

### What is a Conditional Use?

Conditional uses are not permitted by right in the various zoning districts. A conditional use is one which is deemed potentially appropriate in and compatible with uses permitted by right in its zoning district, but which requires individual consideration and regulation.

### Who Can Grant a Conditional Use?

The Zoning Board of Appeals grants Conditional 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 conditional use based upon the criteria specified in Section VII-2.A of the Urbana Zoning Ordinance.

### What is the ZBA?

The Zoning Board of Appeals has the power and duty to hear and decide minor variances, conditional use requests and provides major variance recommendations to the Urbana City Council. The Zoning Board of Appeals consists of seven members, all of whom are residents of the City of Urbana. All members are appointed by the Mayor, subject to confirmation by the City Council.

### How Do I Know If I Need a Conditional 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.urbanaininois.us](http://www.urbanaininois.us).

### Where Can I Obtain a Conditional Use Application?

Applications for conditional 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.urbanaininois.us](http://www.urbanaininois.us). Click on the **Government** tab, click on **Boards & Commissions**, click on **Zoning Board of Appeals**, and then click on **Zoning Forms**.



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# CONDITIONAL USE PERMITS

## A Citizens Guide



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## CONDITIONAL USE APPLICATION PROCESS

An application must be submitted to the Secretary of the Zoning Board of Appeals by the owners of more than 50% of the ownership of the subject property. Each application for a conditional 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 Zoning Board of Appeals holds a public hearing in accordance with established procedures and the requirements of the Urbana City Code.

The Zoning Board of Appeals determines whether the reasons set forth in the application and the evidence provided at the public hearing justify the granting of a conditional use permit based upon the criteria specified in Section VII-2.A. The Zoning Board of Appeals will authorize or deny the requested conditional use and may also impose such additional conditions as are deemed appropriate or necessary for the public health, safety and welfare and to carry out the purposes of the Zoning Ordinance.

If the Zoning Board of Appeals approves the application, then the petitioner may apply for building permits and/or a Certificate of Occupancy.

### How Long is the Application Process?

Generally speaking, the conditional 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 Are the Appropriate Fees?

Please contact the Planning Division staff at (217) 384-2440 for the application fee amount. Applicants are also responsible for paying the cost of the legal publication fees as well. The fees typically range from \$75.00 to \$150.00. 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. A conditional use authorized by the Zoning Board of Appeals 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. Conditional uses are also subject to the development regulations specified in Section VII-6 if applicable, and all applicable parking regulations for the use and district, unless other more restrictive regulations are specifically stated.
- B. Unless specifically limited by the Zoning Board of Appeals, a conditional use shall be valid until the conditional use is discontinued. Conditional use approval is required before issuance of a building permit or Certificate of Occupancy (if no building permit is required). If a building permit or Certificate of Occupancy is not issued within one year following approval, the conditional use permit shall expire.
- C. Violation of the terms and conditions of the conditional use shall be deemed a violation of the Zoning Ordinance, subject to the revocation or cancellation of the permit and the provisions of Section XI-1. However, time extensions or changes in the development schedule approved as part of the conditional use may be approved by the Zoning Board of Appeals.