

What is a Special Use Permit?

Special uses are not permitted by right in the various zoning districts. A special use is one which is potentially appropriate in and compatible with other uses in its zoning district, but which, because of the potential major impact of its scale and nature on its district and the City of Urbana as a whole, necessitates stricter examination, site plan review, and individual regulation.

Who Can Grant a Special Use Permit?

The Plan Commission grants Special Use Permits after determining whether the reasons set forth in an application and the evidence provided at the public hearing justify the granting of the special use based upon the criteria specified in Section VII -4.a of the Urbana Zoning Ordinance.

What is the Plan Commission?

The Plan Commission has the power and duty to prepare and recommend to the City Council the following: a comprehensive plan of public improvements looking to the future development of the City; all amendments of the Urbana Zoning Ordinance; proposed special use permits; subdivision plats; zoning amendments and annexation agreements which prescribe any zoning classification for the property to be annexed. The Plan Commission consists of nine members, all of whom reside within the City or within the territory contiguous to the city and within one and one-half miles beyond the corporate limits of the city. All members are appointed by the Mayor, subject to confirmation by the City Council.



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SPECIAL USE PERMITS



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SPECIAL USE PERMIT APPLICATION PROCESS

A written application must be submitted to the Secretary of the Plan Commission by the owners of more than 50% of the ownership of the subject property. Each application for a special use must be accompanied by a fee to be paid by the applicant.

City staff organizes a public hearing which meets notification requirements specified in Section XI-10 of the Zoning Ordinance.

The Plan Commission holds a public hearing in accordance with established procedures and the requirements of the Urbana City Code.

The Plan Commission determines whether the reasons set forth in the application and the evidence provided at the public hearing justify the granting of the special use permit based upon the criteria specified in Section VII-4.A. The Plan Commission shall make a recommendation to the City Council for or against the special use, and may also recommend additional conditions as are deemed appropriate or necessary for the public health, safety and welfare and to carry out the purposes of the Zoning Ordinance.

How Do I Know If I Need a Special Use Permit?

You can refer to the Table of Uses in Table V-1 of the Zoning Ordinance. To obtain a copy of the Zoning Ordinance, please contact Planning staff in the Community Development Services Department. The cost of a Zoning Ordinance is \$10.00. The Zoning Ordinance is also posted on the City's website at www.urbanainllinois.us.

Where Can I Obtain a Special Use Application?

Applications for special use permits are available in the office of the Community Development Services Department. Downloadable and pdf copies of the application are also available on the City's website, www.urbanainllinois.us. Click on the *Government* tab, click on *Boards & Commissions*, click on *Plan Commission*, and then click on *Planning Forms*.

How Long is the Application Process?

Generally speaking, the special use process takes 4-6 weeks, depending on when the application is received. City staff must receive an application at least 24 days before a public hearing.

What is the Fee?

The fee for a special use application is \$175.00. Applicants are also responsible for paying the cost of the legal publication fees as well. The fees usually run from \$75.00 to \$125.00. The applicant is billed separately by the News-Gazette. All fees should be paid in cash, check or money order. Please note that credit cards are not accepted.

TERMS & CONDITIONS

- A. In addition to any conditions imposed by the City Council, a special use authorized by the City Council is subject to all the development regulations applicable to permitted uses in the district in which it is located, unless other more restrictive regulations are specifically approved. Special uses are also subject to the regulations pertaining to parking and access which are applicable for the use and district, and to the following additional requirements, unless otherwise specifically stated in the terms of the special use:
- B. Unless otherwise specifically stated by the City Council, the special use approval shall be valid until the special use is discontinued. Valid special use approval in the form of an ordinance is required before issuance of a building permit or Certificate of Occupancy (if no building permit is required). If a building permit or Certificate of Occupancy is not issued within one year of approval the special use permit shall no longer be valid.
- C. Violation of the terms and conditions of the special use shall be deemed a violation of this Ordinance, subject to the revocation or cancellation of the permit and the provisions of Section XI-1. Extensions of any time period, or changes in the development schedule or other time sequence which were approved as part of the special use may be approved only by the City Council. Any such extension or change which is not so authorized shall be deemed a violation of this Ordinance as provided above.