



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Bruce K. Walden, Chief Administrative Officer

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

DATE: June 15, 2006

SUBJECT: Plan Case 1997-T-06: Text Amendment to Table IX-6 of the Urbana Zoning Ordinance

Introduction

The Zoning Administrator is requesting an amendment to the Zoning Ordinance to classify gas station canopy signs as canopy signs subject to the standards in Table IX-6. The proposed amendment is correcting a recent change to the Zoning Ordinance that has since proven to be unintentionally biased against gas station canopies by allowing a lesser amount of signage than other types of canopies. This issue was recently raised in a major variance request for the gas station canopy at the new Speedway on Lincoln Avenue. The amendment is part of a larger effort to prepare the Zoning Ordinance for more comprehensive revisions as directed by City Council.

Background

Currently, gas station canopy signs are considered wall signs as a result of the recent Omnibus text amendment. This change was proposed to formalize a Zoning Administrator interpretation made in 1988 that clarified two aspects related to gas station canopies: the display surface and the type of sign (see Exhibit A). The interpretation stipulated that the display surface of a canopy includes the individual surfaces of a canopy, but not the support beams. Additionally, although the zoning ordinance did not then define how to classify a gas station canopy, the interpretation classified such signs as wall signs, subject to the standards in Table IX-2. As part of the recent Omnibus text amendment, the interpretation was incorporated in an effort to formalize several long-standing interpretations. However, the need for this aspect of the amendment has been remedied by the recent changes to Table IX-6 that permit a larger sign area for canopy signs.

Since the 1988 interpretation was made, the nature of gas station canopies has changed. Today, many canopies are thinner, and as such have less display area as defined by the Zoning

Ordinance. Standards for wall signs are based on a percentage of the total wall area, or in the case of gas station canopies, the canopy display area (see Exhibit B). The wall sign standards ensure that there is a maximum amount of signage that a business can have, but the standards can result in smaller, less visible signage for small walls. For example, a 120 square foot gas station canopy face in the B-3, General Business District can only have a sign of up to 12 square feet. As illustrated in Exhibit C, this amount of signage can result in poor visibility. Under the same circumstances, if the canopy sign standards were applied, the same gas station could install a sign up to 25 square feet (a straight standard instead of a percentage of display area). While there are other situations where the wall size may undermine the visibility of a sign, gas station canopies are by far the most recurring example of such a problem.

The intent of the proposed amendment is not to allow excessive amounts of signage on a property. Instead, it is to permit adequately visible signage that, if not for recent trends in canopy construction, would otherwise meet the standards in the Zoning Ordinance. Gas station canopies are a form of a canopy, and staff believes it would be unfair to discriminate against such signs as opposed to other types of canopies.

At their June 8, 2006 meeting, the Plan Commission voted 7 ayes to 0 nays to forward a recommendation of approval to the City Council.

Proposed Amendment

The proposed language is indicated by strikeouts in Exhibit B.

Summary of 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 recognize the trend for small gas station canopies while allowing visible sign sizes consistent with what has historically been allowed.
4. The proposed amendment will recognize that gas station canopies are a form of canopies, and will apply the same sign standards as other types of canopies.
5. The Plan Commission voted 7 ayes to 0 nays to forward a recommendation of approval to the City Council.

Options

In Plan Case 1997-T-06, the City Council may:

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

Fiscal Impact

There is no anticipated fiscal impact associated with this case.

Recommendation

Staff concurs with the recommendation of the Plan Commission to **APPROVE** the proposed text amendment, as presented herein.

Prepared by:

Matt Wempe, Planner II

Attachments: Exhibit A: Original Zoning Interpretation
 Exhibit B: Proposed Changes to Table IX-2. Standards for Wall Signs

ORDINANCE NO. 2006-06-081

An Ordinance to Amend the Zoning Ordinance
(To Amend Table IX-6, Standards for Signs Attached to Canopies and Entrance
Structures - Plan Case 1997-T-06)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance No. 2006-04-040 on April 17, 2006 consisting of a Comprehensive Amendment to the 1993 Zoning Ordinance of the City of Urbana, also known as the Urbana Zoning Ordinance; and

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend Table IX-6, Standards for Signs Attached to Canopies and Entrance Structures, to consider gas station canopy signs subject to the standards specified in Table IX-6; and,

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1997-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 June 8, 2006; and,

WHEREAS, the Urbana Plan Commission voted 7 ayes to 0 nays on June 8, 2006 to forward Plan Case #1997-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 amend Table IX-6 of the 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. Table IX-6, Standards for Signs Attached to Canopies and Entrance Structures, is hereby amended to delete Footnote 1 to said table which reads:

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.

Section 2. 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 an Ordinance to Amend the Zoning Ordinance (To Amend Table IX-6, Standards for Signs Attached to Canopies and Entrance Structures - Plan Case 1997-T-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.

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

Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Height of Sign
R-6B Restricted Business B-1 Neighborhood Business B-2 Neighborhood Business Arterial B-3U General Business University MOR Mixed Office Residential	One per business frontage up to 100 feet. One additional sign for each 100 feet thereafter.	15 square feet	9 foot minimum clearance to ground
B-3 General Business B-4 Central Business B-4E Central Business Expansion		25 square feet	
IN Industrial		25 square feet	

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.~~

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: June 8, 2006
TIME: 7:30 P.M.
PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Jane Burris, Laurie Goscha, Ben Grosser, Lew Hopkins, Bernadine Stake, Marilyn Upah-Bant, James Ward
MEMBERS EXCUSED: Michael Pollock, Don White
STAFF PRESENT: Matt Wempe, Planner II; Teri Andel, Planning Secretary
OTHERS PRESENT: There were none.

NEW PUBLIC HEARINGS

Plan Case 1997-T-06 – Text Amendment to Table IX-6 of the Urbana Zoning Ordinance concerning signs on gas station canopies.

Matt Wempe, Planner II, presented the case to the Plan Commission. He gave a brief background and explained the purpose for the proposed text amendment, which is to correct a recent change to the Zoning Ordinance that was recently proven to be unintentionally biased against gas station canopies by allowing a lesser amount of signage than other types of canopies. He read the options of the Plan Commission and presented staff's recommendation, which is as follows:

Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Commission recommend approval of the proposed text amendment.

With no people in the audience, Acting Chair Goscha skipped to the Plan Commission discussion.

Ms. Stake moved that the Plan Commission forward the proposed text amendment to the Urbana City Council with a recommendation for approval. Mr. Ward seconded the motion. The motion was passed by unanimous vote.