

AN ORDINANCE

AMENDING ARTICLE XI – SUPPLEMENTARY REGULATIONS OF THE CHAMPAIGN
MUNICIPAL CODE, 1985, AS AMENDED. TO ADD DIVISION 9 – ZONING
REQUIREMENTS FOR ACCESSORY DWELLING UNITS AND ADDING SECTIONS 37-
625 - 628
(Accessory Dwelling Units – Zoning Ordinance)

WHEREAS, a notice of public hearing before the Plan Commission was published in the
Champaign News Gazette on May 15, 2022; and

WHEREAS, the Zoning Ordinance text amendment set forth in this Council Bill was the
subject of a public hearing before the Plan Commission as Case PL22-0021 on June 1, 2022; and

WHEREAS, the Plan Commission unanimously recommend approval of said text
amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF CHAMPAIGN, ILLINOIS, as follows:

Section 1. That Article XI – Supplementary Regulations of the Champaign Municipal
Code, 1985, as amended, is hereby amended to add Division 9 – Zoning Requirements for
Accessory Dwelling Units and to include Sections 37-625 – 628 to read as shown in Exhibit A.

Section 2. That the City Clerk is hereby directed to publish this Ordinance so that its
effective date is June 22, 2022.

Section 3. If any section, paragraph, or provision of this Ordinance is held to be invalid
or unenforceable, such invalidity or unenforceability of such section, paragraph, or provision
shall not affect any of the remaining provisions of this Ordinance, or the provisions of the Code.

Section 4. The provisions of this Ordinance shall take precedence and be interpreted as
superseding any other ordinance or statute in conflict with the provisions of this Ordinance.

COUNCIL BILL NO. 2022-117

PASSED: June 21, 2022

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

APPROVED AS TO FORM:

City Attorney

An amendment is proposed to be made to the Zoning Ordinance adding the following regulations:

ARTICLE XI – SUPPLEMENTARY REGULATIONS

DIVISION 9 – ZONING REQUIREMENTS FOR ACCESSORY DWELLING UNITS

37-625 - Purpose

The purpose of this article is to define Accessory Dwelling Units and regulate their location, construction and use on a lot.

37-626 – Definitions

Accessory Dwelling Unit, or “ADU”, shall mean a dwelling unit that is accessory but separate to a residential Principal Use on a lot. Accessory Dwelling Units vary in type distinguished by being either a Detached ADU, an Attached ADU or an Internal ADU.

Detached ADU shall mean an ADU that is freestanding and not attached to an existing Principal Structure. This includes ADUs that are combined with a detached garage Accessory Structure on a lot. Detached ADUs may share utility connections that also serve the Principal Structure.

Attached ADU shall mean an ADU that is an expansion of an existing Principal Structure and is self-contained with a separate means of egress.

Internal ADU shall mean an ADU that is wholly within an existing Principal Structure, without expanding the Principal Structure, and is self-contained with a separate means of egress.

37-627 - Permitted Zoning Districts

Accessory Dwelling Units, in any type defined herein, shall be permitted in any Residential Zoning District listed in Section 37-42; Table III-A of this Chapter.

37-628 - Performance Standards

(a) Number of Accessory Dwelling Units.

There shall be a maximum of one Accessory Dwelling Unit allowed per lot.

(b) Size of ADU.

For lots up to 7,200 square feet in area, the maximum square footage of an Accessory Dwelling Unit shall be 600 square feet. For lots 7,201 square feet or larger in area, the maximum square footage of an Accessory Dwelling Unit shall be 800 square feet.

(c) Detached ADUs with other Accessory Structures.

Detached ADUs are not allowed to be combined with any Accessory Structure other than a detached garage.

For Detached ADUs combined with a detached garage, the square footage of the ADU shall count toward the size allowance for ADUs and the square footage of the garage shall count toward the size allowance for Accessory Structures as provided for in this Chapter.

In no case shall the floor area of an ADU combined with either a new or existing Accessory Structure exceed the size allowance for ADUs.

(d) Placement of Detached Accessory Dwelling Units.

No Detached ADU shall be located between the front building line of the Principal Structure and the front lot line.

(e) Height.

The maximum height of any Detached ADU shall be 24 feet. For ADUs built in conjunction with a detached garage, the total height of the structure cannot exceed 24 feet.

For any Attached ADU or Interior ADU, the maximum height shall be that of the underlying zoning district.

(f) Setbacks.

The setback requirements for ADUs shall be those required for a Principal Structure in the underlying zoning district.

For new construction of a combined Detached ADU and detached garage Accessory Structure, the combined structure shall meet the setback requirements of the underlying zoning district.

If a Detached ADU is to be established in an existing detached Accessory Structure, either in combination with the Accessory Structure or by fully converting the Accessory Structure to an ADU, and the Accessory Structure was originally constructed over ten years prior to the application of a building permit for the ADU, and the existing structure does not meet the Setback requirements for Principal Structures in the underlying zoning district, then the Detached ADU is exempt from those Setback standards. This provision also applies to new construction of a Detached ADU on the foundation of an existing Accessory Structure built ten years prior. In these cases, the existing encroachment into the setback cannot be increased or extended with the new Detached ADU.

(g) Requirements for Floor Area Ratio, Open Space Ratio, Maximum Building Footprint and Maximum Lot Coverage requirements.

Detached ADUs are exempt from the requirements for Floor Area Ratio, Open Space Ratio, Maximum Building Footprint or Maximum Lot Coverage.

Attached ADUs and Internal ADUs shall comply with the calculation requirements for Floor Area Ratio, Open Space Ratio, Maximum Building Footprint and Maximum Lot Coverage as required in the underlying zoning district.

(h) Off-Street Parking.

No additional off-street vehicular or bicycle parking spaces are required for an ADU provided the Principal Use is compliant for the required number of off-street parking spaces.

(i) Access

Detached ADUs located behind Principal Structures must be accessible from the public right-of-way for emergency purposes with at least three (3) feet of width between the Principal Structure and the lot line.

(j) Maximum Occupancy.

The maximum occupancy of an ADU shall be no more than two (2) persons unrelated to each other by blood, marriage or legal adoption.

(k) Home Occupations / Business Use of ADU.

Home Occupations, or any other business use, shall not be permitted within an Accessory Dwelling Unit.

(l) ADU Ownership.

Accessory Dwelling Units shall not be sold separate from the Principal Structure located on the same lot.

(m) Compliance with Building Code Requirements.

The construction of an Accessory Dwelling Unit shall be in compliance with all building code requirements and be approved for a building permit prior to construction.