



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana City Council

FROM: Elizabeth H. Tyler, FAICP, PhD, Community Development Director

DATE: May 14, 2009

SUBJECT: Zoning Ordinance text amendments pertaining to signs, Case No. 2104-T-09

Introduction and Background

Plan Case No. 2104-T-09 is an application by the Zoning Administrator to revise the City's standards for signs as provided in the Urbana Zoning Ordinance. The proposed changes, as shown in Exhibit A, have proposed new words underlined and proposed deletions ~~struck-out~~.

In summary, the following changes are proposed:

Purpose and severability. Update purpose section to reflect standards which have withstood legal challenges. Create a severability section so that if a court should strike down certain words or paragraphs, it wouldn't invalidate the entire sign code. (Recommended by sign legal expert.)

Sign Height. Substantially reduces the maximum height of freestanding signs.

Height standards for freestanding signs in B-3 zoning districts (except for interstate signs)

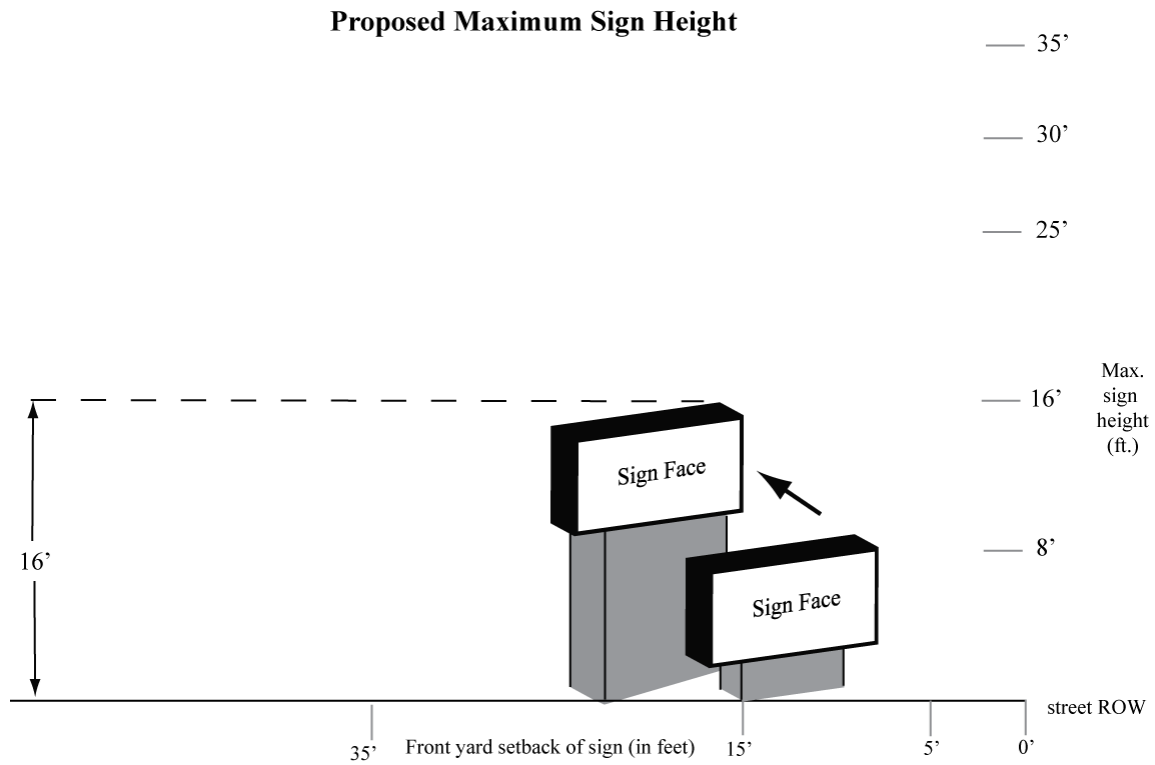
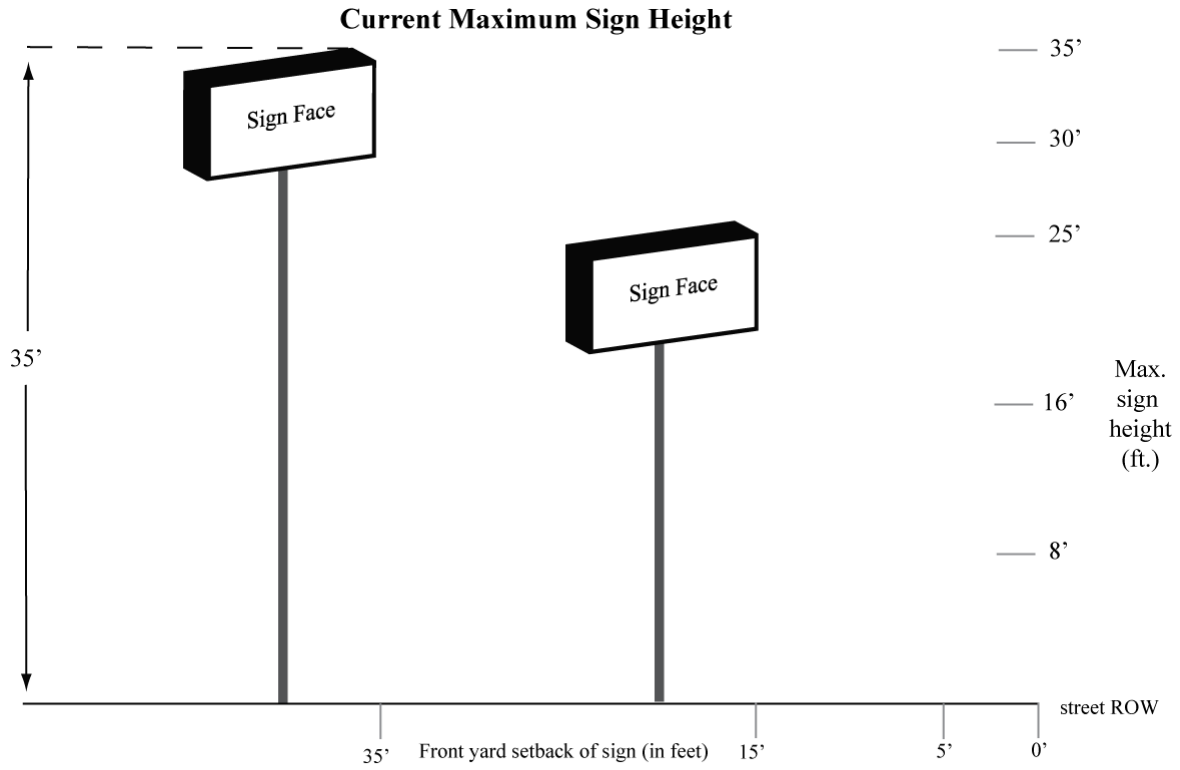
Current: 25 to 35 feet tall, depending on setback
Proposed: 8 or 16 feet tall, depending on setback

Sign setback. With reduction in sign height, more flexibility would be allowed in location along street frontages.

Location standards for freestanding signs in B-3 zoning districts

Current : None within 15 feet of right-of-way
Proposed: None within 8 feet of right-of-way
Max sign height of 8 feet 8 to 15 feet from right-of-way

Max sign height of 16 feet 15+ feet from right-of-way
CURRENT AND PROPOSED SIGN HEIGHT SETBACK REQUIREMENTS



Monument signs.

Current: No requirement but incentive (sign size) to do so.
Proposed: Although City staff presented to the Plan Commission a requirement that new freestanding (other than interstate-oriented signs) be monument signs, the Plan Commission agreed not to include this provision.

Wall signs.

Current: Maximum 10% of a wall area, up to 350 sq. ft. in area
Proposed: Maximum 10% of wall area, up to 500 sq. ft. in area

Studies show that signs parallel with roadways (wall signs) have to be twice as large as those perpendicular with the road (freestanding signs) to be equally conspicuous and readable. Examples: Meijer and Wal-Mart wall signs

Institutional signs.

Current: Maximum 25 sq. ft. in area, regardless of location.
Proposed: Maximum 25 sq. ft. in residential zoning districts. Conform to sign standards in other zoning districts.

A 25 sq. ft. sign is fine for residential zoning districts and where traffic speeds are slow. But many institutions are located in commercial and other areas. Example: The Vineyard Church

Electronic signs. The proposed ordinance would allow multi-colored images and text for electronic signs. Images must still remain static. Definitions would be strengthened prohibiting “animation or animated” signs and billboards. Definitions would also be updated to take into account changing technologies for signs.

Current: “electronic message board” (reflects a specific technology)
Maximum 30% of “total sign allowance for the property”
Proposed: “electronic display” (includes current and future technologies)
Maximum 50% of any sign

Sign animation. Modernizes and broadens the definition of “animation or animated” to take existing and new technologies into account.

No changes are proposed to the following aspects of Urbana’s sign standards:

Movement. Movement (or appearance of movement) would remain prohibited, regardless of the technology. Examples: attention-getting devices moved by wind. For electronic signs, the appearance of animation, movement, scrolling, blinking, flashing, twinkling, swiping, etc.

Timing of electronic display. The timing of message changes would remain at a 3-minute minimum.

Billboards. Digital billboards would remain prohibited.

At its May 7, 2009 meeting, the Urbana Plan Commission voted 7-yes and 0-no to recommend approval of the proposed ordinance, but with the requirement for monument signs deleted. (The attached ordinance has the monument sign requirement left in for City Council discussion and direction.)

City staff anticipates returning to the Plan Commission and City Council shortly with a Zoning Ordinance text amendment concerning illumination levels for electronic signs.

Pertinent City Policies

2005 Comprehensive Plan.

The following goals and objectives contained in the adopted 2005 Comprehensive Plan are pertinent to the issue of signage in the City.

Goal 2.0 New development in an established neighborhood will be compatible with the overall urban design and fabric of that neighborhood.

Objective 2.1 Ensure that the site design for new development in established neighborhood is compatible with the built fabric of that neighborhood.

Objective 2.4 Promote development that residents and visitors recognize as being of high quality and aesthetically pleasing.

Goal 3.0 New development should be consistent with Urbana's unique character.

Objective 3.1 Encourage an urban design for new development that will complement and enhance its surroundings.

Objective 3.2 Promote new developments that are unique and capture a "sense of place".

Goal 17.0 Minimize incompatible land uses.

Objective 17.1 Establish logical locations for land use types and mixes, minimizing potentially incompatible interfaces, such as industrial uses near residential areas.

Objective 17.2 Where land use incompatibilities exist, promote development and design controls to minimize concerns.

Goal 24.0 Enhance Urbana's commercial areas.

Objective 24.1 Use a variety of economic development tools to improve and redevelop Urbana's existing commercial areas.

Objective 24.2 Encourage the beautification of entryway corridors and major transportation corridors in Urbana.

Goal 26.0 Improve the appearance of Urbana’s commercial and industrial areas.

Objective 26.1 Use a variety of available economic development tools (such as tax increment financing) to improve the appearance and functionality of Urbana’s commercial and industrial areas.

Objective 26.2 Promote the beautification of commercial areas especially along University Avenue, Cunningham Avenue, and Philo Road.

Additionally the 2005 Comprehensive Plan contains the following pertinent implementation strategies:

- Amend the Urbana Zoning Ordinance to include updated sign regulations
- Develop corridor design guidelines for Lincoln Avenue, University Avenue, Cunningham Avenue, and Philo Road to reflect their status as entryways into the City.

Urbana Zoning Ordinance.

Urbana’s Comprehensive Sign Regulations are part of the City’s Zoning Ordinance. The stated intent of the Comprehensive Sign Regulations (Section IX-1 of the Zoning Ordinance) include establishment of regulations and controls which promote the goals, objectives, and policies of the City of Urbana’s Comprehensive Plan, and to permit and regulate signs in such a manner as to support and complement the land use policies set forth elsewhere in the Zoning Ordinance. To these ends, the Sign Regulations intend to:

- Aid in traffic safety by avoiding uncontrolled proliferation of signs which distract and endanger safety and traffic flow;
- Reduce congestion of land, air and space;
- Preserve and protect property values;
- Establish reasonable standards for the use of signs to maintain and encourage business activity;
- Protect and enhance the physical appearance of the community and the scenic value of the surrounding area; and
- Regulate signs visible from public properties where such signs could jeopardize the public’s investment in these facilities.

City Council goals. The City Council's Implementation Strategies for Council Common Goals (Nov. 2008) include several provisions concerning signs. The following implementation strategies are included under implementation of the 2005 Comprehensive Plan:

- A. Rewrite our Zoning Ordinance. We propose hiring an outside consultant in order to accomplish this over the next year and to focus on billboards and sign issues now with current staff.
- B. Include use of design guidelines, form-based code concepts, modern sign and lighting standards, Traditional Neighborhood Development standards, commercial big box store standards, neighborhood business zones, preserving historic neighborhoods, farmland, natural areas and minimizing sprawl as guiding principles (see Comprehensive Plan implementation section for complete action items and goals).
- C. Update the sign ordinance for the city, setting new guidelines for commercial signs along main arteries and traffic corridors designated for redevelopment or beautification. Establish a time table for the replacement or phasing out of billboards and tall pole signs along designated traffic corridors.

Discussion

Optimal Sign Size

According to industry research, the viewing of roadside signage by motorists involves a complex series of sequentially-occurring events, both mental and physical. These include:

- Detection of the sign, noting it as a separate entity in a field of objects;
- The message scan;
- Re-orientation scan, refocusing view from the message to the road; and
- Driving maneuvers required in response to the message.

The viewer reaction time depends on factors including:

- Complexity of the visual environment in which the sign is located
- How detectable, legible, and complex the sign message is
- Travel speed
- Complexity of the driving environment (e.g. urban vs. rural, traffic volumes, number of traffic lanes, and the number of driver conflicts such as driveways), and
- Driver ability.

Research has now been able to quantify the viewing process to calculate the time necessary for motorists to view and react to roadside signage. The sign industry uses this as a basis for recommending the optimal size for signs. The following example shows the optimal sign size for

freestanding signs along University Avenue in Urbana based on posted speed limits and for signs containing an assumed number of letters (in this case 12).

STANDARD VIEWER REACTION TIME (IN SECONDS)*

	DRIVING ENVIRONMENT		
	Simple	Complex	Multi-Lane
For Detection	0.5	1	1
For Message Scan			
Per Letter	0.1	0.1	0.1
Per Symbol	0.5	0.5	0.5
For Re-Orientation Scan			
Per Letter	0.02	0.04	0.04
Per Symbol	0.1	0.2	0.2
For Maneuver	4	5	6

"Complex" is travel in town or city commercial area. Single or multi-lane travel under 35 MPH.
 "Multi-Lane" is travel in developed urban/suburban commercial areas. Multi-lane travel over 35 MPH.

Freestanding Sign Design for University Avenue

Corridor variables

Viewer Reaction Time (in sec)*	9
Letter average legibility index (assumed)**	30
Average number of letters per sign (assumed)	12

* For complex driving environments.

** In foot distance per inch of letter height.

	VIEWER SPEED		
	35 MPH	40 MPH	45 MPH
Viewer Reaction Distance (in feet)	462	528	594
Optimal letter height (in inches)	15	18	20
Single letter area (in square feet)	1.6	2.2	2.7
Copy area (in square feet) (40% of sign face)	19.8	25.8	32.7
Negative space (in square feet) (60% of sign face)	29.6	38.7	49.0
OPTIMAL SIGN AREA (IN SQ FT)	49.4	64.5	81.7

In this case, based on sign industry standards, the optimal sign *area* for 12-letter signs along University Avenue, and traveling at 35 miles per hour, is 49.4 square feet. In fact the maximum sign area allowed by the Urbana Zoning Ordinance in B-3 Zoning Districts is 50 square feet. The significance of this is that Urbana's sign requirements appear to be reasonable, given that almost all of the City's commercial corridors have a posted speed limit of 35 or 40 miles per hour. It should be noted that the number of letters contained by a sign is a sensitive variable for this equation. Doubling the number of letters, for instance, would double the necessary sign size. In order to communicate effectively, smaller signs with fewer letters must rely more heavily on use of symbols, logos, shapes,

and colors. (Use of colors for logos is an aspect of signage which will be discussed later in this memo as it pertains to electronic message board display.)

Interstate-oriented signs. Although the City’s size limits for signs correspond well with sign industry standards for signs viewed at 30, 35, and 40 MPH, the situation is different, however, for signs oriented toward the interstates. Urbana’s Sign Ordinance in fact already recognizes that signs oriented toward interstates need to be larger and taller to communicate effectively. In this regard, the current Zoning Ordinance text amendment would not require signs oriented toward interstates be monument signs. The substantially taller maximum sign height currently allowed for interstate corridors would not change with the Zoning Ordinance text amendment under consideration.

Commercial wall signs. Urbana’s Sign Code limits wall signs in B-3 zoning districts to no more than 10% of the wall area, to a maximum of 350 square feet. In the proposed ordinance, wall signs would remain limited to 10% of the wall area, but no greater than 500 square feet. The purpose of the change is to allow businesses with very large buildings, which are typically set back far from the street, to have adequate wall signage. In City staff’s experience, the 350 square foot maximum has posed a difficult issue for projects such as Schnucks, Farm and Fleet, and Walmart. These buildings are set back far from the street with large parking lots in front of them. The buildings are very large scale, and a 350 square foot limit on signage makes it difficult to communicate with customers, especially when the signage allotment is divided in multiple signs on the building (e.g. “Garden Center”, “Bakery”, “Oil Change”, etc.) It also would have provided an impediment for Urbana’s new Meijer store had the annexation agreement not allowed a greater signage allotment. The new Meijer store is instructive because the “Meijer” wall sign illustrated in the photograph below is 640 square feet in area. Yet it does not appear overly large because the sign is still proportionate with the building – in fact less than 10% of the wall area.



Although the “Meijer” wall sign (S. Philo Road), approved by annexation agreement, is 640 sq. ft. in area, it comprises less than 10% of the wall area.

Institutional signs. Urbana’s Sign Ordinance currently limits institutional signs to 25 square feet in area, regardless of location. This allowance has proven to be sufficient for residential and pedestrian-oriented areas, but insufficient for other areas. The Vineyard Church on N. Lincoln Ave. provides a good example. Consequently, the proposed Zoning Ordinance text amendment would allow institutions to use the same sign requirements as businesses in commercial and industrial zoning districts. Institutional signs in residential zoning districts would remain unchanged.

Canopy signs. Signage on canopies and entrance structures is currently limited to either 15 or 25 square feet, depending on the zoning district. This has been problematic for both Main Street-type businesses with awnings and for gas station canopy signs. City staff proposes, and the Plan Commission is in agreement, to increase the size to a maximum of 40 square feet.

Optimal Sign Mounting Height

Maximum Safe Mounting Height. As opposed to optimal sign *area*, which has been subjected to scientific research, optimal sign mounting height is a much more subjective aspect of sign regulation. Generally, research has defined a maximum safe mounting height and a minimum effective mounting height, but a great deal of discretion remains between the two.

The maximum safe mounting height is the upper limit at which drivers can read a sign without have to take their eyes off the road. For the driving environment of University Avenue in Urbana, sign industry research provides the following maximum heights.

Calculated Maximum Safe Mounting Height for Signs, University Ave.

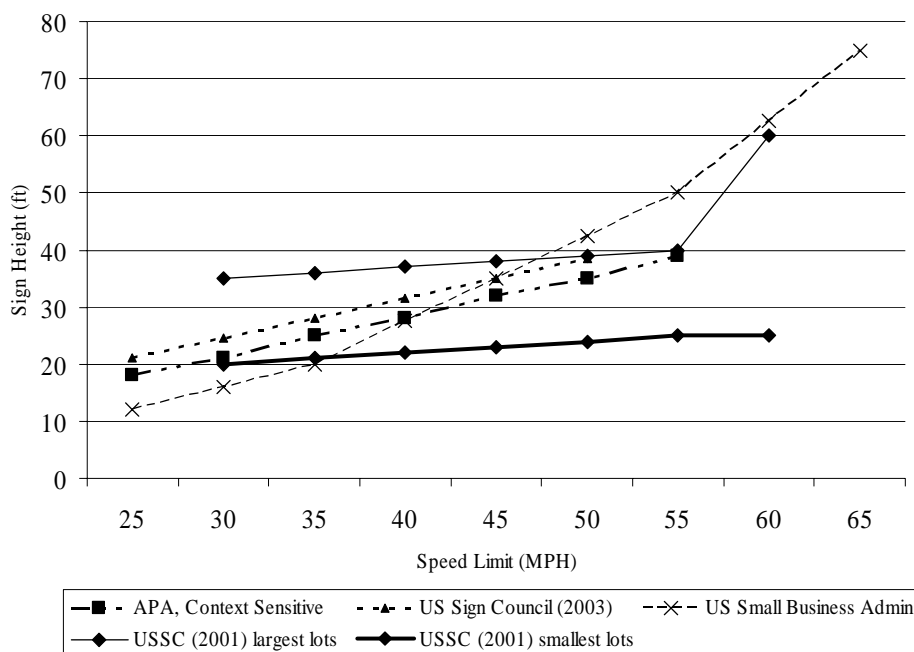
	35 MPH	40 MPH	45 MPH
Viewer detection time (in seconds)	1	1	1
Min. viewer detection distance to sign (in feet)	462	528	594
Max. height limit (in feet)*	44.2	50.0	55.8

* Enabling sign detection without loss of eye contact with the road.

As Urbana’s sign ordinance currently limits freestanding signs in B-3 zoning districts to no more than 35 feet, this requirement is well under the maximum 44.2 to 55.8-foot safe mounting height recommended through sign industry research for 35-45 MPH roadways.

Optimal Mounting Height. Following a review of the literature, there does not appear to be recognized industry standard for optimal sign mounting height – and certainly not based on scientific studies. There is, however, relatively subjective sign industry best practices for how high freestanding signs should be mounted. Generally speaking, as vehicle speed increases, and as the visual and driving environments of corridors become more complex, the higher signs should be mounted. Four sign industry recommendations for mounting height are summarized in the following chart.

Sign Industry Recommendations for Sign Height Limits Based on Travel Speed



Sources:

Andrew D. Bertucci, *Guideline Code for Regulation of On-Premise Signs* (United States Sign Council, 2001).

Andrew D. Bertucci, *On-Premise Signs Guidelines Standards. Research Based Approach to Sign Size, Sign Legibility, Sign Height* (Bristol, Penn.: United States Sign Council, 2003).

P.M. Garvey, B. Thompson-Kuhn, and M.T. Pietrucha, *Sign Visibility: Research and Traffic Safety Overview*. (Bristol, Penn.: The United States Sign Council, 1996). Cited in: Marya Morris, Mark L. Hinshaw, Douglas Mace, Alan Weinstein, *Context-Sensitive Signage Design*, (Chicago: American Planning Association, Planning Advisory Service, 2001).

Richard N. Schwab, *Safety and Human Factors: Design Considerations for On-Premise Commercial Signs* (Alexandria, VA: International Sign Association, 1998) Cited in: U.S. Small Business Administration and the Signage Foundation for Communication Excellence, *The Signage Sourcebook: A Signage Handbook* (Washington, D.C.: US Small Business Administration, 2003)

For instance, at 35 MPH, the recommended best practice for sign mounting height ranged from 18 feet to 35 feet. Obviously even within the sign industry there appears to be a great deal of latitude in recommended sign mounting height.

It is apparent, however, that for communities such as Urbana, which have relatively low speed limits and less complex driving environments, moderately low sign heights should not create a barrier for effective sign communication.



A 25 foot tall sign, N. Vine Street



A 15 foot tall monument sign in Champaign

Minimum Effective Mounting Height. As opposed to *optimal* sign mounting height, research on *minimum* sign mounting height is clear. According to the United States Sign Council's *Best Practices Standards for On-Premise Signs* (see Appendix B):

For signs providing roadside information in primarily vehicular-oriented environments, the height above grade of the signs and/or sign copy has a pronounced effect on an approaching motorist's ability to detect and read the message displayed. As is now documented in the research publication, *Sign Visibility, Effects of Traffic Characteristics and Mounting Height*, the simple presence of other vehicles on the road (i.e., in front, in an adjacent travel lane, or in travel lanes in the opposite direction) can potentially prevent the motorist from detecting a sign. If a sign is situated at or below five feet above grade, other vehicles may block the motorist's view, and the sign copy will not be legible.

Based on research, and as graphically illustrated in Appendix B, the U.S. Sign Council recommends an absolute minimum sign mounting height of five feet (measured to the bottom of the sign), but a strongly recommends a minimum of seven feet above grade.

Monument Sign Requirement. City staff presented to the Plan Commission an proposal to require that new freestanding signs, except those oriented toward the interstate, be monument signs. The Plan Commission considered but unanimously recommended against a monument-type requirement. Several Commissioners commented that monument signage is not synonymous with good design. Both monument and pole signs can be either attractive or unattractive. Additionally, Plan Commissioners expressed that sign designers need some flexibility in this regard. There may be instances when a short pole sign would be preferable to a monument sign in terms of visibility.

Based on research and experience, City staff offers the following strengths and weaknesses of requiring monument signs.

- Monument signs work best in corridors having:
 - Lower traffic speeds and traffic counts, and fewer lanes of traffic;
 - Larger lots with fewer visual obstructions (buildings set back far from street, few above-ground utilities in right-of-way, free-standing signs spaced farther apart); and
 - Parking set back from street.
- Monument signs have the effect of limiting signs to rectangular shapes which don't allow shape as an aspect of communication.
- Monument signs work best for institutional and office uses because such signs function well for identification purposes.
- Monument signs work less well for retail establishments and services needing to differentiate themselves from similar, competing businesses (example: motels near interstates).
- Monument signs are generally ineffective for directing interstate travelers (for instance gas stations, motels, and restaurants serving those in transit).
- Destination retail may have less need for conspicuous free-standing signs than other retail. (example: Wal-Mart, O'Briens Automotive)

For further information on the effects of requiring monument signs, see Appendix C. The Pitfalls of mandating the Monument Sign.



An example of a pole sign allowable under the proposed ordinance. (16.5 feet tall, S. Philo Road)



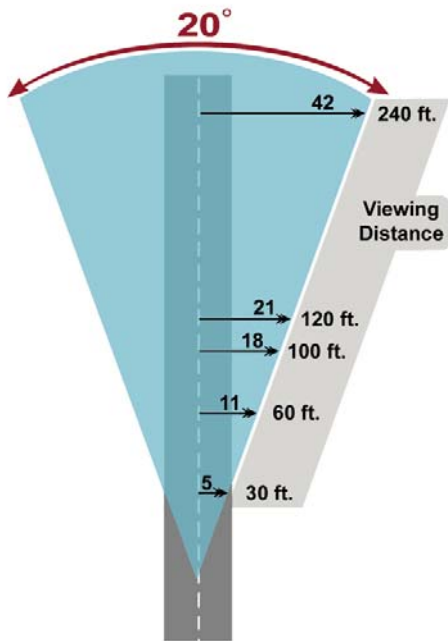
This Arby's monument sign is ineffective for northbound motorists due to visual obstruction. (S. Neil St., Champaign)



Monument signs are most effective in less complex driving environments.

Sign setback.

To be detectable and legible, in addition to having the optimal size and mounted conspicuously, signs must be located within the field of vision of motorists. The following graphic illustrates the cone of vision for a driver of normal visual acuity and for a typical 20 degree cone of vision. This indicates that a sign 240 feet ahead of the driver can be read if set back from the street no more than 42 feet. Conversely, a sign 60 feet in front of the driver can be set back no more than 11 feet to be within the 20 degree field of vision.



This aspect of sign communication is significant in terms of the City’s minimum setback for signs. Urbana’s Sign Ordinance generally requires that signs conform to building setbacks. For instance in B-3 zoning districts, the current Sign Ordinance requires that freestanding signs be set back at least 15 feet from the street right-of-way. As opposed to communities with no such sign setbacks, this has provided Urbana with visually “cleaner” looking corridors. On the other hand, reducing sign heights will mean that some signage will be less conspicuous.

A “middle ground” position would be to reduce the minimum front yard setback for small monument signs. The proposed Zoning Ordinance text amendment would limit freestanding signs in B-3 zoning districts to 16 feet in height for signs with a front yard setback of 15 feet or greater, and a maximum height of 8 feet for signs set back 8 to 15 feet from rights-of-way. Admittedly an 8-foot tall sign has a greater chance of being blocked (See Appendices B & C), but at the same time these smaller signs can still effectively communicate because being closer to the road will mean they can be more conspicuous. The point here is that a reduced setback for truly small monument signs is intended to offset a lowered sign height limit.

It should be noted that the Public Works Department has reviewed a proposed minimum 8-foot setback of signs from rights-of-way and finds this acceptable.

Another aspect of the proposed ordinance is that signs would no longer have a 50-foot setback requirement from schools, parks, hospitals, and nursing homes. Those uses in themselves will have signs, so the current 50-foot setback requirement does not serve to protect those uses.



The proposed ordinance would allow signs less than 8 feet tall to encroach within the front yard setback for the first time, but no closer than 8 feet from the front property line. (6.7 feet tall, N. Cunningham Ave.)

Electronic display

Land use law professor Daniel Mandelker, FAICP, a widely-recognized expert on sign regulations, is advising municipalities to update their sign codes to address emerging technologies. This is in light of a sign industry trend to legally challenge sign codes which don't anticipate modern technologies.

A deficiency in Urbana's Sign Ordinance in this regard is a need to incorporate definitions and standards in ways that clearly reach the latest (and next) technology. First, Urbana's Sign Ordinance currently equates dynamic sign display with "electronic message boards." An electronic message board is actually a particular type of electronic display and represents a particular technology. The proposed Zoning Ordinance text amendment would replace "electronic message boards" with "electronic display." Second, sign "animation" would remain prohibited, and the definition of "animated" or "animation" would be broadened as follows:

"Animation or Animated. The movement or optical illusion of movement of a sign or its sign structure, design, or illumination, caused by any method other than physically removing and replacing the sign or its components. For the purposes of this Article, animation shall include mechanical, electrical, electronic, or other means, or the appearance of movement, including but not limited to full-motion video, flashing, scrolling, oscillating, blinking, twinkling, or changing color or light intensity in a way simulating change; provided that signs employing static electronic displays, changing instantaneously without swipes or transitions, and with a frequency of change no more than once every three minutes, shall not be defined as animated signs.

From a business perspective, a positive change proposed to Urbana's Sign Ordinance is to allow

electronic signs to use color. Currently Urbana’s ordinance only allows monochromatic electronic message boards. However, color is a critical aspect of effective sign communication, especially with logos. The Federal Lanham Act in fact prohibits requirements to alter trademarks, including trademarked colors used in signage. (Desert Subway, Inc. vs City of Tempe, Arizona)

Summary of Findings

The Urbana Plan Commission recommended the following findings in this case:

1. Urbana’s Zoning Ordinance has been enacted by the corporate authorities of the City of Urbana pursuant to its home rule powers as provided for in the Constitution of the State of Illinois, 1970.
2. Urbana’s Zoning Ordinance has been enacted in conformance with the Illinois Municipal Code.
3. The proposed amendment will further the City of Urbana’s goals, policies, and implementation strategies concerning signs as expressed through the City’s Comprehensive Plan, Zoning Ordinance, and other pertinent documents.
4. The proposed amendment is intended to insure that signs are compatible with their surroundings; appropriate to the activity that displays them; can express the identity of individual activities and the community as a whole; and are legible in the circumstances in which they are seen.
4. The proposed amendment is intended to insure that the sign approval process and standards comply with current Federal and State laws, regulations, and case law.

Options

The Urbana City Council has the following options in Plan Case 2104-T-09:

- a. Recommend approval, as presented herein;
- b. Recommend approval as modified by specific changes; or
- c. Recommend denial.

Recommendation

At their May 7, 2009 meeting, the Urbana Plan Commission recommended that the City Council approve the attached ordinance, which has the preliminarily proposed monument requirement removed. The reason they articulated for removing the monument sign requirement is that the Commission did not find that monument signage is synonymous with attractive signage. Both monument and pole signs can be well designed or poorly designed. Commissioners also said that there may be circumstances where a short pole sign would be preferable to a monument sign.

City staff recommends **APPROVAL** of the proposed ordinance, as attached, which includes the Plan Commission's modifications.

Prepared by:

Robert Myers, AICP
Planning Manager

Attachments:

Appendix A: Proposed Ordinance (underline and strikeout version)
Appendix B: U.S. Sign Council, Best Practice Standards for On-Premise Signs
Appendix C: Signline. The Pitfalls of Mandating the Monument Sign

cc:

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ORDINANCE NO. 2009-05-053

**AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE ZONING ORDINANCE
OF THE CITY OF URBANA, ILLINOIS**

(Amending Article IX, Comprehensive Sign Regulations --

Plan Case No. 2104-T-09)

WHEREAS, Urbana's Zoning Ordinance has been enacted by the corporate authorities of the City of Urbana pursuant to its home rule powers as provided for in the Constitution of the State of Illinois, 1970, and in conformance with the Illinois Municipal Code; and

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend the Urbana Zoning Ordinance regarding the standards and procedures for signs;

WHEREAS, the proposed amendments will further the City of Urbana's goals, policies, and implementation strategies concerning signs as expressed through the City's Comprehensive Plan, Zoning Ordinance, and other pertinent documents; and

WHEREAS, the proposed amendment is intended to insure that the standards comply with current Federal and State laws, regulations, and case law; 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 May 7, 2009; and

WHEREAS, the Urbana Plan Commission voted 7 ayes and 0 nays on May 7, 2009 to forward Plan Case #2104-T-09 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 the standards concerning signs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that the Zoning Ordinance of the City of Urbana, Illinois shall be amended as follows:

Section 1. The title of Article IX of the Zoning Ordinance of the City of Urbana, Illinois is hereby amended to read as follows: "Sign and OASS Regulations".

Section 2. Section IX-1 of the Zoning Ordinance of the City of Urbana, Illinois is hereby amended to read as follows:
Section IX-1. Purpose and Severability

A. *Purpose.* The purpose of this Article is to create the legal framework for a comprehensive and balanced system of signs and outdoor advertising sign structures (OASS) that will implement the City of Urbana's Comprehensive Plan; preserve the right of free speech and expression; provide effective communication between people and their environment; and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this ordinance to authorize the use of signs and OASS that are:

1. Compatible with their surroundings;
2. Appropriate to the activity that displays them;
3. Expressive of the identity of individual activities and the community as a whole; and
4. Legible in the circumstances in which they are seen.

These sign regulations expressly distinguish between "signs" and "outdoor advertising sign structures (OASS)" based on the specific finding that outdoor advertising sign structures represent a separate and unique communication medium available to the general public for the periodic display of both commercial and noncommercial information, utilizing nationally standardized sign panels designed to allow relatively frequent changes in message. At the same time, these regulations recognize that limiting the size, number, and spacing of such structures is consistent with and will further the purposes and policies expressed herein.

Recognizing that OASS and other signage can be constructed to varying degrees of compatibility or incompatibility with their surroundings, these regulations require that certain design standards be implemented when

constructing OASS. Further recognizing that the zoning districts in and routes along which OASS may be erected are mainly commercial, rather than industrial, these provisions are intended to result in a minimum baseline of architectural features, and are intended to result in OASS that have an acceptable commercial, as opposed to industrial, appearance. (Ord. No. 2001-05-044, 06-04-01)

B. *Severability*. Should any court of competent jurisdiction declare any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word to be invalid, such invalidity shall not affect the validity or enforceability of the remaining portions.

Section 3. Section IX-2 of the Zoning Ordinance of the City of Urbana, Illinois is hereby amended to read as follows:

Section IX-2. Sign and OASS Definitions

A. *Animation or Animated*. The movement or optical illusion of movement of a sign or its sign structure, design, or illumination, caused by any method other than physically removing and replacing the sign or its components. For the purposes of this Article, animation shall include mechanical, electrical, electronic, or other means, or the appearance of movement, including but not limited to full-motion video, flashing, scrolling, oscillating, blinking, twinkling, or changing color or light intensity in a way simulating change; provided that signs employing static electronic displays, changing instantaneously without swipes or transitions, and with a frequency of change no more than once every three minutes, shall not be defined as animated signs.

- B. *Banner*: A sign made of paper, plastic or fabric of any kind and which can be easily folded or rolled.
- C. *Commercial sign*: A sign directing attention to or indicating any business or involving any goods or services.
- D. *Community Event Sign*: A sign displayed for a special community event or activity conducted by or sponsored by or on behalf of a unit of local government, institution of an educational or charitable nature, a charitable organization, or a not-for-profit corporation. A special community event or activity is one which occurs not more than twice in any twelve-month period and which seeks to attract donations, participants, customers, or an audience throughout the community. (Ord. No. 8283-43, § 2, 1-17-83; Ord. No. 8485-73, § 1, 4-15-85)
- E. *Development Sign*: Any sign displayed on a construction site by architects, engineers, contractors, or other individuals or firms involved with the construction, alteration, or repair of a building or subdivision of property.
- F. *Electronic Display*: Visual representation of text, graphics, and/or images through electronic means, either analog or digital, and whether by cathode ray tube, light emitting diode (LED), liquid crystal display (LCD), plasma, or any other electronic means.

G. *Flag*. A square or rectangular sign made of paper, plastic or fabric of any kind and intended to be hung from a flagpole by being tethered along one side.

H. *Freestanding Sign and Freestanding Outdoor Advertising Sign Structure*: Any permanent sign or outdoor advertising sign structure completely or principally self-supported, such as by a monument base, uprights, braces, columns, or poles, and independent of any building or other structures.

I. *Grand Opening Sign*: A temporary sign displayed at the time of the opening of a new business or the change of ownership of a business.
(Ord. No. 9495-81, 3-6-95)

J. *Home Occupation Sign*. A sign displayed on a property where any occupation or profession for gain or support is carried on as an accessory use in a dwelling unit by a member or members of the immediate family residing on the premises.

K. *Integral Signs*: Any architectural feature carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the building or structure.

L. *Internally Illuminated or Internal Illumination*: Having a light source that is concealed or contained within a sign and becomes visible in darkness through a translucent surface.

- M. *Institutional Signs*: Any sign and/or message board displayed by any public, charitable, educational, religious or other institution, when located on the premises of such institution.
- N. *Message Board*: A sign, or any portion of a sign, designed and constructed to allow changeable messages through manual, mechanical, or electronic means.
- O. *Monument Sign*: A type of freestanding sign permanently affixed to the ground at its base, supported entirely by a base structure and not mounted on a pole.
- P. *Multi-Family Residential Identification Signs*: Signs displayed by a multi-family residential building or complex, boarding or rooming house, or dormitory, in accordance with Table V-1. Such signs shall be subject to the standards specified in Table IX-10.
- Q. *Official Sign*: Signs displayed in the public right-of-way with approval of the Public Works Director or designee. Examples include safety signs, danger signs, traffic signs, memorial plaques, or signs indicating points of scenic or historical interest.
- R. *Outdoor Advertising Sign Company*: A commercial enterprise which owns, maintains, erects, and manages outdoor advertising sign structures which are designed, intended, and customarily used to mount periodically changing commercial or noncommercial messages, such standardized signs and sign space to be made generally available to the general public.

- S. *Outdoor Advertising Sign Structure (OASS)*: An outdoor advertising display, including the permanent framework, structural members, support or supports, foundation, scaffolding and illumination, facing or panels, which is intended and whose customary use is to mount periodically changing commercial or noncommercial displays and which is made generally available for display to the public by an outdoor advertising sign company on a short-term basis.
- T. *Permanent Sign*: A sign that is permanently affixed or anchored to the ground, building, or other structure.
- U. *Portable Sign*: A freestanding sign not permanently anchored or secured to either a building or structure.
- V. *Private Traffic Directional and Instructional Signs*: Any on-premise sign designed to direct and instruct motorists to access and circulate onsite in an orderly and safe manner. Per Code of Federal Regulations Title 23, Part 655.603, internal traffic control signs shall conform to the Manual on Uniform Traffic Control Devices.
- W. *Projecting Sign*: A sign, other than a wall sign, which projects from and is supported by, or attached to, a wall of a building or structure.
- X. *Roof Sign*: A sign erected, constructed, or maintained upon or over a roof, and more than half of whose height is above the building height. A sign mounted on a roof, which does not qualify as a roof sign, shall be considered a wall sign.

Y. *Sandwich Board Sign*: A temporary freestanding sign that is oriented in its display primarily towards pedestrian traffic.

Z. *Shopping Center/Commercial PUD Sign*: A sign designed for the purpose of being displayed by an entire shopping center. No single listing may exceed 50% of the area of any face of the sign.

AA. *Sign*: Any identification, description, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land in view of the general public and which directs attention to a product, place, activity, person, institution, or business. An Outdoor Advertising Sign Structure (OASS) shall not be considered a sign under the regulations contained in this ordinance.

BB. *Subdivision Sign*: Any sign displayed by a residential, commercial, office or industrial subdivision or neighborhood.

CC. *Temporary Sign*: A sign which is readily movable, not permanently anchored, and intended to be displayed for a limited period of time.

DD. *Utility Warning Signs*: Signs displayed in connection with utility pipes, conduits, and cables.

EE. *Wall Sign, Wall-Mounted Sign, or Wall-Mounted Outdoor Advertising Sign Structure*: A sign displayed on or visible through a wall of a building or structure so as to be seen primarily from the direction facing the wall. A wall sign or outdoor advertising sign structure attached to the exterior wall of a building or structure, which (in a plane

parallel to the plane of said wall) does not extend or project more than 18 inches.

Section 4. Section IX-3.A, paragraphs 1 and 2 of the Zoning Ordinance of the City of Urbana, Illinois, Measurement Standards, is hereby amended to read as follows:

Section IX-3. Measurement Standards

A. *Area Measurement of Signs and OASS.* The area of signs and OASS shall be computed as:

1. *Flat Signs:* The area of the smallest convex geometric figure encompassing the sign; or
2. *Three-dimensional Signs:* The area of the smallest convex geometric figure encompassing the maximum projected area of the volume on a flat plane which completely encloses the extreme limits of the sign, including any frame, structural trim, or other material forming an integral part of the display as used to differentiate such sign from the background against which it is placed. Such measurement shall exclude the necessary supports or uprights on which the sign is placed, unless the supports or uprights constitute part of the display.

Section 5. Section IX-4 of the Zoning Ordinance of the City of Urbana, Illinois is hereby amended to read as follows:

Section IX-4. General Sign Allowances

A. *General Sign Provisions.*

1. Signs specified in this Section and in Tables IX-1 through Table IX-10 of this Article shall be allowed subject to the conditions and limitations set forth herein.
2. Any sign not expressly permitted by or in compliance with this Article is prohibited in the City of Urbana.
3. Any sign or OASS authorized by this Article may display a noncommercial message.

B. *Institutional Signs.* In all residential zoning districts, institutions may display either one monument sign or one wall sign per street frontage with a maximum combined sign size of 25 square feet total. Such monument signs shall have a maximum height of eight feet. Wall signs shall not project above the roofline or front building façade. Institutional signs in other zoning districts shall conform to the design standards for signs in that zoning district.

C. *Electronic Display.* Freestanding signs and wall signs authorized by this Article in the B-3, General Business Zoning District, may include an element of electronic display when designed and operated to meet the following requirements:

1. The maximum area of electronic display shall not exceed 50 percent of any sign area.

2. Electronic displays shall not be animated as defined by this Article, including a minimum display change frequency of no more than once every three minutes.

3. The sign, including electronic display, shall meet all other design standards in this Article.

D. Community Event Signs on City Property.

1. The Zoning Administrator may issue a permit for community event signs to be erected or maintained on or over any property owned or controlled by the City, including public rights-of-way, which conform to the requirements and restrictions of this subsection of this ordinance. Prior to issuance of a permit, the Zoning Administrator shall require submission of evidence as to general liability insurance or its equivalent which names the City as an additional insured in amounts of no less than combined property damage and personal injury limits of \$200,000.

2. Zoning Districts Allowed:

B-4, Central Business

B-4E, Central Business-Expansion

3. Numbers and Sizes of Signs:

a) The Zoning Administrator shall grant permits for no more than ten community event signs to be displayed on any one day. When

applications are received for more than one event sign to be displayed on the same day, and the total number exceeds the maximum provided in this section, each event shall receive a permit for a pro rata number of such signs so that the maximum number of signs is not exceeded for that day.

- b) Community event signs shall be no larger than 50 square feet in display area.

4. *Length of Time of Display:*

- a) Community event signs shall be displayed for not more than a consecutive 30-day period.
- b) No more than two days following the community event for which a sign permit is granted pursuant to this section, such special event signs shall be removed, and the area where such signs have been displayed shall be cleaned and restored to its condition prior to display of such signs.

5. *Electronic Display of Community Events.* The Zoning Administrator may approve permanent signs with an electronic display to be located at the site of community events which operate on a regular basis on City-owned or controlled property. The Zoning Administrator shall consider the following criteria in reviewing a permit application for electronic display signs:

- a) The sign shall not be located within 450 feet of another community event electronic display sign.
- b) The sign shall not be located within 100 feet of a residential district or use.
- c) The maximum area of an electronic message board display shall not exceed 25 square feet. This counts against the total sign allowance for a business frontage.
- d) Illumination from the sign will not cause a nuisance to any nearby residential district or use; and

E. *Signs in Planned Unit Developments.* Signs and outdoor advertising sign structures located within a Planned Unit Development shall be subject to the provisions applicable to the zoning district in which the PUD is located.

F. *Agricultural Districts.* Sign standards for permitted and conditional uses in the AG, Agriculture District, shall be identical to the standards for the same use in the most restrictive non-agricultural zoning district within which the use is permitted by right.

G. *Shopping Center Signs.* In lieu of Section IX-4.D.5, Shopping Centers/Commercial PUD signs may alternatively comply with the standards set forth in Table IX-9. The erection of signs authorized under Table IX-9 precludes the erection of any freestanding signs authorized under Table IX-1.

H. *Sign safety.* Signs and OASS shall be designed, sited, and constructed to allow safe vehicular movement onto and within the property, including on driveways and parking lots. Traffic control measures, such as curbing, may be required to be installed and maintained for safety reasons at the discretion of the City Engineer or designee.

I. *Temporary Signs.* In the B-3, B-3U, B-4, B-4E, and IN Districts, in addition to the signs permitted as specified in Table IX-1 through Table IX-4, Table IX-6 and Table IX-9, temporary signs shall be allowed by permit as provided in this Section. Temporary Signs for non-residential uses in residential districts (as allowed in Table V-1) shall also be allowed by permit as provided in this Section.

1. *Grand Opening Signs.* Each business (or other entity) shall be allowed to display one grand opening sign for each business frontage, in the form of a banner securely fastened at both ends to a building or other structure, for a period not to exceed 30 consecutive days. The display must occur within the first six months after either the opening of the business at that site, or after there has been a change in ownership of the business.

2. *Inflatable Signs and Balloons.* Within the first 30 days of the operation of a new on-site business, in addition to the banner signs as permitted in this section, a business having at least 50 feet of frontage may display additional grand opening signage in the form of inflatable signs and balloons for a period of no more than ten days.

An inflatable sign or balloon may not *itself* exceed 25 feet in height and shall not obstruct visibility necessary for safe traffic maneuvering. Such signs shall be set back from any property line a minimum distance equal to the height of the balloon plus five feet, and shall maintain a minimum 25 foot clearance in all directions from all electrical wires. No more than one such inflatable device shall be allowed on any premises. Any such sign or balloon must be securely fastened as required by manufacturers specifications and secured to minimize wind movement. The inflatable sign, if lighted, must be installed to a grounded outlet. Such inflatable signs must be installed by a commercial sign installer. A permit for an inflatable sign may not be issued unless proof of liability insurance in a minimum amount of one million dollars is shown. Signs inflated with helium are strictly prohibited.

3. *Banners.* In addition to any permitted grand opening signs, each business shall be allowed up to four separate banner displays per business frontage per calendar year, securely fastened at both ends to a building or other structure. If more than one business is located on a particular lot, then each business on that lot shall be allowed up to four separate temporary sign displays per calendar year for each portion of the lot that abuts a public street or alley. The total length of time for those four displays on a particular business frontage shall not exceed four weeks per calendar year.

a) The area of temporary banner signs shall be restricted to 100 square feet for wall banner signs or wall-mounted banner signs, and 50 square feet for freestanding banner signs.

b) A temporary banner sign shall be set back at least ten feet from the front property line, or shall be displayed so that the bottom edge of the sign is at least ten feet above grade level at all points.

4. A permit for a temporary sign shall specify the location of the sign and the period of time during which said sign may be displayed.

5. No fee shall be charged for a grand opening temporary sign. This exemption shall supersede the requirements of Chapter XIV of the City of Urbana Code of Ordinances governing fees for sign permits. The fees for other temporary commercial signs shall be as set forth in Chapter XIV for sign permits. (Ord. No. 9495-81, 3-6-95; Ord. No. 9697-154, 6-16-97)

J. *Signs Authorized Without a Permit.* The following signs shall be allowed in all zoning districts without a sign permit and with the following limitations.

1. *Flags:* No more than two flags for each premise.

2. *Private Traffic Direction Signs and Related Signs:* Signs displayed at the entrance or exit of a premise. The total area shall not exceed five square feet, and the total height shall not exceed five feet.

3. *Property Sale, Rental, or Exchange Signs:* Any sign displayed on premises for sale, rent or exchange. Such signs may be freestanding or wall-mounted only. Signs shall not be internally illuminated, and must

be removed within 14 days after the sale, rental, or exchange of the property. Property sale, rental or exchange signs shall not be placed in the public right-of-way. Property sale, rental, or exchange signs shall be subject to the standards and provisions specified in Table IX-7.

4. *Home Occupation Signs:* Home occupation signs that are wall-mounted, not internally illuminated and do not exceed one square foot in area. There shall be only one such sign per building or structure for a home occupation permitted under Section V-13.B.
5. *Subdivision Sign:* Subdivision signs subject to the standards specified in Table IX-8.
6. *Development Signs:* Development signs confined to the site of the construction, alteration, or repair. Development signs shall be removed within 21 days after completion of the work, and shall conform to the standards provided in Table IX-7.
7. *Sandwich Boards:* Such signs shall not be located in the traveled roadway or block pedestrian traffic, and shall be moved indoors at the end of business hours. Such signs shall be permitted in the B-1, B-2, B-3U, B-4, B-4E, or MOR Zoning Districts, and shall not exceed eight square feet in area and four feet in height.
8. *House or Building Sign:* Any sign on a residence or building that does not exceed six inches in height.

K. *Exempt Signs*. The following signs are exempt from the regulations contained in this Article:

1. Official signs or signs required by law.
2. Integral signs.
3. Utility warning signs.
4. Signs carried by a person.
5. Signs integrated with vending machines, fuel pumps, and bus shelters.

Section 6. Section IX-5 of the Zoning Ordinance of the City of Urbana, Illinois is hereby amended to read as follows:

Section IX-5. Sign Permits

A. *Permit Requirements*. With the exception of exempt signs authorized by Section IX-4, it shall be unlawful for any person to display, install, construct, erect, alter, reconstruct, or relocate any sign or OASS without first obtaining a valid permit, in writing, from the Zoning Administrator, and making payment of the fees required by this ordinance.

B. *Permit Exceptions*. Notwithstanding the requirements of Section IX-5.A, the following modifications to signs and OASS shall not be considered as "installing, constructing, erecting, altering, reconstructing, relocating," or creating a sign and shall not require a permit:

1. The changing of the advertising copy, face panel or panels on an outdoor advertising sign structure; on a painted, printed, or electronic sign; or on changeable letter panels or bulletin boards specifically designed for the use of replaceable copy.

2. Painting, repainting, cleaning and other normal maintenance and repair of a sign, sign structure, or outdoor advertising sign structure.

C. *Sign Permit Applications.*

1. A person proposing to erect or display a permanent or temporary sign shall file an application for a permit with the Zoning Administrator of the City of Urbana or designee. Sign permit applications shall contain the following:

a) The name address and telephone number of the owner of the sign and agent, if any;

b) The location of buildings, structures, or lots to which or upon which the sign is to be attached or erected;

c) A site plan drawn to scale specifying the location of permanent, free-standing signs and their relationship to the site and surrounding properties, including: property lines, rights-of-way, existing structures, required zoning setbacks, pertinent utilities and easements, vehicle parking and circulation, any traffic control measures, and relevant sight visibility triangles;

d) Two prints or ink drawings of the plans and specifications indicating the method of construction and attachment to the buildings or in the ground. No such prints or ink drawings shall be required for Section IX-5 signs, unless such signs otherwise require

a permit; for temporary signs permitted in Section IX-4; or for signs the fair market value of which is less than \$500 and which are to be erected in compliance with a standard method;

e) The name of person, firm, corporation, or association that will erect the sign;

f) Evidence of written consent of the owner of the building, structure, or land to which or on which the sign is to be erected; and

g) Such other information as the Zoning Administrator shall require to show full compliance with this and all other laws and ordinances of the City.

2. *Issuance of Permit.* The Zoning Administrator shall issue the permit within 30 days after he or she finds that the permit application is complete and complies with all of the requirements in Section IX-4.F.1, and that the sign to be erected complies with all of the requirements of this ordinance. The Zoning Administrator may return the application to the applicant if the Zoning Administrator finds it incomplete.

3. *Denial of Permit.* The Zoning Administrator shall notify the applicant in writing of any denial of a sign permit, specifying the facts relied upon in making the decision, explaining how the decision is based on the relevant regulations, and shall state that the applicant may resubmit the application within 30 days with such modifications as are necessary to show compliance with relevant codes and ordinances.

4. *Appeal*. An appeal of a decision of the Zoning Administrator may be taken by any person aggrieved thereby to the Zoning Board of Appeals in accordance with the procedures and time limits of Section XI-3.D of the Urbana Zoning Ordinance.

5. *Inspection upon Completion*. The applicant who has been issued a permit for construction, installation, erection, relocation, or alteration of a sign shall, upon completion of the work, notify the Zoning Administrator, who shall inspect the sign as constructed for compliance with City requirements, and, if he/she finds that the same has been constructed in compliance with the ordinances of the City, he/she shall then issue such applicant a permit in writing, authorizing such applicant to operate and maintain the sign as permitted.

6. *Nullification*. If the work authorized under a permit to build has not been substantially completed within six months after the date of its issuance, the permit shall become void.

Section 7. Section IX-7 of the Zoning Ordinance of the City of Urbana, Illinois is hereby amended to read as follows:

Section IX-7. Prohibited Signs and OASS

A. The following are specifically prohibited by this Article:

1. Any sign or OASS which, by reason of its size, location, movement, content, coloring, or manner of illumination, constitutes an obvious traffic hazard or a detriment to traffic safety by obstructing or

- detracting from the visibility of any official traffic control device;
2. Any sign or OASS which contains or is an imitation of an official sign, other than private traffic directional or instructional signs;
 3. Animated signs and OASS;
 4. Any sign or OASS which contains or consists of banners, pennants, ribbons, streamers, strings of light bulbs, spinners, or similar devices, except for Temporary Signs explicitly authorized by Section IX-4;
 5. Any sign which for 30 consecutive days has directed attention to a product, place, activity, person, institution, or business which was formerly but is no longer in operation or existence on the premises;
 6. Any sign or OASS not in compliance with the requirements of this ordinance; or
 7. Any portable sign, except sandwich boards as defined in Section IX-2.

B. Removal of Prohibited Signs:

1. For any on-premise sign which for 30 consecutive days has directed attention to a product, place, activity, person, institution, or business which was formerly but is no longer in operation or existence on the premises, the Zoning Administrator shall give

notice under the procedures of Section IX-9 of the Zoning Ordinance to remedy or remove the sign.

All other signs prohibited by this section shall be brought into conformity as provided for in Section X-9. (Ord. No. 9697-154, 6-16-97)

Section 8. Section IX-5 of the Zoning Ordinance of the City of Urbana, Illinois, Signs Allowed Without a Permit Subject to Certain Regulations, is hereby repealed.

Section 9. In place of Section IX-5 of the Zoning Ordinance herein repealed, a new Section IX-5, Signs Allowed Without a Permit, is hereby enacted to read as follows:

Section IX-5. Signs Allowed Without a Permit

The following signs shall be allowed in all zoning districts and do not require a sign permit unless a permit is otherwise required by this ordinance, subject to the conditions and limitations set forth in this section.

- A. Official signs or signs required by law.
- B. *Flag*: No more than two flags for each premise.
- C. *Integral Signs*: Any architectural feature carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent

type of construction and made an integral part of the building or structure.

D. Private Traffic Direction Signs and Related Signs: Signs displayed at the entrance or exit of a premise. The total area shall not exceed five square feet, and the total height shall not exceed five feet.

E. Property Sale, Rental, or Exchange Signs: Any sign displayed on premises for sale, rent or exchange. Such signs may be freestanding or wall-mounted only. Signs may not emit direct illumination, and must be removed within 14 days after the sale, rental, or exchange of the property. Property sale, rental or exchange signs shall not be placed in the public right-of-way. Property sale, rental, or exchange signs shall be subject to the standards and provisions specified in Table IX-7.

F. Home Occupation Signs: Home occupation signs that are wall-mounted, not internally illuminated and do not exceed one square foot in area. There shall be only one such sign per building or structure for a home occupation permitted under Section V-13.B.

G. Subdivision Sign: Subdivision signs subject to the standards specified in Table IX-8.

H. Development Signs: Development signs confined to the site of the construction, alteration, or repair. Development signs shall be removed within 21 days after completion of the work, and shall conform to the standards provided in Table IX-7.

I. Underground utility warning signs.

J. *Sandwich Boards*: Such signs shall not be located in the traveled roadway or block pedestrian traffic, and shall be moved indoors at the end of business hours. Such signs shall be permitted in the B-1, B-2, B-3U, B-4, B-4E, or MOR Zoning Districts, and shall not exceed eight square feet in area and four feet in height.

K. *House or Building Sign*: Any sign on a residence or building that does not exceed six inches in height.

Section 10. Tables IX-1, IX-2, IX-3, IX-4, IX-5, IX-6, IX-7, IX-8, and IX-9, IX-10 of the Zoning Ordinance of the City of Urbana, Illinois, as attached, are incorporated as part of this ordinance and hereby amended to read as follows:

Section 11. 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 _____, 2009.

PASSED by the City Council this _____ day of _____, 2009.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2009.

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 _____, 2009, the Corporate Authorities of the City of Urbana passed and approved "AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS (Amending Article IX, Comprehensive Sign Regulations -- Plan Case No. 2104-T-09)" 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 _____, 2009, 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 _____, 2009.

TABLE IX-1. STANDARDS FOR FREESTANDING SIGNS¹

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area Of Sign	Maximum Height Of Sign ²	Location of Sign
B-1, Neighborhood Business CRE, Conservation, Recreation and Education District	One sign per business, except that no sign is permitted if a projecting or roof sign exists on the lot. If a lot has two frontages, one sign per frontage is permitted provided the cumulative square footage of both does not exceed 32 square feet in area.	32 square feet	12 feet tall if beyond 15 feet from a public right-of-way, or 6 feet tall if located 8 to 15 feet from a public right-of-way	Minimum setback of eight feet from public rights-of-way.
B-2, Neighborhood Business Arterial	One sign per business frontage, except that no sign shall be permitted on any frontage which has a projecting or roof sign. One additional sign is allowed on the property if any frontage exceeds 600 feet in length.			
MOR, Mixed Office Residential CCD, Campus Commercial District B-3U, General Business –University	One sign per business frontage, except that no sign is permitted if a projecting or roof sign exists on the same frontage.	32 square feet	8 feet tall	
B-3, General Business B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus IN, Industrial	One sign per business frontage. One additional sign is allowed on the property if any frontage exceeds 600 feet in length. Provided that no sign is permitted on any frontage which has a projecting or roof sign.	50 square feet ² 75 square feet if combined ^{2,3}	16 feet tall if beyond 15 feet from a public right-of-way, or 8 feet tall if located 8 to 15 feet from a public right-of-way	

1. For buildings with multiple businesses, refer to Table IX-9, Freestanding Shopping Center Signs.

2. If a freestanding sign in the B-3, General Business, or IN, Industrial, zone is: (1) directed toward the users of an interstate highway; (2) within 2,000 feet of the center line of an interstate highway; and (3) more than 75 feet from the boundary of any residential zoning district; then the sign's height may be increased to 75 feet, and its maximum size may be increased to 150 square feet.

3. Combined Sign: If a property has two business frontages, a single sign may be constructed with a larger maximum area as defined in Table IX-1.

TABLE IX-2. STANDARDS FOR WALL SIGNS

Zoning Districts Permitted	Maximum Number Permitted	Total Maximum Area Of Wall Signs per Building Face	Maximum Height and Location of Signs
R-6B, Restricted Business B-1, Neighborhood Business B-2, Neighborhood Business-Arterial B-3U, General Business – University CCD, Campus Commercial District CRE, Conservation, Recreation and Education District	No Limit	8% of wall area, not to exceed 300 sq. ft. maximum	Signs shall not project above or beyond the top or ends of the wall surface to which they are mounted In the B-1, Neighborhood Business Zoning District, no wall signs are permitted on walls immediately facing a residential use or zoning district and is not separated by a right-of-way.
B-3, General Business B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus IN, Industrial		10% of wall area, not to exceed 500 sq. ft. maximum	
MOR, Mixed Office Residential		8% of wall area, not to exceed 150 sq. ft. maximum	

TABLE IX-3. STANDARDS FOR PROJECTING SIGNS

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height and Projection of Sign	Location of Sign
B-1, Neighborhood Business B-2, Neighborhood Business - Arterial B-3U, General Business - University B-3, General Business B-4E, Central Business Expansion MIC, Medical Institutional Campus CCD, Campus Commercial MOR, Mixed Office Residential CRE, Conservation, Recreation and Education District	One per business frontage, except that no projecting sign is permitted if a free-standing sign, roof sign, or canopy sign exists on the same frontage. Projecting signs are not allowed above the first story.	32 square feet	8-foot minimum clearance above ground. No sign shall extend above that portion of the roof immediately adjacent to the sign. No sign shall project more than 5 feet from the face of the building to which it is attached.	Shall not extend over any public right-of-way.
B-4, Central Business	See Note 1 regarding spacing requirements for projecting signs extending over the right-of-way in the B-4 District.	32 square feet: 12 square feet if any portion extends over public right-of-way		In the B-4 District, projecting signs with a maximum area of 12 square feet may project a maximum of 5 feet from the face of the building to which it is attached, or to within two feet from the curb face, whichever distance is less. ¹

1. Projecting signs extending over the right-of-way shall not be internally illuminated; the dimension between the two principal faces (i.e., the thickness or depth) shall not be greater than six inches; and a minimum separation of 20 feet must be maintained between such signs; however in no case should more than one such sign per business frontage be permitted. (Ord. No.2002-09-111, 06-17-02)

TABLE IX-4. STANDARDS FOR ROOF SIGNS

Zoning District Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
B-3, General Business	One per premise, except no roof sign is permitted if a freestanding sign or projecting sign exists on the same frontage.	50 square feet	9 feet as measured from that part of roof immediately below sign, but in no case shall the height exceed maximum height authorized in zoning district.	Sign must be located wholly within the roof area of structure.
B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus		50 square feet		
IN, Industrial		75 square feet	11 feet as measured from that part of roof immediately below sign, but in no case shall height exceed maximum height authorized in zoning district.	

TABLE IX-5. (Reserved)

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

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Height of Sign
R-6B, High Density Multiple-Family Residential -- Restricted Business B-1, Neighborhood Business B-2, Neighborhood Business -- Arterial B-3U, General Business -- University CCD, Campus Commercial District MOR, Mixed Office Residential CRE, Conservation, Recreation and Education District	One per business frontage up to 100 feet. One additional sign for each 100 feet thereafter.	40 square feet	9 foot minimum clearance to ground
B-3, General Business B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus			
IN, Industrial			

TABLE IX-7. STANDARDS FOR PROPERTY SALE AND RENTAL SIGNS

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Free-standing Sign²	Location of Sign
R-1 and R-2 Single-Family Residential R-3, Single and Two-Family Residential	One per dwelling	3 square feet	5 feet	10-foot minimum setback from curb line but wholly upon the premises.
R-4, R-5, & R-6 Multiple Family Residential R-6B, Restricted Business R-7, University Residential	One per apartment building or dwelling (See Note 1)	10 square feet	10 feet	
AG, Agriculture	One per 660 foot frontage	32 square feet	15 feet	Signs shall conform to the setback requirements for structures in the applicable districts.
B-1, Neighborhood Business B-2, Neighborhood Business Arterial B-3U, General Business University CCD, Campus Commercial District MOR, Mixed Office Residential	One per frontage (See Note 1)			
B-3, General Business B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus IN, Industrial	One per frontage (See Note 1)	80 square feet	25 feet	

1. An apartment complex, shopping center, highway plaza, or industrial complex is permitted one sign per frontage, up to 200 feet, and one additional sign for each 300 feet thereafter.

2. Wall signs shall not extend beyond the top or ends of the wall surface on which they are placed.

TABLE IX-8. STANDARDS FOR SUBDIVISION SIGNS

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
R-1 & R-2 Single-Family & R-3 Single- & Two-Family Residential	One sign per major road providing direct access to the subdivision	25 square feet	6 feet	10-foot minimum setback wholly upon the premises.
R-4, R-5, R-6 Multiple Family Residential R-6B, Restricted Business & R-7, University Residential				
AG, Agriculture B-1, Neighborhood Business B-2, Neighborhood Business Arterial B-3, General Business B-3U, General Business University CCD , Campus Commercial District MOR, Mixed Office Residential		25 square feet	15 feet	Signs shall conform to the setback requirements for structures in applicable district.
B-4, Central Business B-4E, Central Business Expansion MIC , Medical Institutional Campus IN, Industrial				

TABLE IX-9. FREESTANDING SHOPPING CENTER SIGNS

Class of Shopping Center	Zoning Districts Permitted	Maximum Number Permitted	Maximum Area¹	Maximum Height	Location	Individual³ Business May List
Shopping Center – General (minimum four acres and 50,000 square feet of building area)	R-6B B-2 B-3 B-3U B-4 B-4E IN	Two signs per frontage	150 square feet In addition, 50 square feet may be permitted for use as a directory	16 feet tall if located beyond 15 feet from a public right-of-way, or 8 feet tall if located 8 to 15 feet from a public right-of-way	Minimum sign setback of 8 feet from public rights-of-way. No signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home.	Yes
Shopping Center - Convenience (between one and four acres and 12,000 – 50,000 square feet of building area)	R-6B B-1 B-2 B-3 B-3U B-4 B-4E IN		100 square feet ²			

Notes:

¹Maximum area refers to combined area of both signs, or of one sign if there is only one.

²Size of sign may be increased to 150 square feet under special use procedures.

³Individual businesses may list, but an individual listing may not exceed 50% of the area of any face of the sign.

TABLE IX-10. STANDARDS FOR MULTI-FAMILY RESIDENTIAL RENTAL SIGNS

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign	Illumination
R-4, R-5, & R-6 Multiple Family Residential R-6B, Restricted Business MOR, Mixed Office Residential	One per property	12 square feet	5 feet	Minimum 10-foot setback from public rights-of-way	External only.
B-1, Neighborhood Business B-2, Neighborhood Business Arterial B-3, General Business B-3U, General Business University CCD, Campus Commercial District B-4, Central Business B-4E, Central Business Expansion	One per frontage	20 square feet			

ARTICLE IX. COMPREHENSIVE SIGN AND OASS REGULATIONS

- Section IX-1. Purpose and Severability ~~Legislative Intent and Findings~~
- Section IX-2. Sign and OASS Definitions
- Section IX-3. Measurement Standards
- Section IX-4. General Sign Allowances ~~Permit Requirements~~
- Section IX-5. Sign Permits ~~Signs Allowed Without a Permit~~
- Section IX-6. Outdoor Advertising Sign Structures (OASS)
- Section IX-7. Prohibited Signs and OASS ~~Outdoor Advertising Sign Structures (OASS)~~
- Section IX-8. (Reserved)
- Section IX-9. Enforcement and Penalties

Section IX-1. Purpose and Severability ~~Legislative Intent and Findings~~

A. Purpose. The purpose of this Article is to create the legal framework for a comprehensive and balanced system of signs and outdoor advertising sign structures (OASS) that will implement the City of Urbana's Comprehensive Plan; preserve the right of free speech and expression; provide effective communication between people and their environment; and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this ordinance to authorize the use of signs and OASS that are:

1. Compatible with their surroundings;
2. Appropriate to the activity that displays them;
3. Expressive of the identity of individual activities and the community as a whole; and
4. Legible in the circumstances in which they are seen.

~~The purposes of this Article are to establish regulations and controls which promote the goals, objectives, and policies of the City of Urbana Comprehensive Plan; and to permit and regulate signs and outdoor advertising sign structures (OASS) so as to support and complement the land use policies set forth in Article I, Section I-1 of this Ordinance. To these ends, this Article regulates the size, number, and spacing of signs and OASS in order to: aid in traffic safety by avoiding uncontrolled proliferation of signs and OASS which distract and endanger safety and traffic flow; reduce congestion of land, air, and space; preserve and protect property values; establish reasonable standards for the use of signs and OASS in order to maintain and encourage business activity and development; protect and enhance the physical appearance of the community and the scenic value of the surrounding area; and regulate signs located near to or visible from public property such as streets, highways, parks, and schools where such signs could jeopardize the public's investment in these facilities.~~

These sign regulations expressly distinguish between "signs" and "outdoor advertising sign structures (OASS)" based on the specific finding that outdoor advertising sign structures represent a separate and unique communication medium available to the general public for the periodic display of both commercial and noncommercial information, utilizing nationally standardized sign panels designed to allow relatively frequent changes in message. At the same time, these regulations recognize that limiting the size, number, and spacing of such structures is consistent with and will further the purposes and policies expressed herein.

Recognizing that OASS and other signage can be constructed to varying degrees of compatibility or incompatibility with their surroundings, these regulations require that certain design standards be implemented when constructing OASS. Further recognizing that the zoning districts in and routes along which OASS may be erected are mainly commercial, rather than industrial, these provisions are intended to result in a minimum baseline of architectural features, and are intended to result in OASS that have an acceptable commercial, as opposed to industrial, appearance. (Ord. No. 2001-05-044, 06-04-01) ~~These sign regulations recognize the basic guaranteed right of freedom of speech and therefore are not intended to control the content of any message displayed nor discriminate between on-premise and off-premise messages.~~

- B. Severability. Should any court of competent jurisdiction declare any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word to be invalid, such invalidity shall not affect the validity or enforceability of the remaining portions.

Section IX-2. Sign and OASS Definitions

- A. Animation or Animated. The movement or optical illusion of movement of a sign or its sign structure, design, or illumination, caused by any method other than physically removing and replacing the sign or its components. For the purposes of this Article, animation shall include mechanical, electrical, electronic, or other means, or the appearance of movement, including but not limited to full-motion video, flashing, scrolling, oscillating, blinking, twinkling, or changing color or light intensity in a way simulating change; provided that signs employing static electronic displays, changing instantaneously without swipes or transitions, and with a frequency of change no more than once every three minutes, shall not be defined as animated signs.
- B. *Banner.* A sign made of paper, plastic or fabric of any kind and which can be easily folded or rolled.
- C. Commercial sign: A sign directing attention to or indicating any business or involving any goods or services.
- D. *Community Event Sign:* A sign displayed for a special community event or activity conducted by or sponsored by or on behalf of a unit of local government, institution of an educational or charitable nature, a charitable organization, or a not-for-profit corporation. A special community event or activity is one which occurs not more than twice in any twelve-month period and which seeks to attract donations, participants, customers, or an audience throughout the community. (Ord. No. 8283-43, § 2, 1-17-83; Ord. No. 8485-73, § 1, 4-15-85)
- E. *Development Sign:* Any sign displayed on a construction site by architects, engineers, contractors, or other individuals or firms involved with the construction, alteration, or repair of a building or subdivision of property.
- F. Electronic Display: Visual representation of text, graphics, and/or images through electronic means, either analog or digital, and whether by cathode ray tube, light emitting diode (LED), liquid crystal display (LCD), plasma, or any other electronic means.
- ~~D. *Electronic Message Board Sign:* A sign with a fixed or changing message composed of a series of lights that may be changed through electronic means.~~
- G. *Flag.* A square or rectangular sign made of paper, plastic or fabric of any kind and intended to be hung from a flagpole by being tethered along one side.

- H. *Freestanding Sign and Freestanding Outdoor Advertising Sign Structure*: Any permanent sign or outdoor advertising sign structure completely or principally self-supported, such as by a monument base, uprights, braces, columns, or poles, by posts or other supports and independent of any building or other structures.
- I. *Grand Opening Sign*: A temporary sign displayed at the time of the opening of a new business or the change of ownership of a business. (Ord. No. 9495-81, 3-6-95)
- J. *Home Occupation Sign*. A sign displayed on a property where any occupation or profession for gain or support is carried on as an accessory use in a dwelling unit by a member or members of the immediate family residing on the premises.
- K. *Integral Signs*: Any architectural feature carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the building or structure.
- L. *Internally Illuminated or Internal Illumination*: Having a light source that is concealed on contained within a sign and becomes visible in darkness through a translucent surface.
- M. *Institutional Signs*: Any sign and/or message board displayed by any public, charitable, educational, religious or other institution, when located on the premises of such institution.
- N. *Message Board*: A sign, or any portion of a sign, designed and constructed to allow changeable messages through manual, mechanical, or electronic means.
- O. *Monument Sign*: A type of freestanding sign permanently affixed to the ground at its base, supported entirely by a base structure and not mounted on a pole. A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.
- P. *Multi-Family Residential Identification Signs*: Signs displayed by a multi-family residential building or complex, boarding or rooming house, or dormitory, in accordance with Table V-1. Such signs shall be subject to the standards specified in Table IX-10.
- Q. *Official Sign*: Signs displayed in the public right-of-way with approval of the Public Works Director or designee. Examples include safety signs, danger signs, traffic signs, memorial plaques, or signs indicating points of scenic or historical interest.
- R. *Outdoor Advertising Sign Company*: A commercial enterprise which owns, maintains, erects, and manages outdoor advertising sign structures which are designed, intended, and customarily used to mount periodically changing commercial or noncommercial messages, such standardized signs and sign space to be made generally available to the general public.
- S. *Outdoor Advertising Sign Structure (OASS)*: An outdoor advertising display, including the permanent framework, structural members, support or supports, foundation, scaffolding and illumination, facing or panels, which is intended and whose customary use is to mount periodically changing commercial or noncommercial displays and which is made generally available for display to the public by an outdoor advertising sign company on a short-term basis.
- T. *Permanent Sign*: A sign that is permanently affixed or anchored to the ground, building, or other structure.

- U. *Portable Sign*: A freestanding sign not permanently anchored or secured to either a building or structure.
- V. *Private Traffic Directional and Instructional Signs*: Any on-premise sign designed to direct and instruct motorists to access and circulate onsite in an orderly and safe manner. Per Code of Federal Regulations Title 23, Part 655.603, internal traffic control signs shall conform to the Manual on Uniform Traffic Control Devices.
- W. *Projecting Sign*: A sign, other than a wall sign, which projects from and is supported by, or attached to, a wall of a building or structure.
- X. *Roof Sign*: A sign erected, constructed, or maintained upon or over a roof, and more than half of whose height is above the building height. A sign mounted on a roof, which does not qualify as a roof sign, shall be considered a wall sign.
- Y. *Sandwich Board Sign*: ~~A~~ Any temporary freestanding sign that is oriented in its display primarily towards pedestrian traffic.
- Z. *Shopping Center/Commercial PUD Sign*: A sign designed for the purpose of being displayed by an entire shopping center. No single listing may exceed 50% of the area of any face of the sign.
- AA. *Sign*: Any identification, description, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land in view of the general public and which directs attention to a product, place, activity, person, institution, or business. An Outdoor Advertising Sign Structure (OASS) shall not be considered a sign under the regulations contained in this ordinance.
- BB. *Subdivision Sign*: Any sign displayed by a residential, commercial, office or industrial subdivision or neighborhood.
- CC. *Temporary Sign*: A sign which is readily movable, not permanently anchored, and intended to be displayed for a limited period of time.
- ~~CC. *Temporary Sign*: A sign intended for a limited or intermittent period of display which is readily movable and is not permanently anchored to the ground, building or other structure. Such sign is not a portable sign. See Section IX-4.E for regulations for temporary signs.~~
- DD. ~~*Underground Utility Warning Signs*~~: Signs displayed in connection with ~~underground~~ utility pipes, conduits, and cables.
- EE. *Wall Sign, Wall-Mounted Sign, or Wall-Mounted Outdoor Advertising Sign Structure*: A sign displayed on or visible through a wall of a building or structure so as to be seen primarily from the direction facing the wall. A wall sign or outdoor advertising sign structure attached to the exterior wall of a building or structure, which (in a plane parallel to the plane of said wall) does not extend or project more than 18 inches.

Section IX-3. Measurement Standards

A. *Area Measurement of Signs and OASS.* The area of signs and OASS ~~a sign~~ shall be computed as:

1. *Flat Signs:* The area of the smallest convex geometric figure encompassing the sign; or
2. *Three-dimensional Volumetric Signs:* The area of the smallest convex geometric figure encompassing the maximum projected area of the volume on a flat plane which completely encloses the extreme limits of the sign, including any frame, structural trim, or other material forming an integral part of the display as used to differentiate such sign from the background against which it is placed. Such measurement shall exclude the necessary supports or uprights on which the sign is placed, unless the supports or uprights constitute part of the display.
3. *Outdoor Advertising Sign Structures (OASS):* The surface area of a sign or surface display area of an outdoor advertising sign structure shall be the area of the smallest convex geometric figure encompassing the maximum projected area of the volume on a flat plane which completely encloses the extreme limits of the surface display area of writing, representation, emblem, advertising embellishment, or other figure of similar character or potential display area of an outdoor advertising sign structure, together with any material forming an integral part of the display or used to differentiate such sign or outdoor advertising sign structure from the background against which it is placed. Such measurement shall exclude the necessary supports or uprights on which the sign is placed, unless the supports or uprights constitute part of the display because of the predominant overall concept of the sign, and shall exclude the apron, if any, which itself covers structural members, supports or uprights. The lowest projection of the display area shall not be more than six inches above the lowest portion of any horizontal structural element of the OASS.

This Article limits OASS to standard "30 sheet poster panels" or "junior panels" and which shall be measured as follows:

- a) 30 sheet poster panels or painted bulletins are approximately 12 feet by 25 feet and contain no more than 300 square feet of total display area;
- b) Junior panels are approximately six feet by 12 feet and contain no more than 72 square feet of total display area;
- c) Height and width measures for 30 sheet poster panels and junior panels shall include outside dimensions, including any trim, but excluding the base, apron, supports, and other structural members; and
- d) For the purpose of defining the height and width of an OASS, The term "approximately" shall permit the approval of an OASS containing lineal dimensions which deviate from the standardized dimension by no more than 20%.

B. *Height Measurement*

1. The maximum allowable height of freestanding signs and OASS shall be measured as the distance from the top of the highest portion of the sign or structure to:
 - a) The grade at the foundation of the sign or outdoor advertising sign structure; or

- b) The average grade of the lot, whichever is less.
2. The minimum required height of OASS shall be measured as the distance from the bottom of the lowest portion of the sign or sign structure to:
 - a) The grade at the foundation of the sign or outdoor advertising sign structure; or
 - b) The average grade of the lot, whichever is less.
- C. *OASS Separation Distance Measurements.* The separation distance between OASS shall be measured as follows:
 1. Separation distances between OASS shall be measured horizontally along the centerlines of the roadway(s) to which OASS faces are directed, and between points on said centerlines closest to each OASS.
 2. For free-standing OASS, the closest point on the roadway centerline shall be measured from the closest point of ground support for the structure.
 3. For wall-mounted OASS, the closest point on the roadway centerline shall be measured from the nearest edge or projection of the OASS.
- D. *Measurement of Business Frontage.* Business frontage is the lineal footage of a lot, facing the public right-of-way, owned or rented by a person, business, or enterprise, and intended for business usage. (Ord. No. 8458-73, § 2, 4-15-85)
- E. *Measurement of Gas Station Canopy Display Area:* The area of a gas station canopy structure shall be computed as the product of the height and length of a canopy structure's vertical face. The vertical supports of the canopy structure shall not be considered a display area.

Section IX-4. General Sign Allowances Permit Requirements

A. General Sign Provisions.

1. Signs specified in this Section and in Tables IX-1 through Table IX-10 of this Article Ordinance shall be allowed subject to the conditions and limitations set forth herein.
2. Any sign not expressly permitted by or in compliance with this Article is prohibited in the City of Urbana.
3. Any sign or OASS authorized by this Article may display a noncommercial message. [moved from below and modified slightly.]

[B. and C. below moved to Section IX-5]

~~B. *Permit Requirements.* It shall be unlawful for any person to display, install, construct, erect, alter, reconstruct, or relocate any sign without first obtaining a valid permit, in writing, from the Zoning Administrator, and making payment of the fees required by this ordinance unless such signs are permitted without a permit by Section IX-5.~~

~~C. *Permit Exceptions.* The following operations shall not be considered as "installing, constructing, erecting, altering, reconstructing, relocating," or creating a sign and shall not require a permit, notwithstanding the requirements of Section IX-4.B:~~

- ~~1. The changing of the advertising copy, face panel or panels on an outdoor advertising sign structure; on a painted, printed, or electronic sign; or on changeable letter panels or bulletin boards specifically designed for the use of replaceable copy.~~
- ~~2. Painting, repainting, cleaning and other normal maintenance and repair of a sign, sign structure, or outdoor advertising sign structure.~~

~~D. General sign provisions.~~

- ~~1. Any sign authorized by this ordinance may display a noncommercial message. [moved above]~~

B. Institutional Signs. In all residential zoning districts, institutions may display either one monument sign or one wall sign per street frontage with a maximum combined sign size of 25 square feet total. Such monument signs shall have a maximum height of eight feet. Wall signs shall not project above the roofline or front building façade. Institutional signs in other zoning districts shall conform to the design standards for signs in that zoning district.

- ~~2. Institutional Signs.~~ Institutional signs and/or message boards shall not exceed a total of 25 square feet in display area. If building mounted, these signs shall be flat wall signs, and shall not project above the roofline or front façade of the building. If freestanding, the total height shall not exceed five feet. There may be one sign per frontage.

C. Electronic Display. Freestanding signs and wall signs authorized by this Article in the B-3, General Business Zoning District, may include an element of electronic display when designed and operated to meet the following requirements:

1. The maximum area of electronic display shall not exceed 50 percent of any sign area.
2. Electronic displays shall not be animated as defined by this Article, including a minimum display change frequency of no more than once every three minutes.
3. The sign, including electronic display, shall meet all other design standards in this Article.
- ~~3. Electronic Message Board Signs.~~ In the B-3, General Business Zoning District, an electronic message board sign shall be allowed as either a freestanding or wall-mounted sign. Such signs shall be allowed by permit subject to the following conditions:
 - ~~a) The electronic display shall not be animated, flashing, multi-colored, or scrolling.~~
 - ~~b) The frequency of message change shall be restricted to no more than once every 3 minutes.~~
 - ~~c) The maximum area of an electronic message board shall not exceed 30 percent of the total sign allowance for the property.~~
 - ~~d) The maximum height of an electronic message board shall conform to the standards of Table IX-1.~~

D. Community Event Signs on City Property.

1. The Zoning Administrator may issue a permit for community event signs to be erected or maintained on or over any property owned or controlled by the City, including public rights-of-way,

which conform to the requirements and restrictions of this subsection of this ordinance. Prior to issuance of a permit, the Zoning Administrator shall require submission of evidence as to general liability insurance or its equivalent which names the City as an additional insured in amounts of no less than combined property damage and personal injury limits of \$200,000.

2. *Zoning Districts Allowed:*

B-4, Central Business

B-4E, Central Business-Expansion

3. *Numbers and Sizes of Signs:*

a) The Zoning Administrator shall grant permits for no more than ten community event signs to be displayed on any one day. When applications are received for more than one event sign to be displayed on the same day, and the total number exceeds the maximum provided in this section, each event shall receive a pro rata number of such signs so that the maximum number of signs is not exceeded for that day.

b) Community event signs shall be no larger than 50 square feet in display area.

4. *Length of Time of Display:*

a) Community event signs shall be displayed for not more than a consecutive 30-day period.

b) No more than two days following the community event for which a sign permit is granted pursuant to this section, such special event signs shall be removed, and the area where such signs have been displayed shall be cleaned and restored to its condition prior to display of such signs.

5. *Electronic Display of Community Events.* The Zoning Administrator may approve permanent signs with an electronic display to be located at the site of community events which operate on a regular basis on City-owned or controlled property. The Zoning Administrator shall consider the following criteria in reviewing a permit application for electronic display signs:

a) The sign shall not be located within 450 feet of another community event electronic display sign.

b) The sign shall not be located within 100 feet of a residential district or use.

c) The maximum area of an electronic message board display shall not exceed 25 square feet. This counts against the total sign allowance for a business frontage.

d) Illumination from the sign will not cause a nuisance to any nearby residential district or use; and

~~(e) The sign will not blink, flash, or otherwise display electronic messages in a manner that may cause a traffic or safety hazard.~~

E. *Signs in Planned Unit Developments.* ~~Signs located within a Residential Planned Unit Development, or Signs and/or outdoor advertising sign structures located within a Planned Unit Development shall be subject to the provisions applicable to the zoning district in which the PUD is located.~~

- F. Agricultural Districts. Sign standards for permitted and conditional uses in the AG, Agriculture District, shall be identical to the standards for the same use in the most restrictive non-agricultural zoning district within which the use is permitted by right.
- G. Shopping Center Signs. In lieu of Section IX-4.D.5, Shopping Centers/Commercial PUD signs may alternatively comply with the standards set forth in Table IX-9. The erection of signs authorized under Table IX-9 precludes the erection of any freestanding signs authorized under Table IX-1.
- ~~8. Signs in the MIC District shall be subject to the provisions and standards specified for the B-4E District. Signs in the CCD District shall be subject to the provisions and standards specified for the B-3U District. [now unnecessary as MIC and CCD shown in tables]~~
- H. Sign safety. ~~Signs and OASS Freestanding and projecting signs~~ shall be designed, sited, and constructed to allow safe vehicular movement onto and within the property, including on driveways and parking lots. Traffic control measures, such as curbing, may be required to be installed and maintained for safety reasons at the discretion of the City Engineer or designee.
- I. Temporary Signs. In the B-3, B-3U, B-4, B-4E, and IN Districts, in addition to the signs permitted as specified in Table IX-1 through Table IX-4, Table IX-6 and Table IX-9, temporary signs shall be allowed by permit as provided in this Section. Temporary Signs for non-residential uses in residential districts (as allowed in Table V-1) shall also be allowed by permit as provided in this Section.
1. Grand Opening Signs. Each business (or other entity) shall be allowed to display one grand opening sign for each business frontage, in the form of a banner securely fastened at both ends to a building or other structure, for a period not to exceed 30 consecutive days. The display must occur within the first six months after either the opening of the business at that site, or after there has been a change in ownership of the business.
 2. Inflatable Signs and Balloons. Within the first 30 days of the operation of a new on-site business, in addition to the banner signs as permitted in this section, a business having at least 50 feet of frontage may display additional grand opening signage in the form of inflatable signs and balloons for a period of no more than ten days.

An inflatable sign or balloon may not *itself* exceed 25 feet in height and shall not obstruct visibility necessary for safe traffic maneuvering. Such signs shall be set back from any property line a minimum distance equal to the height of the balloon plus five feet, and shall maintain a minimum 25 foot clearance in all directions from all electrical wires. No more than one such inflatable device shall be allowed on any premises. Any such sign or balloon must be securely fastened as required by manufacturers specifications and secured to minimize wind movement. The inflatable sign, if lighted, must be installed to a grounded outlet. Such inflatable signs must be installed by a commercial sign installer. A permit for an inflatable sign may not be issued unless proof of liability insurance in a minimum amount of one million dollars is shown. Signs inflated with helium are strictly prohibited.
 3. Banners. In addition to any permitted grand opening signs, each business shall be allowed up to four separate banner displays per business frontage per calendar year, securely fastened at both ends to a building or other structure. If more than one business is located on a particular lot, then each business on that lot shall be allowed up to four separate temporary sign displays per calendar year for each portion of the lot that abuts a public street or alley. The total length of time for those four displays on a particular business frontage shall not exceed four weeks per calendar year.

- a) The area of temporary banner signs shall be restricted to 100 square feet for wall banner signs or wall-mounted banner signs, and 50 square feet for freestanding banner signs.
 - b) A temporary banner sign shall be set back at least ten feet from the front property line, or shall be displayed so that the bottom edge of the sign is at least ten feet above grade level at all points.
4. A permit for a temporary sign shall specify the location of the sign and the period of time during which said sign may be displayed.
 5. No fee shall be charged for a grand opening temporary sign. This exemption shall supersede the requirements of Chapter XIV of the City of Urbana Code of Ordinances governing fees for sign permits. The fees for other temporary commercial signs shall be as set forth in Chapter XIV for sign permits. (Ord. No. 9495-81, 3-6-95; Ord. No. 9697-154, 6-16-97)

[the following has been moved from Section IX-5]

J. Signs Authorized Without a Permit. The following signs shall be allowed in all zoning districts without a sign permit and with the following limitations. ~~and do not require a sign permit unless a permit is otherwise required by this ordinance, subject to the conditions and limitations set forth in this section.~~

- ~~1. Official signs or signs required by law. [moved below]~~
2. *Flags:* No more than two flags for each premise.
- ~~3. *Integral Signs:* Any architectural feature carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the building or structure. [moved below]~~
4. *Private Traffic Direction Signs and Related Signs:* Signs displayed at the entrance or exit of a premise. The total area shall not exceed five square feet, and the total height shall not exceed five feet.
5. *Property Sale, Rental, or Exchange Signs:* Any sign displayed on premises for sale, rent or exchange. Such signs may be freestanding or wall-mounted only. Signs ~~shall not be internally illuminated may not emit direct illumination,~~ and must be removed within 14 days after the sale, rental, or exchange of the property. Property sale, rental or exchange signs shall not be placed in the public right-of-way. Property sale, rental, or exchange signs shall be subject to the standards and provisions specified in Table IX-7.
6. *Home Occupation Signs:* Home occupation signs that are wall-mounted, not internally illuminated and do not exceed one square foot in area. There shall be only one such sign per building or structure for a home occupation permitted under Section V-13.B.
7. *Subdivision Sign:* Subdivision signs subject to the standards specified in Table IX-8.
8. *Development Signs:* Development signs confined to the site of the construction, alteration, or repair. Development signs shall be removed within 21 days after completion of the work, and shall conform to the standards provided in Table IX-7.
9. *Sandwich Boards:* Such signs shall not be located in the traveled roadway or block pedestrian traffic, and shall be moved indoors at the end of business hours. Such signs shall be permitted in the B-1, B-2, B-3U, B-4, B-4E, or MOR Zoning Districts, and shall not exceed eight square feet in area and four feet in height.

10. *House or Building Sign*: Any sign on a residence or building that does not exceed six inches in height.

K. *Exempt Signs*. The following signs are exempt from the regulations contained in this Article:

1. Official signs or signs required by law.
2. Integral signs.
3. Utility warning signs.
4. Signs carried by a person.
5. Signs integrated with vending machines, fuel pumps, and bus shelters.

[Paragraph F. below has been moved to Section IX-5]

~~F. *Sign Permit Applications.*~~

- ~~1. A person proposing to erect or display a permanent or temporary sign shall file an application for a permit with the Zoning Administrator of the City of Urbana or designee. Sign permit applications shall contain the following:
 - ~~a) The name address and telephone number of the owner of the sign and agent, if any;~~
 - ~~b) The location of buildings, structures, or lots to which or upon which the sign is to be attached or erected;~~
 - ~~c) A site plan drawn to scale specifying the location of permanent, free-standing signs and their relationship to the site and surrounding properties, including: property lines, rights-of-way, existing structures, required zoning setbacks, pertinent utilities and easements, vehicle parking and circulation, any traffic control measures, and relevant sight visibility triangles;~~
 - ~~d) Two prints or ink drawings of the plans and specifications indicating the method of construction and attachment to the buildings or in the ground. No such prints or ink drawings shall be required for Section IX-5 signs, unless such signs otherwise require a permit; for temporary signs permitted in Section IX-4; or for signs the fair market value of which is less than \$500 and which are to be erected in compliance with a standard method;~~
 - ~~e) The name of person, firm, corporation, or association that will erect the sign;~~
 - ~~f) Evidence of written consent of the owner of the building, structure, or land to which or on which the sign is to be erected; and~~
 - ~~g) Such other information as the Zoning Administrator shall require to show full compliance with this and all other laws and ordinances of the City.~~~~
- ~~2. *Issuance of Permit*. The Zoning Administrator shall issue the permit within 30 days after he or she finds that the permit application is complete and complies with all of the requirements in Section IX-4.F.1, and that the sign to be erected complies with all of the requirements of~~

- ~~this ordinance. The Zoning Administrator may return the application to the applicant if the Zoning Administrator finds it incomplete.~~
- ~~3. The Zoning Administrator shall notify the applicant in writing of any denial of a sign permit, specifying the facts relied upon in making the decision, explaining how the decision is based on the relevant regulations, and shall state that the applicant may resubmit the application within 30 days with such modifications as are necessary to show compliance with relevant codes and ordinances.~~
 - ~~4. An appeal of a decision of the Zoning Administrator may be taken by any person aggrieved thereby to the Zoning Board of Appeals in accordance with the procedures and time limits of Section XI-3.D of the Urbana Zoning Ordinance.~~
 - ~~5. *Inspection upon Completion.* The applicant who has been issued a permit for construction, installation, erection, relocation, or alteration of a sign shall, upon completion of the work, notify the Zoning Administrator, who shall inspect the sign as constructed for compliance with City requirements, and, if he/she finds that the same has been constructed in compliance with the ordinances of the City, he/she shall then issue such applicant a permit in writing, authorizing such applicant to operate and maintain the sign as permitted.~~
 - ~~6. *Nullification.* If the work authorized under a permit to build has not been substantially completed within six months after the date of its issuance, the permit shall become void.~~

Section IX-5. Sign Permits ~~Signs Allowed Without a Permit~~

[The following has been moved from Section IX-4]

- A. *Permit Requirements.* With the exception of exempt signs authorized by Section IX-4, it shall be unlawful for any person to display, install, construct, erect, alter, reconstruct, or relocate any sign or OASS without first obtaining a valid permit, in writing, from the Zoning Administrator, and making payment of the fees required by this ordinance, unless such signs are permitted without a permit by Section IX-5.
- B. *Permit Exceptions.* Notwithstanding the requirements of Section IX-5.A, the following modifications to signs and OASS shall not be considered as "installing, constructing, erecting, altering, reconstructing, relocating," or creating a sign and shall not require a permit:
 1. The changing of the advertising copy, face panel or panels on an outdoor advertising sign structure; on a painted, printed, or electronic sign; or on changeable letter panels or bulletin boards specifically designed for the use of replaceable copy.
 2. Painting, repainting, cleaning and other normal maintenance and repair of a sign, sign structure, or outdoor advertising sign structure.
- C. *Sign Permit Applications.*
 1. A person proposing to erect or display a permanent or temporary sign shall file an application for a permit with the Zoning Administrator of the City of Urbana or designee. Sign permit applications shall contain the following:
 - a) The name address and telephone number of the owner of the sign and agent, if any;

- b) The location of buildings, structures, or lots to which or upon which the sign is to be attached or erected;
 - c) A site plan drawn to scale specifying the location of permanent, free-standing signs and their relationship to the site and surrounding properties, including: property lines, rights-of-way, existing structures, required zoning setbacks, pertinent utilities and easements, vehicle parking and circulation, any traffic control measures, and relevant sight visibility triangles;
 - d) Two prints or ink drawings of the plans and specifications indicating the method of construction and attachment to the buildings or in the ground. No such prints or ink drawings shall be required for Section IX-5 signs, unless such signs otherwise require a permit; for temporary signs permitted in Section IX-4; or for signs the fair market value of which is less than \$500 and which are to be erected in compliance with a standard method;
 - e) The name of person, firm, corporation, or association that will erect the sign;
 - f) Evidence of written consent of the owner of the building, structure, or land to which or on which the sign is to be erected; and
 - g) Such other information as the Zoning Administrator shall require to show full compliance with this and all other laws and ordinances of the City.
2. Issuance of Permit. The Zoning Administrator shall issue the permit within 30 days after he or she finds that the permit application is complete and complies with all of the requirements in Section IX-4.F.1, and that the sign to be erected complies with all of the requirements of this ordinance. The Zoning Administrator may return the application to the applicant if the Zoning Administrator finds it incomplete.
3. Denial of Permit. The Zoning Administrator shall notify the applicant in writing of any denial of a sign permit, specifying the facts relied upon in making the decision, explaining how the decision is based on the relevant regulations, and shall state that the applicant may resubmit the application within 30 days with such modifications as are necessary to show compliance with relevant codes and ordinances.
4. Appeal. An appeal of a decision of the Zoning Administrator may be taken by any person aggrieved thereby to the Zoning Board of Appeals in accordance with the procedures and time limits of Section XI-3.D of the Urbana Zoning Ordinance.
5. Inspection upon Completion. The applicant who has been issued a permit for construction, installation, erection, relocation, or alteration of a sign shall, upon completion of the work, notify the Zoning Administrator, who shall inspect the sign as constructed for compliance with City requirements, and, if he/she finds that the same has been constructed in compliance with the ordinances of the City, he/she shall then issue such applicant a permit in writing, authorizing such applicant to operate and maintain the sign as permitted.
6. Nullification. If the work authorized under a permit to build has not been substantially completed within six months after the date of its issuance, the permit shall become void.

[The following has been moved to Section IX-4]

~~A. The following signs shall be allowed in all zoning districts and do not require a sign permit unless a permit is otherwise required by this ordinance, subject to the conditions and limitations set forth in this section.~~

- ~~1. Official signs or signs required by law.~~
- ~~2. Flag: No more than two flags for each premise.~~
- ~~3. Integral Signs: Any architectural feature carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the building or structure.~~
- ~~4. Private Traffic Direction Signs and Related Signs: Signs displayed at the entrance or exit of a premise. The total area shall not exceed five square feet, and the total height shall not exceed five feet.~~
- ~~5. Property Sale, Rental, or Exchange Signs: Any sign displayed on premises for sale, rent or exchange. Such signs may be freestanding or wall-mounted only. Signs may not emit direct illumination, and must be removed within 14 days after the sale, rental, or exchange of the property. Property sale, rental or exchange signs shall not be placed in the public right-of-way. Property sale, rental, or exchange signs shall be subject to the standards and provisions specified in Table IX-7.~~
- ~~6. Home Occupation Signs: Home occupation signs that are wall-mounted, not internally illuminated and do not exceed one square foot in area. There shall be only one such sign per building or structure for a home occupation permitted under Section V-13.B.~~
- ~~7. Subdivision Sign: Subdivision signs subject to the standards specified in Table IX-8.~~
- ~~8. Development Signs: Development signs confined to the site of the construction, alteration, or repair. Development signs shall be removed within 21 days after completion of the work, and shall conform to the standards provided in Table IX-7.~~
- ~~10. Sandwich Boards: Such signs shall not be located in the traveled roadway or block pedestrian traffic, and shall be moved indoors at the end of business hours. Such signs shall be permitted in the B-1, B-2, B-3U, B-4, B-4E, or MOR Zoning Districts, and shall not exceed eight square feet in area and four feet in height.~~
- ~~11. House or Building Sign: Any sign on a residence or building that does not exceed six inches in height.~~

Section IX-6. Outdoor Advertising Sign Structures (OASS)

- A. Outdoor Advertising Sign Structures (OASS) as specified in this Section shall be allowed subject to the conditions, limitations, and permit requirements set forth herein. Any OASS not expressly permitted by or in compliance with this Article is prohibited in the City of Urbana.
- B. Any Outdoor Advertising Sign Structure authorized by this ordinance may display a noncommercial message.
- C. *OASS Permits and Review Procedures.*
 1. A person proposing to erect an outdoor advertising sign structure shall file an application for a permit with the Zoning Administrator of the City of Urbana or designee, on forms provided by the City, and shall be accompanied by the following submittals:

- a) The names, addresses and telephone numbers of the sign owner and the person or firm erecting the outdoor advertising sign structure;
 - b) Evidence of written consent of the owner of the building, structure, or land to which or on which the outdoor advertising sign structure is to be erected;
 - c) A copy of any necessary permits from the Illinois Department of Transportation. Where both City and State permits are required for any OASS, the City shall not issue a permit for an OASS before issuance of the State permit;
 - d) A site plan drawn to scale specifying the location of the OASS and its relationships to the site and surrounding properties, including: property lines, rights-of-way, existing structures, required zoning setbacks, pertinent utilities and easements, vehicle parking and circulation, any traffic control measures, and relevant sight visibility triangles;
 - e) Two copies of construction drawings with plans and specifications indicating the method of construction and attachment to a building or in the ground, sealed by a State licensed structural engineer certifying the structure meets all City building safety requirements;
 - f) An elevation drawing showing the proposed OASS with appurtenance ~~appertunances~~, drawn to scale, including height of structure and vertical clearance, both front and back;
 - g) A photographic simulation or illustrative drawing showing the appearance of the OASS in its context, demonstrating that the OASS will not block the view of other business signs from streets, and providing a true representation of design and colors;
 - h) Lighting plans and specifications, showing effective shielding from roadways and any nearby residential uses; and
 - i) A landscape plan showing plant types, quantity, and placement, and any special installation or maintenance requirements.
6. OASS permit applications shall be reviewed and approved in the chronological order of receipt of complete applications. Applications lacking any necessary permits issued by the Illinois Department of Transportation shall be deemed incomplete and returned.
 7. *Utility company review and comment.* Copies of the OASS permit application shall be transmitted to utility companies and provided ten calendar days from the mailing of the application to review and comment on any utilities or easements. Comments should be provided to the Zoning Administrator or designee. It shall be assumed that if a reviewer fails to submit comments in the time specified, the reviewer had no negative comment.
 8. Within thirty days following acceptance of a complete application, including required supporting documentation and fees, the Zoning Administrator shall either approve, approve with conditions, or deny the application.
 9. The Zoning Administrator shall notify the applicant in writing of any denial of a permit, specifying the facts relied upon in making the decision, explaining how the decision is based on the relevant regulations, and shall state that the applicant may resubmit the application within 30 days with such modifications as are necessary to show compliance with relevant codes and ordinances.

10. An appeal of a decision of the Zoning Administrator may be taken by any person aggrieved thereby to the Zoning Board of Appeals in accordance with the procedures and time limits of Section XI-3.D of the Urbana Zoning Ordinance.

D. *OASS Review Criteria.* Applications for OASS shall demonstrate compliance with the following criteria:

1. *Permitted OASS Locations.* OASS shall only be permitted within 660 feet of the public right-of-way of:

Interstate 74;
University Avenue;
Cunningham Avenue north of University Avenue;
U.S. Route 150; and
Lincoln Avenue north of Bradley Avenue;

Where such location is zoned:

B-3, General Business District;
B-4E, Central Business Expansion District; or
IN, Industrial zoning districts;

Except:

- a) Within 300 feet in any direction from the boundary of any R-1, R-2, R-3, or CRE zoning district within the City corporate limits;
 - b) Within 300 feet of any historic landmark or historic district as designated by the City of Urbana; and
 - c) On any property designated as a Redevelopment Project in any Tax Increment Finance District Plan adopted pursuant to Illinois' Tax Increment Allocation Act, for which a Redevelopment Agreement with the City of Urbana has been approved or pending before the City Council, where such agreement explicitly prohibits OASS placement.
2. *Spacing.* No OASS shall be spaced closer than 1,000 feet from any other OASS, as measured using the standards provided in Section IX-3.C.
3. *Number of Sign Faces.* The maximum number of sign faces for wall-mounted OASS shall be one per wall provided no other exterior wall signs are displayed on the same wall. The maximum number of sign faces for free-standing OASS shall be two faces per OASS. "Back-to-back" displays shall be deemed a single structure. "Back-to-back" shall mean faces erected at a parallel plane separated by no greater than three feet, or faces erected at no greater than a 45 degree angle to each other.
4. Free-standing OASS shall conform to the setback requirements for buildings within its zoning district.
5. OASS shall be designed, sited, and constructed to allow safe vehicular movement onto and within the property, including on driveways and parking lots. Traffic control measures, such as curbing, may be required to be installed and maintained for safety reasons at the discretion of the City Engineer or designee.
6. No OASS shall project over any public or private street right-of-way or over any building.

7. New OASS shall not block the view of existing freestanding and wall mounted signs from streets.
8. OASS shall not be cantilevered, other than through use of a "flag" design. That is, the structure shall not use an offset beam to support the display area(s).
9. *Wall and roof mounted OASS.* Wall mounted OASS shall not project above the roofline or edges of wall upon which the OASS is mounted. Roof Mounted OASS are prohibited.
10. *Height limitations for freestanding OASS.* The maximum height limit shall be 35 feet in B-3 and B-4E zoning districts and 40 feet in IN zoning districts. The minimum height clearance for sign faces shall be 14 feet, as measured in Section IX-3.B.
11. Lights shall be effectively shielded from roadways and any nearby residential uses.
12. OASS shall not include ladders, except those ladders that are contained entirely in the area behind the display area(s).
13. *Landscaping for OASS.* A landscaped area of at least 75 square feet in area shall be installed around the base of new freestanding OASS, a plan for which shall be submitted by the applicant and approved by the Zoning Administrator in consultation with the City Arborist. Trees and shrubs planted shall utilize species listed in Table VI-1 and VI-2 of the Zoning Ordinance, except that alternative species may be approved by the Zoning Administrator in consultation with the City Arborist. All plant materials shall be maintained as living vegetation and shall be promptly replaced within a reasonable period of time, based on seasonal conditions, following notice that such vegetation needs to be replaced. Upon recommendation of the City Arborist, the Zoning Administrator shall provide such notice in writing to the property owner.

When the area of an OASS base requiring landscaping is already paved with concrete or asphalt, the applicant may choose to either remove the pavement and install a landscaped area or alternatively substitute one or both of the following:

- a) Installation of an architectural-grade cladding or enclosure around support poles. Cladding shall have a vertical dimension twice that of its horizontal dimensions and a design consistent with the intent of the Comprehensive Sign Regulations, or another design feature consistent with these regulations, as defined in Section IX-1, Legislative Intent and Findings, as approved by the Zoning Administrator.
 - b) Relocation of required OASS landscaping along a street frontage on the same zoning lot, in which case this landscaping shall be in addition to any other landscaping required by the Zoning Ordinance.
- E. *Inspection upon Completion.* The applicant who has been issued a permit for construction, installation, erection, relocation, or alteration of an outdoor advertising sign structure shall, upon completion of the work, notify the Zoning Administrator, who shall inspect the outdoor advertising sign structure as constructed for compliance with City requirements, and, if the Zoning Administrator finds that the same has been constructed in compliance with the ordinances of the City, he/she shall then issue such applicant a permit in writing, authorizing such applicant to operate and maintain the outdoor advertising sign structure as permitted.
- F. *Nullification.* If the work authorized under a permit to build has not been substantially completed within six months after the date of its issuance, the permit shall become void.

Section IX-7. Prohibited Signs and OASS Outdoor Advertising Sign Structures (OASS)

A. The following are specifically prohibited by this ~~Article~~ Ordinance:

1. Any sign or OASS which, by reason of its size, location, movement, content, coloring, or manner of illumination, constitutes an obvious traffic hazard or a detriment to traffic safety by obstructing or detracting from the visibility of any official traffic control device;
2. Any sign or OASS which contains or is an imitation of an official sign, other than private traffic directional or instructional signs;
3. ~~Animated signs and OASS; Any sign or OASS which moves or rotates in any way; provided, however, that a sign which revolves 360° degrees but does not exceed eight revolutions per minute is permitted, except within 50 feet of any public street or where the nearest lot contains a residential dwelling unit, public school, park, hospital, or nursing home;~~
4. ~~Animated signs or OASS; Any sign or OASS which contains blinking or flashing lights, unless such lights are part of an official sign;~~
5. Any sign or OASS which contains or consists of banners, pennants, ribbons, streamers, strings of light bulbs, spinners, or similar devices, except unless for Temporary Signs explicitly authorized by Section IX-4 ~~are permitted in Section IX-4.E, Temporary Signs;~~
6. Any sign which for 30 consecutive days has directed attention to a product, place, activity, person, institution, or business which was formerly but is no longer in operation or existence on the premises;
7. Any sign or OASS not in compliance with the requirements of this ordinance; or
8. Any portable sign, except sandwich boards as defined in Section IX-2.

B. *Removal of Prohibited Signs:*

1. For any on-premise sign which for 30 consecutive days has directed attention to a product, place, activity, person, institution, or business which was formerly but is no longer in operation or existence on the premises, the Zoning Administrator shall give notice under the procedures of Section IX-9 of the Zoning Ordinance to remedy or remove the sign.

All other signs prohibited by this section shall be brought into conformity as provided for in Section X-9. (Ord. No. 9697-154, 6-16-97)

Section IX-8. (Reserved)

Section IX-9. Enforcement and Penalties

- A. The Zoning Administrator is hereby authorized and directed to administer and enforce all the provisions of this Article. Whenever necessary, the officials of other departments of the City shall give such assistance as is consistent with the usual duties of their respective departments. Upon presentation of proper credentials, the Zoning Administrator or his/her duly authorized representative may enter at reasonable times any premises when necessary to perform any duty imposed upon him/her by this Article.
- B. Whenever it shall appear to the Zoning Administrator that any permanent sign has been constructed or erected, or is being maintained in violation of any of the terms of this Ordinance, or after a permit for a sign has been revoked or become void, or that a sign or outdoor advertising sign structure is unsafe or in such condition as to be a menace to the safety of the public, the Zoning Administrator shall issue a notice in writing to the owner or lessee of the sign or outdoor advertising sign structure or the owner of the premises upon which the sign or outdoor advertising sign structure is erected or maintained. Such notice shall inform such person of the violation and shall direct him/her to make such alteration, repair, or removal as is necessary to secure compliance with this Ordinance within a reasonable time limit, which shall not be less than 20 days nor more than 60 days.

If a temporary sign is displayed in violation of this Ordinance, the Zoning Administrator or his/her duly authorized representative shall issue a written warning to any person reasonably believed to be an employee of the business at the location of the illegal sign display if the individual or business that is responsible for said sign has not violated the regulations pertaining to temporary sign displays within the preceding 365 days. The warning shall require that either the offending sign be removed or that a permit for said sign be obtained within 24 hours or receipt of the warning. If the offending temporary sign is not removed or a permit for said sign is not obtained within that 24 hour period, or if the business or individual responsible for said sign has violated the regulations pertaining to temporary sign displays within the preceding 365 days, then that individual or business shall be subject to fines pursuant to Section XI-9 of the Ordinance.

Upon failure of the sign or outdoor advertising sign structure owner or the person or business responsible for the temporary sign display to comply with the terms of the notice of violation, the Zoning Administrator or his/her authorized representative is authorized and empowered to remove, alter, or repair the sign in question so as to make it conform with this Ordinance, or to remove, alter, or repair an outdoor advertising sign structure which is unsafe or a menace to the public safety, and charge the expenses for such work to the person named in the notice.

Except as otherwise provided, the Zoning Administrator or ~~designee~~ ~~his/her authorized representative~~ may remove or cause to be removed, altered, or repaired a sign or outdoor advertising sign structure immediately and without notice, if, in his/her opinion, the condition of the sign is such as to present an immediate threat to the safety of the public.

- C. The owner of the sign shall remove it if a product, place, activity, person, institution, or business no longer exists at that location that was present when the sign was erected. If the owner or lessee fails to remove the sign, the Zoning Administrator shall notify the owner or lessee, in writing, and allow fifteen days for removal. Upon failure of the owner or lessee to comply with the notice, the Zoning Administrator may remove the sign at cost to the owner or lessee.
- D. Signs and outdoor advertising sign structures may be inspected periodically by the Zoning Administrator for compliance with this ~~Article Ordinance~~ and with other ordinances of the City. All signs, sign structures, and outdoor advertising sign structures and their component parts are to be kept in good repair and in safe, ~~sanitary~~ condition.

TABLE IX-1. STANDARDS FOR FREESTANDING SIGNS¹

Zoning Districts Permitted	Maximum Number Permitted	Maximum Area Of Sign	Maximum Height Of Sign²	Location of Sign
B-1, Neighborhood Business <u>CRE, Conservation, Recreation and Education District</u>	One <u>sign</u> per business, except that no freestanding sign is permitted if a projecting or roof sign exists on the lot. If a lot has two frontages, one sign per frontage is permitted provided the cumulative square footage of both does not exceed 32 square feet in area.	32 square feet 32 square feet 50 square feet if combined or monument	<u>12 feet tall if beyond 15 feet from a public right-of-way, or 6 feet tall if located 8 to 15 feet from a public right-of-way</u> 15 feet at minimum setback line and 1 foot per 2 feet additional setback, up to 25 maximum. 15 feet at minimum setback line and 1 foot per 2 feet additional setback, up to 25 maximum.	<u>Minimum setback of eight feet from public rights-of-way. Freestanding signs shall not extend over a public right-of-way.</u> No freestanding signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home. Signs shall not extend over the public right-of-way, and shall conform to the setback requirements for structures in the applicable district. No freestanding signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home.
B-2, Neighborhood Business Arterial	<u>One sign per business frontage, except that no sign shall be permitted on any frontage which has a projecting or roof sign. One additional sign is allowed on the property if any frontage exceeds 600 feet in length.</u>		15 feet at minimum setback line and 1 foot per 2 feet additional setback, up to 25 maximum.	
MOR, Mixed Office Residential CCD, Campus Commercial District B-3U, General Business – University	One <u>sign</u> per business frontage, except that no free-standing sign is permitted if a projecting or <u>roof</u> sign exists on the same frontage.	32 square feet	5 feet 8 feet tall	Signs shall not extend over the public right-of-way, and shall conform to the setback requirements for structures in the applicable district. No freestanding signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home.
B-3, General Business B-4, Central Business B-4E, Central Business Expansion	<u>One sign per business frontage. One additional sign is allowed on the property if any frontage exceeds 600 feet in length. Provided that no sign is permitted on any frontage which has a projecting or roof sign.</u> One per business frontage up to 300 feet, and one additional sign for each additional 300 feet of frontage thereafter; except that no freestanding sign is permitted if a projecting or roof sign exists on the same frontage.	50 square feet ² 75 square feet if combined ^{2,3} or monument 50 square feet 75 square feet if combined or	<u>16 feet tall if beyond 15 feet from a public right-of-way, or 8 feet tall if located 8 to 15 feet from a public right-of-way</u> 25 feet at minimum setback line and 1 foot per 2 feet additional setback, up to 35 feet maximum 25 feet at minimum setback line	Signs shall not extend over the public right-of-way. No freestanding signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or

MIC, Medical Institutional Campus IN, Industrial		monument ³ 400 square feet	and 1 foot per 2 feet additional setback, up to 40 feet maximum 5 feet within front setback; 19 feet at minimum setback line and 1 foot per 2 feet additional setback up to a maximum of 30 feet.	nursing home. Signs shall not extend within 5 feet of any property line. Signs shall not extend within one foot of any property line nor constitute a traffic hazard as determined by the MOR Development Review Board or any city ordinance.
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1. For buildings with multiple businesses, refer to Table IX-9 IX-4, Freestanding Shopping Center Signs.
2. ~~NOTE: If a freestanding sign in the B-3, General Business, or IN, Industrial, zone is: (1) directed primarily toward the users of an interstate highway; (2) within 2,000 feet of the center line of an interstate highway; and (3) more than 75 500 feet from the boundary of any residential zoning district, school, park, hospital, or nursing home; then the sign's maximum height may be increased to 75 feet, and its maximum size may be increased to 150 square feet it may rise only to such a height as to be visible from within one-half mile away along the highway, but not to exceed a height of 75 feet and an area of 150 square feet.~~
3. Combined Sign: If a property has two business frontages, a single sign may be constructed with a larger maximum area as defined in Table IX-1.
 Monument Sign: If a monument sign (as defined in Section IX-2.K) is proposed, said sign may be constructed with a larger maximum area as defined in Table IX-4.

TABLE IX-2. STANDARDS FOR WALL SIGNS AND WALL-MOUNTED SIGNS

<u>Zoning Districts Permitted</u>	Maximum Number Permitted	Total Maximum Area Of Wall Signs per Building Face	Maximum Height and Location of Signs
R-6B, Restricted Business B-1, Neighborhood Business B-2, Neighborhood Business-Arterial B-3U, General Business – University CCD, Campus Commercial District <u>CRE, Conservation, Recreation and Education District</u>	No Limit	8% of wall area, not to exceed 300 sq. ft. maximum	Signs shall not project <u>above or</u> beyond the top or ends of the wall surface <u>to which they are mounted on which they are placed.</u> In the B-1, Neighborhood Business Zoning District, no wall signs are permitted <u>on walls when the wall immediately facing faces</u> a residential use or zoning district and is not separated by a right-of-way.
B-3, General Business B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus IN, Industrial		10% of wall area, not to exceed 400 sq. ft. maximum 10% of wall area, not to exceed 350 <u>500</u> sq. ft. maximum	
MOR, Mixed Office Residential		8% of wall area, not to exceed 150 sq. ft. maximum	

TABLE IX-3. STANDARDS FOR PROJECTING SIGNS

<u>Zoning Districts Permitted</u>	Maximum Number Permitted	Maximum Area of Sign	Maximum Height and Projection of Sign	Location of Sign
B-1, Neighborhood Business B-2, Neighborhood Business - Arterial B-3U, General Business - University B-3, General Business B-4E, Central Business Expansion MIC, Medical Institutional Campus CCD, Campus Commercial MOR, Mixed Office Residential <u>CRE, Conservation, Recreation and Education District</u>	One per business frontage, except that no projecting sign is permitted if a free-standing sign, roof sign, or canopy sign exists on the same frontage. <u>Projecting</u> Projected signs are not allowed above the first story.	32 square feet	8-foot minimum clearance above ground. No sign shall extend above that portion of the roof immediately adjacent to the sign. No sign shall project more than 5 feet from the face of the building to which it is attached.	Shall not <u>Not to</u> extend over any public right-of-way.
B-4, Central Business	See Note 1 regarding spacing requirements for projecting signs extending over the right-of-way in the B-4 District.	32 square feet: 12 square feet if any portion extends over public right-of-way		In the B-4 District, projecting signs with a maximum area of 12 square feet may project a maximum of 5 feet from the face of the building to which it is attached, or to within two feet from the curb face, <u>whichever distance is less</u> dimension is smaller. ¹

Note-1. Projecting signs extending over the right-of-way shall not be ~~internally illuminated~~; the dimension between the two principal faces (i.e., the thickness or depth) shall not be greater than six inches; and a minimum separation of 20 feet must be maintained between such signs; however in no case should more than one such sign per business frontage be permitted. (Ord. No.2002-09-111, 06-17-02)

TABLE IX-4. STANDARDS FOR ROOF SIGNS

Zoning District Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
B-3, General Business	One per premise, except no roof sign is permitted if a freestanding sign or projecting sign exists on the same frontage.	50 square feet	9 feet as measured from that part of roof immediately below sign, but in no case shall the height exceed maximum height authorized in zoning district.	Sign must be located wholly within the roof area of structure.
B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus		50 square feet		
IN, Industrial		75 square feet	11 feet as measured from that part of roof immediately below sign, but in no case shall height exceed maximum height authorized in zoning district.	

TABLE IX-5. (Reserved)

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

<u>Zoning Districts Permitted</u>	Maximum Number Permitted	Maximum Area of Sign	Height of Sign	
<p>R-6B, <u>High Density Multiple-Family Residential -- Restricted Business</u></p> <p>B-1, Neighborhood Business</p> <p>B-2, Neighborhood Business -- Arterial</p> <p>B-3U, General Business -- University</p> <p>CCD, Campus Commercial District</p> <p>MOR, Mixed Office Residential</p> <p><u>CRE, Conservation, Recreation and Education District</u></p>	<p>One per business frontage up to 100 feet. One additional sign for each 100 feet thereafter.</p>	<p>45 square feet</p> <p><u>40 square feet</u></p> <p>25 square feet</p>	<p>9 foot minimum clearance to ground</p>	
<p>B-3, General Business</p> <p>B-4, Central Business</p> <p>B-4E, Central Business Expansion</p> <p>MIC, Medical Institutional Campus</p>				
<p>IN, Industrial</p>				

TABLE IX-7. STANDARDS FOR PROPERTY SALE AND RENTAL SIGNS

<u>Zoning Districts Permitted</u>	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Free-standing Sign² (See Note 2)	Location of Sign
R-1 and R-2 Single-Family Residential R-3, Single and Two-Family Residential	One per dwelling	3 square feet	5 feet	10-foot minimum setback from curb line but wholly upon the premises.
R-4, R-5, & R-6 Multiple Family Residential R-6B, Restricted Business R-7, University Residential	One per apartment building or dwelling (See Note 1)	10 square feet	10 feet	10-foot minimum setback from curb line but wholly upon the premises.
AG, Agriculture	One per 660 foot frontage	32 square feet	15 feet	Signs shall conform to the setback requirements for structures in the applicable districts.
B-1, Neighborhood Business B-2, Neighborhood Business Arterial B-3U, General Business University CCD, Campus Commercial District MOR, Mixed Office Residential	One per frontage (See Note 1)			
B-3, General Business B-4, Central Business B-4E, Central Business Expansion MIC, Medical Institutional Campus IN, Industrial	One per frontage (See Note 1)	80 square feet 50 square feet 400 square feet	25 feet	

Notes:

1. An apartment complex, shopping center, highway plaza, or industrial complex is permitted one sign per frontage, up to 200 feet, and one additional sign for each 300 feet thereafter.
2. Wall signs shall not extend beyond the top or ends of the wall surface on which they are placed.

TABLE IX-8. STANDARDS FOR SUBDIVISION SIGNS

<u>Zoning</u> Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Sign	Location of Sign
R-1 & R-2 Single-Family & R-3 Single- & Two-Family Residential	One sign per major road providing direct access to the subdivision	25 square feet	6 feet	10-foot minimum setback wholly upon the premises.
R-4, R-5, R-6 Multiple Family Residential R-6B, Restricted Business & R-7, University Residential		25 square feet	15 feet	Signs shall conform to the setback requirements for structures in applicable district.
AG, Agriculture B-1, Neighborhood Business B-2, Neighborhood Business Arterial B-3, General Business B-3U, General Business University CCD , Campus Commercial District MOR, Mixed Office Residential B-4, Central Business B-4E, Central Business Expansion MIC , Medical Institutional Campus IN, Industrial		25 square feet	15 feet	

TABLE IX-9. FREESTANDING SHOPPING CENTER SIGNS

Class of Shopping Center	Zoning Districts Permitted	Maximum Number Permitted	Maximum Area¹	Maximum Height	Location	Individual³ Business May List
Shopping Center – General (minimum four acres and 50,000 square feet of building area)	R-6B B-2 B-3 B-3U B-4 B-4E IN	Two signs per frontage	150 square feet, for shopping center located on lots greater than four acres In addition, 50 square feet may be permitted for use as a directory	16 feet tall if located beyond 15 feet from a public right-of-way, or 8 feet tall if located 8 to 15 feet from a public right-of-way 30 feet at minimum setback line plus one additional foot per 2 feet additional setback thereafter up to 40 feet maximum	Minimum sign setback of 8 feet from public rights-of-way. Signs shall not extend over the public right-of-way, and shall conform to the setback requirements for structures in the applicable district. No freestanding signs permitted within 50 feet of any residential district where the nearest lot contains a dwelling unit, public school, park, hospital, or nursing home.	Yes
Shopping Center - Convenience (between one and four acres and 12,000 – 50,000 square feet of building area)	R-6B B-1 B-2 B-3 B-3U B-4 B-4E IN		100 square feet ²			

Notes:

¹Maximum area refers to combined area of both signs, or of one sign if there is only one.

²Size of sign may be increased to 150 square feet under special use procedures.

³Individual businesses may list, but an individual listing may not exceed 50% of the area of any face of the sign.

TABLE IX-10. STANDARDS FOR MULTIPLE-FAMILY RESIDENTIAL RENTAL PROPERTY IDENTIFICATION SIGNS

<u>Zoning</u> Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height of Freestanding Sign	Location of Sign	Illumination
R-4, R-5, & R-6 Multiple Family Residential R-6B, Restricted Business MOR, Mixed Office Residential	One per property	12 square feet Internal sign illumination shall be prohibited	5 feet	Minimum 10-foot setback from public rights-of-way 40-foot minimum setback wholly upon the premises.	<u>External only.</u>
B-1, Neighborhood Business B-2, Neighborhood Business Arterial B-3, General Business B-3U, General Business University CCD, Campus Commercial District B-4, Central Business B-4E, Central Business Expansion	One per frontage	20 square feet	5 feet	40-foot minimum setback wholly upon the premises.	

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: May 7, 2009

TIME: 7:30 P.M.

PLACE: Urbana City Building – City Council Chambers
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Jane Burris, Tyler Fitch, Ben Grosser, Lew Hopkins, Michael Pollock, Bernadine Stake, Don White

MEMBERS EXCUSED: Marilyn Upah-Bant

STAFF PRESENT: Robert Myers, Planning Manager; Jeff Engstrom, Planner I; Teri Andel, Planning Secretary

OTHERS PRESENT: Deb Aronson, Glenn Berman, Charles Dodd, Vidar Lerum, Hiram and Jean Paley, Susan Taylor

CONTINUED PUBLIC HEARINGS

Plan Case No. 2104-T-09: Application by the Urbana Zoning Administrator to amend Article IX, Comprehensive Sign Regulations of the Urbana Zoning Ordinance, pertaining to signs.

Robert Myers, Planning Manager, presented this case to the Plan Commission. He gave a PowerPoint presentation on the following:

- ✚ Purpose and Severability Section
- ✚ Overview of Proposed Changes
 - ✚ Sign Height
 - ✚ Sign Industry Recommendations for Optimal Sign Mounting Height
 - ✚ Sign Setbacks
 - ✚ Field of Vision
 - ✚ Proposed Setback Encroachment
 - ✚ Monument Signs Would Be Required
 - ✚ Consequences of Requiring Monument Signs
 - ✚ Minimum Sign Mounting Height
 - ✚ Photos of Monument Signs Being Blocked By Landscaping and Vehicles, Etc.
 - ✚ Maximum Size for Institutional Signs

- ✚ Maximum Size of Wall Signs
- ✚ Electronic Display – Allow Color Images and Messages
- ✚ Regulating Dynamic Display

Chair Pollock stated that there are many signs in the City of Urbana that would be grandfathered under the proposed text amendment. Would they be grandfathered indefinitely? Mr. Myers explained that signs which are removed, destroyed or are modified beyond simple maintenance would need to be brought into conformity with the Sign Code.

Mr. Hopkins asked if freestanding pole signs would no longer be allowed. Would monument signs be required in all cases? Mr. Myers responded by saying that pole signs would be allowed for signs oriented toward the interstate. Otherwise, only monument signs would be allowed.

Mr. Hopkins inquired as to why the request for this change came about. Mr. Myers responded that the Mayor has a special interest in creating a more aesthetically pleasing community in terms of signage. Requiring monument signs is intended to improve aesthetics. However, it is not the only solution for aesthetic improvement, and if the Plan Commission feels like there are better solutions, he would appreciate their feedback.

Mr. Fitch questioned whether the annexation agreement for the Meijer site would run with the land or end if Meijer sold the site to another company. Would the other company be able to install the same type and size of sign as the Meijer sign that currently exists? Mr. Myers said that he believed it depends on the details of the annexation agreement. He would have to read the agreement. Chair Pollock pointed out that if the City is interested in the reuse of these types of buildings, then this could be a factor in a building get leased out versus a building sitting empty.

Mr. Myers handed out a two-page document showing some changes that were not included in the written staff report.

Ms. Burris commented that she prefers freedom of choice for this aspect of signage. Although she likes monument signs, she does not feel that monument signs fit every place in the City. She believes the City needs to be flexible in terms of how businesses can display their logo and their company name. She prefers to not have monument signs everywhere in commercial areas.

Mr. White stated that there are some places where pole signs make more sense because monument signs would interfere with a driver's view. Monument signs can block the view of a driver exiting a parking lot.

Chair Pollock said that from this example it is pretty clear that monument signs are not appropriate for every situation. He would like the staff to come back with other options.

Ms. Stake commented that allowing color in electronic display signs is very helpful.

Mr. White questioned the intent of Article IX-4.B (institutional signs). Would the new language still allow a sign to be located on each frontage? Mr. Myers said yes. Mr. White suggested that they keep the following sentence in with the new language, "*There may be one sign per*

frontage.” Mr. Hopkins pointed out that the new language already states this. Mr. Myers added that City staff is proposing either one monument sign or one wall sign per street frontage with a maximum combined sign size of 25 square feet in total.

Mr. White said that he would like the text amendment to allow 25 square feet per sign per street frontage -- 50 square feet in total. Mr. Hopkins commented that they need to keep in mind that this is for institutional signs in residential zoning districts. He feels that 25 square feet combined for both signs makes sense. Mr. White noted that 25 square feet is not that big.

Chair Pollock inquired about the timeline of the proposed case. Mr. Myers replied that he is fine with the Plan Commission making a recommendation to the City Council now. In terms of requiring monument signs, if the Plan Commission felt like there was consensus they could make a recommendation to remove the requirement from the text amendment. Frankly, he is not sure that City staff would be able to return with an alternative for monument signs to enhance aesthetics.

Mr. Grosser wondered about regulating the brightness of electronic sign displays. He did not find any language in the proposed text amendment doing this. The Assembly Hall sign on Kirby Avenue is really bright. Mr. Myers responded that he has been gathering research on this issue. He is just at the point where he can bring a text amendment forward to regulate brightness. He feels it would be appropriate to bring it as a separate case. He mentioned that he needs further direction on how to move forward on it regarding how to regulate the brightness. It is a technical aspect that can be complicated. There are light measuring devices that we would need to use, one of which is very expensive. Mr. Grosser commented that the City should move forward with regulating the brightness, especially if the City approves of electronic signs. He is glad to hear that City staff has already begun to consider this.

Mr. Grosser inquired about Article IX-2.A regarding tri-fold billboards. Does the definition for “*Animation or Animated*” prohibit tri-fold type billboards? Mr. Myers responded that tri-fold billboards are not allowed. They tend to break down more in this climate due to ice and snow.

Mr. Grosser asked about Article IX-4.A.3. regarding noncommercial messages. Why does it say that any commercial sign can carry a noncommercial message? Mr. Myers explained that this is a very important aspect to have in the Ordinance. For one it helps guard against lawsuits. The City does not want to be in the situation of having requirements for commercial speech which are less stringent than for noncommercial speech. The proposed language is based on a specific recommendation was an expert in the constitutionality of sign regulations.

Mr. Grosser questioned where to find political yard signs being addressed in the proposed text amendment. He thought it might fall under Section IX-4.J.11. Mr. Myers stated that the Public Works Department explicitly allows temporary signs in the right-of-way, including political signs. In terms of enforcement, the City has always had a steady policy in being lenient with noncommercial speech. We do not want to get into the position of telling people, for instance, that they have to remove a “welcome home” banner. City staff does not feel that we need to define political signs specifically. It is impossible to define what a political sign is without getting into regulating content. Once the City starts regulating signs based on content, then we are setting ourselves up for a lawsuit.

Mr. Grosser explained that the reason he brought this up is because of a political sign recently posted that was about 15 feet wide by five to eight feet tall, located at the corner of Illinois and Race Streets. The election has been over for a while, yet the sign may still be there. Can anyone put a sign up in their yard of any size as long as it's noncommercial? Mr. Myers responded that if it is noncommercial speech and it is not blocking the vision of traffic, then there are no regulations prohibiting it. Mr. Hopkins pointed out that #11 on Page 106 does regulate the size of a noncommercial sign. Mr. Myers reminded him of the handout from earlier. The handout shows that staff wants to delete #11 altogether. Mr. Myers inadvertently left this in from an earlier internal draft.

With no further questions for staff, Chair Pollock opened the hearing up for public input.

Hiram Paley, of 706 West California Avenue, commented on the proposed text amendment. He feels that a city might become sterile if there was only one type of sign allowed. He agreed with Ms. Burris' comments. He expressed his concern about flashing signs. He believes they are a real hazard. He drives down the highway going 69 miles per hour and can only read about two-thirds of a message that the state has put on a flashing advisory sign. By the message has changed so he can read the rest of the message, he has already passed the sign. He feels they should use signs on the interstate that give quick messages or allow bigger signs.

With no further comments from the audience members, Chair Pollock closed the public input portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

Ms. Stake referred to Section IX-4.D.5.d. How does the City determine if there is an illumination causing a nuisance? Mr. Myers explained that currently the Zoning Administrator will make a judgment call on whether or not an illuminated sign constitutes a nuisance, as opposed to a dislike of the illumination. It would result from a citizen complaint.

Ms. Stake wondered if an electronic sign would be good for people driving down the street. An ordinary sign would always be there, but electronic signs might not be working all the time. Mr. Myers replied that "old-fashioned" stationary sign are reliable. However, businesses like having the aspect of being able to change the message to let passersby know of specials, etc.

Mr. Fitch asked if the recent lighting ordinance text amendment covers illumination of signs. Mr. Hopkins said it covered lighting on signs, but not lighting emitted from signs.

Mr. Hopkins made a motion that the Plan Commission forward Plan Case No. 2104-T-09 to the Urbana City Council with a recommendation for approval, subject to the change that the requirement for monument signs be deleted. This would leave the City where we currently are in that there are size incentives for monument signs, but they are not required. Ms. Burris explained much of the reasoning for this. He added that being able to see under a sign is much better than not be able to see because of the sign blocking the view. The idea that monument signs are much more aesthetically please is a convention that we have created for ourselves that does not have much of a basis in fact. Mr. White seconded the motion.

Mr. Grosser feels a little less comfortable about moving this case forward in that he likes the idea of improving the aesthetics of signs in general. He also agrees that monument signs do not necessarily mean attractive signs.

Monument signs work well for short signs. The Schnucks Food Court/Starbucks/Gas Station monument sign deals with having a 16 foot monument sign by having the Starbucks logo at the bottom; however, one cannot see a third of it due to the landscaping. Although the Schnuck's Crossing sign on poles, with the poles wrapped in stucco, is 25 feet tall, it looks nice. He would much prefer this over a 16-foot monument sign with a blank expanse blocking his view. He will vote in favor of the motion. However, he would prefer for City staff to go back and look for other options to improve the aesthetics of signs without the mandate that they all have to be monument signs.

Mr. Hopkins stated that the Plan Commission will see the Sign Ordinance again. The Plan Commission should not view this as the last chance to change it. Regulating aesthetics is a really difficult thing to do; and when it is tied to speech, then it is even more difficult. His hunch is that since City staff has not come up with a brilliant break through in making signs more aesthetically appealing, then the Plan Commission should move ahead with what they have.

Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Grosser	-	Yes
Mr. Hopkins	-	Yes	Chair Pollock	-	Yes
Ms. Stake	-	Yes	Mr. White	-	Yes
Ms. Burris	-	Yes			

The motion was approved by unanimous vote.