

ORDINANCE NO. 2009-09-106

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

**(Amending Section IX-4.C, "Electronic Display", Pertaining
to Sign Illumination -- Plan Case No. 2110-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 electronic sign illumination; and

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 on September 10, 2009 recommended by a vote of 7-yes and 0-no that the Urbana City Council approve the proposed Zoning Ordinance text 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 are deemed to be in the best interest of the City of Urbana.

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

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. **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, 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:

<u>Electronic sign size</u>	<u>Measurement distance</u>
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 21st day of September, 2009.

PASSED by the City Council this 21st day of September, 2009.

AYES: Bowersox, Gehrig, Lewis, Marlin, Roberts, Stevenson

NAYS:

ABSTAINS:

APPROVED by the Mayor this 30th day of September, 2009.

Theresa Clark
Theresa D. Clark, City Clerk
by [Signature]
Property Clerk
APPROVED
Laurel Luthi Prussing, Mayor