



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Laurel Lunt Prussing and the Urbana City Council

FROM: Elizabeth H. Tyler, Ph.D., FAICP, Community Development Director

DATE: November 14, 2014

SUBJECT: Plan Case 2244-T-14: an amendment to Article IX of the Urbana Zoning Ordinance to allow electronic message board displays on signs in the CRE, Conservation-Recreation-Education zoning district.

Introduction & Background

The Zoning Administrator is requesting approval of a text amendment to the Urbana Zoning Ordinance to allow operation of electronic message board displays on signs in the CRE, Conservation-Recreation-Education District. Per Section IX-4 of the Urbana Zoning Ordinance, electronic message board displays are limited to the B-3, General Business Zoning District, and are subject to a series of requirements. The proposed amendment would also allow electronic message board displays in the CRE District under similar restrictions.

Electronic displays are commonly used by park districts and schools in other communities and are currently in use at Urbana High School and Urbana Middle School. This amendment would permit users operating within the CRE district to take advantage of the benefits of using electronic displays to communicate messages.

Discussion

Many institutions that operate facilities within CRE districts often host events and activities that are of interest to members of the public or parents of schoolchildren. Traditionally, these facilities had message boards that were manually changed every week or month to update students and the community of school or parks events. Electronic displays are now an effective and widely practiced means of transmitting information about those events to a broad audience. Messages shown on electronic displays have greater visibility especially during the evening. During the winter, reduced hours of sunlight may inhibit travelers at peak times from clearly seeing messages shown on traditional display boards. Electronic displays can show multiple

messages, so schools and parks would no longer be limited to two or three short lines of text. And these signs can be updated quickly in the case of changes to events or other important messages such as school closings.

Section IX-4 of the Zoning Ordinance places the following restrictions on all electronic displays:

1. *Area.* The maximum area of electronic display shall not exceed 50 percent of any sign area.
2. *Animation.* Electronic displays shall not be animated as defined by this article, including a 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.
4. *Illumination.*
 - a. Electronic display signs shall be equipped with automatic dimming technology which adjusts the sign's illumination level based on ambient light conditions.
 - b. The maximum illumination level of an electronic display shall be 0.3 foot candles above ambient light levels.

Electronic displays have already been installed at Urbana High School and Urbana Middle School. Urbana schools fall under the jurisdiction of the State Architect and do not obtain building permits from the City. However, city zoning requirements for site improvements still apply. The proposed amendment would allow for us to bring the Urbana schools signs into conformance with the Zoning Ordinance. Both of these signs comply with area and setback limits. Both facilities are within a CRE district, and no complaints or ill effects of the electronic displays have been noted by neighbors or members of the public.

In other communities, electronic displays are commonly used by public institutions similar to many of those found in CRE districts to publicize events and information. Currently, the Urbana Park District is proposing to add an electronic display to its sign at the Philips Recreation Center. This sign would replace the existing sign, and would conform to Zoning Ordinance standards.

Allowing electronic displays in CRE districts would also permit their use by private entities. Currently, all but one property zoned CRE is owned by a public entity. For uses allowed in CRE districts with a Conditional Use Permit or Special Use Permit, the reviewing body could place limits on or prohibit signs with electronic displays if they are found to potentially cause a nuisance or impact the character of the surrounding area. These uses include Camp or Picnic Areas, Bait Sales, and Church, Temple or Mosque.

The following uses are permitted by right in the CRE district, and would be allowed to install a sign with an electronic display with appropriate administrative review:

- Agriculture, Cropping
- Agriculture, General
- Elementary, Junior High School, or Senior High School

- Library, Museum, or Gallery
- Municipal or Government Building
- Nonprofit or Governmental, Educational and Research Agencies
- Park
- Public Maintenance and Storage Garage
- University/College

Size, setback, brightness and change time restrictions outlined in Section IX-4 of the Zoning Ordinance that apply to currently allowed electronic displays would help to minimize potential impact of the displays. Given the benefits that facilities in the CRE district could gain from the use of electronic displays and the lack of reported problems, staff proposes allowing such displays within CRE districts subject to similar requirements as those currently in operation in the B-3 districts. The area would be limited to 50% of the total sign area. Freestanding signage in CRE district is limited to 32 square feet (50 square feet for monument signs). This limit would not be expanded; therefore the largest area for an electronic display as part of a freestanding sign would be 16 square feet (or 25 square feet when signs from two or more frontages are combined or in the case of a monument sign). For wall signs in CRE, the total sign area cannot exceed 8% of the wall area, with a maximum area of 300 square feet. The largest area for an electronic display as part of a wall sign in the CRE district would be 4% of the wall area. However, as a part of this text amendment, staff is proposing a limit of 50 square feet for wall signs.

Permitting electronic displays in the CRE districts would allow for future government facilities or other buildings of the types noted above to reap the tangible benefits of those displays. The inherent issues presented by electronic displays will be minimized and managed through existing controls that have been effective in the past. This adjustment to the Zoning Ordinance provides the maximum benefit for facilities that are operating in the CRE districts without compromising the City's commitment to effectively manage the distribution and form of signage.

At their November 6th meeting, two Plan Commission members had concerns regarding the text amendment. They generally voiced concerns that approval of this text amendment would lead to signage with electronic message board displays proliferating within certain CRE districts. One commissioner expressed their opinion that potentially allowing signs with electronic displays on land that is slated for conservation is counter-intuitive. Another commissioner had particular reservations about potentially allowing privately-owned land uses to operate electronic displays within CRE districts. No public input was offered related to this case. Staff is not concerned about the proliferation of electronic message boards in CRE districts, as there are few signs with manual message boards at the present.

Text Amendment

The proposed changes to the Zoning Ordinance are indicated below with ~~strikethroughs~~ indicating deleted wording and underlines indicating added wording.

Section IX-4, General Sign Allowances

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

1. *Area.* The maximum area of electronic display shall not exceed 50 percent of any sign area. Electronic displays on wall signs in the CRE District shall not exceed 50 square feet.
2. *Animation.* Electronic displays shall not be animated as defined by this Article, including a 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.
2. *Illumination.*
 - a) Electronic display signs shall be equipped with automatic dimming technology which adjusts the sign's illumination level based on ambient light conditions.
 - b) The maximum illumination level of an electronic display shall be 0.3 foot candles above ambient light levels, to be measured as follows. First, at least 30 minutes past sunset, and with the electronic display turned on, a light level reading in footcandles will be taken with a light meter aimed directly at the electronic display and at the following distance:

<i>Electronic sign size</i>	<i>Measurement distance</i>
0-100 square feet	100 feet
101-350 square feet	150 feet
351-650 square feet	200 feet

Second, with the electronic display either turned off, showing all black copy, or blocked, the light meter will be used to measure the area ambient light level in footcandles. The difference between the two readings shall be the electronic signs illumination level above the ambient light level.

Summary of Findings

1. The proposed amendment to Section IX-4 of the Urbana Zoning Ordinance will amend the restrictions on electronic displays by allowing them in CRE districts as well as B-3 districts.
2. In furthering the Purposes (Section IX-1) of the Urbana Zoning Ordinance, the proposed Zoning Ordinance text amendment is intended to ensure effective transmission of important messages to the public while managing the spread of signage and preventing visual clutter.
3. The proposed amendment is intended to serve the needs of institutions that broadly benefit the residents of the City of Urbana.
4. The proposed amendment conforms to notification and other requirements for the Zoning Ordinances as required by the State Zoning Act (65 ILCS 5/11-13-14).

5. The proposed amendment would assist in administration of the Urbana Zoning Ordinance.
6. The proposed amendment would allow the electronic displays on signs at Urbana High and Urbana Middle School to be brought into conformance.

Options

The Urbana City Council has the following options regarding Plan Case 2244-T-14:

- a. Approve the proposed Zoning Ordinance amendment; or
- b. Approve the proposed Zoning Ordinance amendment with specific suggested changes; or
- c. Deny the proposed Zoning Ordinance amendment.

Recommendation

The Urbana Plan Commission on November 6th, 2014, by a vote of 5 ayes and 2 nays, recommended **APPROVAL** of the proposed Zoning Ordinance amendment as attached. City staff likewise recommends approval.

Prepared by:

Matthew Rejc
Planning Division Intern

Attachments:

Exhibit A: Photographs – Existing signage with electronic displays within the CRE district

ORDINANCE NO. 2014-11-106

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS
(Revising Article IX to permit electronic message board displays on signs in
the CRE, Conservation-Recreation-Education zoning district / Plan Commission
Case No. 2244-T-14)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #9293-124 on June 21, 1993 which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and,

WHEREAS, the Zoning Administrator proposes to amend the Urbana Zoning Ordinance to permit signs within the Conservation-Recreation-Education zoning district to include electronic displays; and

WHEREAS, permitting uses within the Conservation-Recreation-Education zoning districts to use electronic message board displays allows for community benefits such as the transmission of important public information in an easily updated and highly visible manner; and

WHEREAS, said text amendment is consistent with the goals and objectives of the Urbana Comprehensive Plan; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on this application at their November 6th, 2014 meeting; and

WHEREAS, the Urbana Plan Commission on November 6th, 2014 voted 5 ayes to 2 nays to recommend approval of the proposed Zoning Ordinance amendment as presented and amended;

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

Section 1. That Paragraph C of Section IX-4, General Sign Allowances, of the Urbana Zoning Ordinance is hereby amended to read:

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

1. *Area.* The maximum area of electronic display shall not exceed 50 percent of any sign area. Electronic displays on wall signs in the CRE District shall not exceed 50 square feet.
2. *Animation.* Electronic displays shall not be animated as defined by this Article, including a 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.

2. *Illumination.*

- a) Electronic display signs shall be equipped with automatic dimming technology which adjusts the sign's illumination level based on ambient light conditions.
- b) The maximum illumination level of an electronic display shall be 0.3 foot candles above ambient light levels, to be measured as follows. First, at least 30 minutes past sunset, and with the electronic display turned on, a light level reading in footcandles will be taken with a light meter aimed directly at the electronic display and at the following distance:

<i>Electronic sign size</i>	<i>Measurement distance</i>
0-100 square feet	100 feet
101-350 square feet	150 feet
351-650 square feet	200 feet

Second, with the electronic display either turned off, showing all black copy, or blocked, the light meter will be used to measure the area ambient light level in footcandles. The difference between the two readings shall be the electronic signs illumination level above the ambient light level.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the

City of Urbana, Illinois, at a regular meeting of said Council on the _____ day of _____, 2014.

PASSED by the City Council this _____ day of _____, 2014.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2014.

Laurel Lunt Prussing, Mayor

Exhibit A: Existing Signage



Existing sign with electronic display at Urbana Middle School.



Existing sign with electronic display at Urbana High School.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: November 6, 2014

TIME: 7:30 P.M.

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

MEMBER PRESENT: Corey Buttry, Maria Byndom, Andrew Fell, Tyler Fitch, Lew Hopkins, Bernadine Stake, David Trail

MEMBERS EXCUSED: Dannie Otto

STAFF PRESENT: Jeff Engstrom, Interim Planning Manager; Matt Rejc, Planning Intern; Teri Andel, Planning Administrative Assistant

OTHERS PRESENT: Caitlin Lill, Carol McKusick

NEW PUBLIC HEARINGS

Plan Case No. 2244-T-14: An amendment to Article IX of the Urbana Zoning Ordinance to allow electronic message board displays on signs in the CRE, Conservation-Recreation-Education Zoning District.

Chair Fitch opened this case and then reviewed the procedures for a public hearing. Matt Rejc, Planning Intern, presented this case to the Plan Commission. He began by giving a brief explanation for the proposed text amendment. He reviewed the restrictions according to Section IX-4 of the Zoning Ordinance on all electronic display signs.

He talked about how the proposed text amendment, if approved, would bring the existing electronic display signs at the Urbana High School and the Urbana Middle School into conformance with the Zoning Ordinance. He pointed out that no complaints or ill effects have been noted about the two signs. The Urbana Park District is proposing to have an electronic display sign at the Phillips Recreation Center. He also talked about electronic displays in the CRE (Conservation-Recreation-Education) Zoning District for land uses requiring either a special use permit or a conditional use permit and about the size, setback, brightness and change time restrictions outlined in Section IX-4 of the Zoning Ordinance that would apply as well.

He reviewed the proposed changes to Section IX-4, General Sign Allowances, of the Zoning Ordinance. He summarized staff findings, read the options of the Plan Commission and presented City staff's recommendation for approval of the proposed text amendment.

Chair Fitch asked if any of the Plan Commission members had questions for City staff.

Mr. Fell asked if there was a specific request that instigated the proposed text amendment. Mr. Engstrom said yes. The proposed text amendment came about because the Urbana Park District requested to install an electronic sign at the Phillips Recreation Center.

Mr. Fell wondered what would be the biggest size allowed for an electronic sign. Mr. Engstrom replied that signs in the B-3, General Business, Zoning District could be up to a maximum of 500 square feet; however, they would have to be setback pretty far from the property line.

Ms. Byndom inquired about the maximum size for a wall sign. Mr. Rejc responded that the wall sign itself could have a maximum area of 300 square feet; however, the electronic display board could only be up to 50 square feet. He went on to say that it would not only be park districts or municipal buildings that could use electronic display signs. It could also be uses like a bait shop, a miniature golf course within the CRE Zoning District. Mr. Engstrom added that when looking at the City's Zoning Map, the property owners in the CRE Zoning District are mostly the University of Illinois, the Urbana School District, the Urbana Park District, and the Champaign-Urbana Sanitary District. There is only one small strip just north of I-74 that is privately owned land in the CRE Zoning District. So, it is not a common district outside of the institutional uses.

Ms. Stake asked if a sign owner could display ads. Mr. Engstrom replied that electronic message boards would only be allowed on the on-premise signs and would only be intended to message things for the property that they are located on. Therefore, it is not intended for off-premise advertisements anyway. Mr. Fell asked if the text amendment stated this. Mr. Engstrom said no.

Mr. Buttry noticed that the electronic display sign at the Urbana High School changes every five to ten seconds and the sign at the Urbana Middle School changes every three seconds including animated borders and pictures of their mascots. While it was mentioned that electronic display signs can decrease visual clutter, he did not feel that animation fit in with the compatibility of the surroundings. Mr. Engstrom pointed out that the two signs on the school properties have been non-conforming since they were installed. City staff does not have a mechanism to enforce against non-conformities unless they ask the Urbana School District to remove the signs entirely. City staff has been working with the Urbana School District, and if the proposed text amendment is approved, then it will allow City staff to enforce regulations on the Urbana School District to bring the two signs into compliance with the Zoning Ordinance. Mr. Fitch noted that the City just passed the digital sign ordinance about three or four years ago. Before that digital signs were not allowed at all.

Mr. Trail questioned if there are any other ways that the Urbana School District electronic display signs are non-conforming. Has City staff measured the current brightness of the two signs? Mr. Engstrom answered that City staff has not measured the two signs yet because they

do not have a mechanism to bring them into conformance. However, we do have light meters, so we will be working with the Urbana School District to bring them into conformance.

Mr. Trail asked for an example of an existing sign in the B-3 Zoning District that would be on the edge of the brightest sign allowed. Mr. Engstrom replied that the Wendy's sign is bright; however, City staff has not measured the sign yet.

There were no further questions for City staff. Chair Fitch opened the hearing for public input. There was none, so he closed the public input portion of the hearing and opened it for Plan Commission discussion and/or motion(s).

Ms. Stake expressed concern about what signs would be allowed. It doesn't seem like there are any restrictions on what sign owners could do. It gets really bad when there are too many signs. Ms. Byndom commented that the majority of the CRE property owners are the University of Illinois, the Urbana Park District and the Urbana School District. So there are not a lot of private buildings that would be advertising.

Mr. Trail asked if there was any reason to believe that there might be a great proliferation of additional electronic signs. When he was younger, there was a church that had a difference of opinion with the municipality and as a result ended up erecting about 40 signs, all individually conforming. He believed that most of the electronic display signs would replace non-electronic signs. Mr. Engstrom responded saying that there has not been a lot of interest expressed in erecting electronic display signs. The proposed text amendment came about from a request by the Urbana Park District to erect one electronic display sign at the Phillips Recreation Center.

Mr. Fell stated that at some point the City felt strong enough about our land to call it conservation land. Now, to say that we allow electronic signs there seems counter-productive to him even if it is a small percentage of the land. What prevents the one private land owner in the CRE Zoning District to put signs up if there are no regulations saying that the signs have to be about the business? If that land owner came in and wanted a sign to advertise for other businesses, how could the City deny him a sign because there are no grounds to do so? Mr. Engstrom replied that with respect to the on-premise versus the off-premise, it is difficult with content neutrality. These are allowed only for on-premise signs, so they are not supposed to have advertisements for off-premise businesses. If someone were to try this, it would be something that the City would challenge legally.

Mr. Fell asked if the proposed Phillips Recreation Center sign would be allowed to advertise pool passes. Mr. Engstrom said yes. Mr. Fell said that it would be an off-premise use. Mr. Engstrom stated that it would be related to the Park District though. Mr. Fell stated that he believed we would be implying regulations that would be impossible to uphold.

Mr. Trail wondered if they could currently put up non-electronic signs that would create the same problems. Mr. Trail stated that the only change would be the electronic part. He did not read anything saying that they would be allowing signs where they currently are not allowed. The proposed text is only saying that under certain circumstances, a portion of the sign could be electronic. Mr. Engstrom said that this is correct.

Ms. Byndom questioned if it would be possible to limit the number of signs on a property. Mr. Engstrom answered that there are currently limits on the number of signs allowed. For freestanding signs, properties are only allowed one freestanding sign per business frontage. A property on a corner lot would be allowed two freestanding signs. The other type of signs is wall signs, and these are limited to 10% of the area of the wall.

Mr. Buttry asked if the City already requires a conditional use permit for an electronic display sign, then is this an extra step to change the zoning of the district they are on? Mr. Engstrom replied that no, the conditional use permit requirement is only for certain uses that were listed in the written staff memo. Electronic display signs are allowed by right with a building permit approval in most B-3 Zoning District uses. They would be allowed by right in the CRE Zoning District uses listed in the written staff memo.

Mr. Hopkins commented that most issues of the concern are going to occur in the B-3 Zoning District, but they are not discussing the B-3 Zoning District. The B-3 Zoning District has less restrictive sizes than the proposed text amendment for the CRE Zoning District. He sees a benefit in the Phillips Recreation Center being able to provide more information than they currently can. If we are letting businesses do this but not the public entities, then it seems inappropriate to him.

Mr. Fell reiterated that he did not think it was a bad thing to have electronic signs in the recreation or education districts, but he has a problem with them being allowed in conservation areas. The City designated the land as conservation for a reason.

Mr. Trail asked if they could currently put a non-electronic sign on the conservation areas. Mr. Engstrom said yes. Mr. Trail wondered under what circumstances you would find a sign in these areas. Mr. Fitch replied at the Phillips Recreation Center or the pool. Mr. Engstrom stated that the University of Illinois has a forest where they could put up a sign announcing what the forest is.

Mr. Hopkins stated that there is one zoning category for conservation, recreation and education uses. So the City does not have a way to distinguish between them. The University of Illinois does not subject itself to City Ordinance. He does not believe that there are any other areas in the City of Urbana zoned CRE other than the Urbana Park District and the Urbana School District at this time. So, the proposed text amendment is okay with him.

Ms. Byndom moved that the Plan Commission forward Plan Case No. 2244-T-14 to the Urbana City Council with a recommendation for approval. Mr. Hopkins seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	No	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Ms. Stake	-	No
Mr. Trail	-	Yes	Mr. Buttry	-	Yes
Ms. Byndom	-	Yes			

November 6, 2014

The motion passed by a vote of 5-2. Mr. Engstrom noted that this case would be forwarded to the Urbana City Council on November 17, 2014.