b>	<b>15</b>	<b>25</b>

**VIII-3.E**

2. No zoning lot... Circular drives shall conform to minimum standards as shown in Figure VIII-8, or as approved by the Zoning Administrator.

**VIII-3.F**

<PARAGRAPHS 1 & 2 MOVED TO VI-6.B>

F. *Screening of Off-Street Parking and Shade Trees*

~~1. Off-street parking that is located 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. 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 foot 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.~~

~~3. *Special Conditions Requiring Shade Tree Planting*~~

~~All off-street parking lots greater than 20 parking spaces ...~~

## VIII-4 Location of Parking Facilities

### F. *Parking in a Required Yard is Prohibited Except as Follows:*

6. Parking in the B-2, B-3, B-3U, ~~CCD~~, and IN Zoning District shall be permitted to encroach ten feet into the required 45-foot front yard ~~but no closer than five feet from the property line~~ if the buffer yard requirements set forth in Section ~~VI-6.B.2~~ VI-6.A.2.b.3, 4, 5, 6, 7 and 8 are met.

## Section VIII-5. Amount of Parking Required

- A. Except as otherwise provided herein whenever a use is established or a building or structure is erected or converted to any use listed in this Section or the use of a building is changed to a use listed in this section, off-street parking for the use shall be provided in the amount required by Table VIII-7, "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-7.

## Section VIII-6. Off-Street Loading Regulations

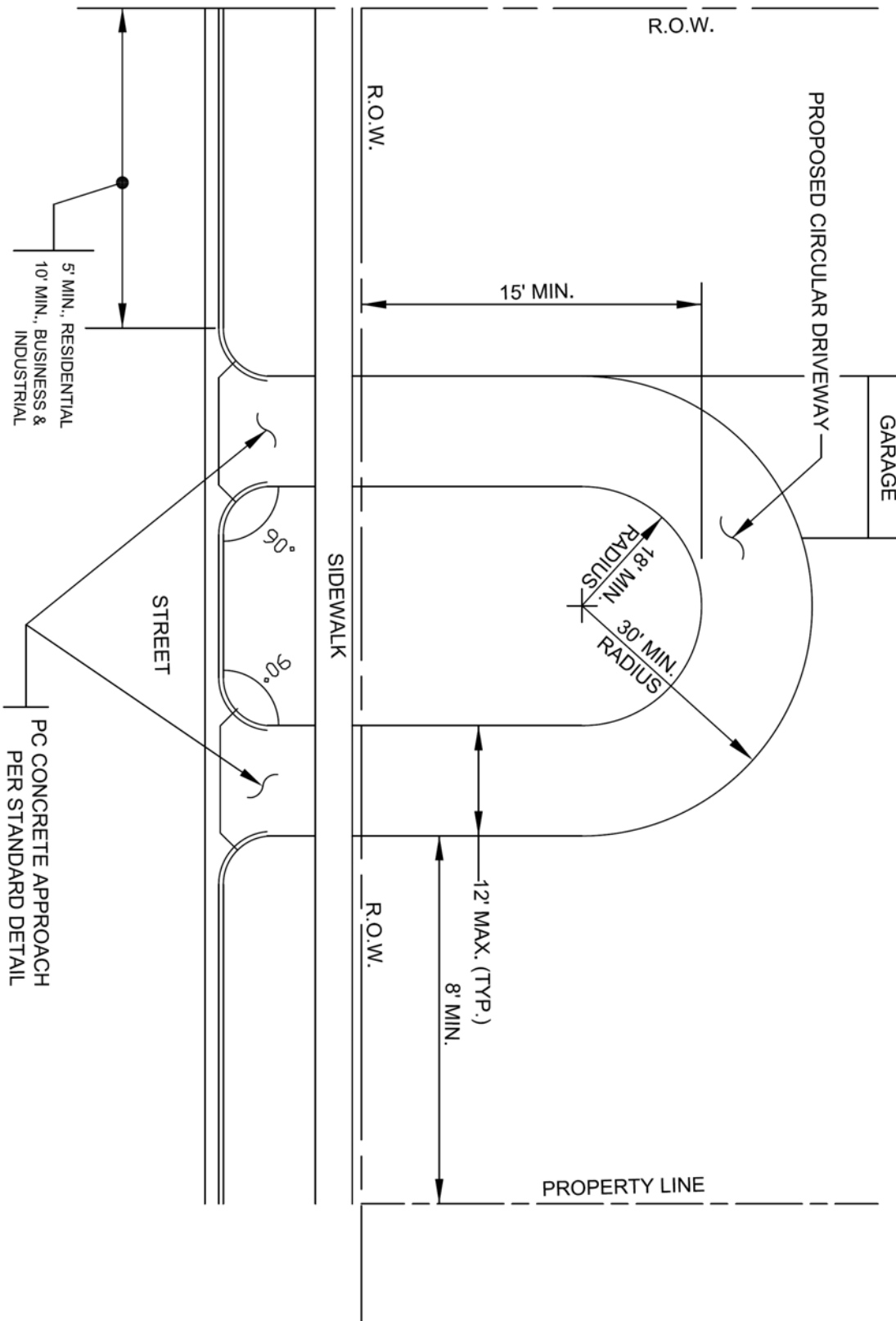
- A. All off-street loading spaces shall have a vertical clearance of at least 14 feet.
- B. All off-street loading spaces shall be designed with adequate means of vehicular access to a street or improved alley in a manner that will least interfere with traffic movement.
- C. Off-street loading spaces shall be screened in accordance with Section ~~VI-6.F~~ VIII-3.F of this Article.
- D. Off-street loading ~~docks~~ berths and spaces shall be ~~improved~~ paved with a hard surface 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.
- G. Off-street loading docks shall be set back at least 75 feet from residential districts. Loading docks located within 150 feet of residential districts shall also conform to one or more of the following:
  - 1) The loading dock shall be screened from adjacent residences by use of a wing wall of sufficient height and length to effectively screen any vehicles and trailers parked in said space; or
  - 2) The loading dock shall be fully enclosed within a building; or

- 3) The loading docks shall not be occupied between the hours of 10:00 PM and 7:00 AM;  
or
- 4) The loading dock shall implement alternative measures sufficient to mitigate noise, such as an engineered noise wall, shield, or baffle, with such measures to be approved by the Zoning Administrator and City Engineer.

**Table VIII-7. Parking Requirements by Use**

<b>Use</b>	<b>Number of Spaces Required</b>
<b>Food Sales and Service</b>	
Restaurant or Similar Uses	1 for every 100 sq. ft. of floor area, including outdoor seating areas
All Other Food Sales and Service Uses	1 for every 250 sq. ft. of floor area
<u>Grocery Store or Supermarket</u>	<u>1 for every 300 sq. ft. of floor area</u>
<u>Catering Service</u>	<u>1 for every 400 sq. ft. of floor area</u>
<b>Personal Services</b>	
Ambulance Service	0.75 per employee on maximum shift
Laundry and/or Dry Cleaning	1 for every 300 sq. ft. of floor area
Medical Carrier Service	0.75 per employee
Mortuary	1 for every 8 seats
All Other Personal Services Uses	1 for every 250 sq. ft. of floor area
<b>Professional and Financial Services</b>	
Bank/Savings and Loan Association	1 for every 250 sq. ft. of floor area
Copy and Printer Service or Similar Uses	<u>1 for every 350 sq. ft. of floor area</u>
Medical Clinic or Office	1 for every 250 sq. ft. of floor area
Professional and Business Office	1 for every 300 sq. ft. of floor area
Vocational, Trade or Business School	1 for every 400 sq. ft. of floor area
All Other Professional and Financial Services Uses	1 for every 250 sq. ft. of floor area
<b>Retail Trade</b>	
<del>Antique or Used Furniture or Appliance</del> Sales and Service (Home or Office)	1 for every 400 sq. ft. of floor area
Art and Craft Store and/or Studio	1 for every 500 sq. ft. of floor area

Figure VIII-8 Standards for Circular Drives



## **Exhibit B: Fence Code Proposed Changes**

### **Chapter 7 FENCES\***

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State law reference(s)--Fences generally, 765 ILCS.  
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#### **Sec. 7-1. Reserved.**

Editor's note--Former § 7-1, which defined "fence," and derived from § 21-22 of the 1975 Code, has been deleted pursuant to Ord. No. 7980-113, § 6(I), enacted June 16, 1980.

#### **Sec. 7-2. Construction with sharp-pointed material--Prohibited.**

It shall be unlawful for any person within the city to place, build or erect a fence, railing or guard of any kind constructed of barbed wire, iron spikes, or other sharp-pointed material provided, however, this section shall not prohibit the use of such material when:

- (1) Located in commercial or industrial zoning districts, or for government use;
- (2) Used to provide security for a bona-fide business operation; and
- (3) Approved by the building official, after a review of the documentation indicating the need for security and bona-fide operation of a business;

provided such barbed wire, iron spikes, or other sharp-pointed material is securely affixed to the top of a soundly constructed fence or structural barrier which is at least six (6) feet six (6) inches in height. Further, regardless of the zoning district, barbed wire, iron spikes, or other sharp-pointed material meeting the aforementioned height standards may be used for security around hazardous equipment or installations, such as but not limited to, high voltage equipment, electrical transformer, volatile fuel installation, etc.

(Code 1975, § 21.21; Ord. No. 7677-64, § 1, 12-6-76; Ord. No. 7677-87, § 1, 4-4-77)

#### **Sec. 7-3. Same--Exception for existing fences.**

Fences, railings or guards of any kind existing on May 3, 1977, regardless of the zoning district where located, which are at a minimum of five (5) feet ten (10) inches in height and have barbed wire, iron spikes or other sharp-pointed material securely affixed to the top, may continue to lawfully exist, provided such may not be substantially rebuilt without complying with section 7-2.



(Code 1975, § 21.21; Ord. No. 7677-64, § 2, 12-6-76; Ord. No. 7677-87, § 2, 4-4-77; Ord. No. 8889-5, § 1, 7-18-88)

**Sec. 7-4. Electrification prohibited.**

It shall be unlawful for any person within the city to maintain an electrified wire fence of any sort.

(Ord. No. 7677-87, § 4, 4-4-77)

**Sec. 7-5. Height and opacity limitations.**

(a) No fence ~~in or around~~ within a required front yard, as such required front yard is defined in the zoning ordinance of the city, as amended, may be taller than four (4) ~~six (6)~~ feet measured from the ground at a point directly beneath the fence. Fences within a required front yard shall be no more than 50% opaque, allowing for the passage of light directly through the fence, except that on corner lots, fences behind the front face of the principal structure may be up to six (6) feet tall and solid. Where such a required front yard abuts a principal or minor arterial street, as designated by the comprehensive plan of the city, as amended, fences may be constructed as a rear or side yard fence pursuant to subsection (b) of this section. However, any fence constructed within ten feet of the intersection of public right-of-way and a driveway, shall be no more than 50% opaque, as shown in Figure 1. Any fence existing on March 1, 1989, which is not in compliance with this subsection (a), may continue to lawfully exist, and normal repairs to such fences are permissible where such repairs do not constitute a total fence replacement.

(b) No ~~in or around~~ within a required side or rear yard, as such required side or rear yard is defined in the zoning ordinance of the City of Urbana, as amended, may be taller than eight (8) feet measured from the ground at a point directly beneath the fence.

(c) Where the ground at a point directly beneath the fence has been increased in elevation from its original elevation at the time of subdivision development through berming, retaining walls, fill or other measures and where such increased ground elevation has resulted in an increase in ground elevation above an adjoining lot anywhere within a required yard as defined by the Urbana Zoning Ordinance, the height of a fence shall be measured from the original ground elevation before installation of berming, retaining walls, fill or other measures as determined by the building official. The building official shall consult U.S. Geological Survey contour maps, city base map contours and recorded subdivision plat information in making such a determination. The building official's determination of original ground elevation at the time of subdivision development may be appealed to the building safety code board of appeals.

(d) The building official may grant a permit for the construction of a fence exceeding the height limits set forth in this section when:

(1) Demonstrated as necessary to secure property from trespass; or

(2) Used to protect adjacent residences and rights-of-way from a demonstrable hazard or nuisance; and

(3) Approved by the building official, after a review of the documentation indicating the need for security or protection from a demonstrable hazard or nuisance;

(Code 1975, § 21.22; Ord. No. 7677-64, § 3, 12-6-76; Ord. No. 7677-87, § 3, 4-4-77; Ord. No. 8687-24, 9-15-86; Ord. No. 8889-5., § 1, 7-18-88; Ord. No. 8889-57, § 1, 2-20-89; Ord. No. 8990-89, 3-5-90; Ord. No. 9091-15, 8-6-90; Ord. No. 9596-32, 10-2-95; Ord. No. 9798-95, § 1, 3-16-98)

**Sec. 7-6. Chapter provisions no exemption to visibility triangle provisions.**

Nothing in this chapter shall be construed to exempt any person from complying with the requirements of the visibility triangle provisions set forth in Article VI of Chapter 20.

(Ord. No. 7677-87, § 3, 4-4-77)

Figure 1: Fence Height and Opacity Standards

