



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members
FROM: John A. Schneider, MPA, Director, Community Development Services Department
Lily Wilcock, Planner I
DATE: April 11, 2019
SUBJECT: **An Ordinance Amending the Urbana Zoning Ordinance** (Omnibus Text Amendment – Plan Case 2371-T-19)

Introduction

The Zoning Administrator requests a multipart amendment to the Zoning Ordinance, to include changes such as revising definitions, rewriting sections to make them more understandable, fixing incorrect references, making changes to clarify standards for signs, clarifying who can apply for special use, conditional use, variances, and planned unit development applications, and making other minor changes. The changes are requested to assist in the daily administration of the Zoning Ordinance by reducing inconsistencies and updating regulations to meet current professional practices.

Discussion

This memorandum explains the Zoning Ordinance changes. The attached Zoning Ordinance Changes (see Exhibit A) outlines all of the proposed changes using a strikethrough and underline notation system. A ~~strikethrough~~ is used to indicate ~~deleted language~~, while an underline is used to indicate added language.

The following summarizes the miscellaneous proposed changes organized by Zoning Ordinance article. Changes are numbered by article, followed by a brief explanation in italics. A number of grammatical corrections and organizational changes as well to improve clarity.

Proposed Text Changes

General Change:

Replace the phrase “handicapped” with “accessible” or “accessibility,” depending on context.

Article IV. Districts and Boundaries

1. Remove the requirement to republish a paper zoning map once a year by designating the online map as the Official Zoning Map.

Republishing the Official Zoning Map once a year does not reflect the capabilities of technology to keep a current GIS layer for zoning online. The change would deem the online map as the Official Zoning Map to meet state requirements that a map be republished, but it would eliminate the requirement to produce a new paper map each year. Producing a new paper map is time consuming and is often out of date shortly after reprinting. The Zoning Administrator can print a paper copy of the zoning map periodically to reflect changes. The proposed change removes the state-imposed annual March 31 requirement and processing the map through Plan Commission and City Council. Instead, staff would update the online zoning map shortly after any zoning map amendments (rezonings) are approved by Council.

Article VII. Standards and Procedures for Conditional and Special Uses

2. Amend Section VII-2, Conditional Use Procedures and Section VII-4, Special Use Procedures

Currently for conditional uses and special uses, only an owner with 50% of ownership of the subject property could submit an application, placing a burden on a property owner with spaces to lease, for example. The proposed changes would also allow contract purchasers and individuals with written consent from the owner to apply.

Article VIII. Parking and Access

3. Amend the last paragraph in VIII-3.A. Design and Construction requirements to refer to the latest version of the Champaign-Urbana Urbanized Area Transportation Study (CUUATS) Access Management Guidelines

4. Clarify Section VIII-4.G. Location of Parking Facilities

Clarify that when screening is required, a parking lot must be set back at least three feet from the property line to accommodate that screening. Section VI-6 is included as a reference, as that requires a three foot minimum setback for parking.

Article IX. Signs

5. Remove definition bullet-style labeling to be consistent with the rest of the Zoning Ordinance.

6. Amend Section IX-2. Definitions to include the word “temporary” in various definitions of signs that are later regulated under Section IX-4.I Temporary Signs.

A sign is temporary or permanent as defined by the regulations within Section IX-4.I. Temporary Signs. Modifying the definition emphasizes the intent.

7. Add a definition of blade banner sign in Section IX-2. Definitions and replace use of “vertical banner” with “blade banner.”

The current Zoning Ordinance considers blade banners (sometimes referred to as “feather flags”) as a “vertical banners.” This new definition would use more intuitive language and make it clearer that they are considered temporary signs. As blade banners are a popular and affordable sign choice for businesses, creating a definition will help businesses understand the City’s temporary sign regulations.

8. Amend the definition of Institutional Signs

The word “noncommercial” was added to the definition of institutional signs to clearly state to which kinds of institutions the definition refers.

9. Delete the word “freestanding” from various definitions

The term “freestanding sign or freestanding outdoor advertising sign structure” is defined as a permanent sign and therefore deleted from definitions of temporary and/or portable signs.

10. General grammar changes to Section IX-3.A. Area measurement of Signs and OASS and Section IX-4.C. Electronic Display Allowances

11. Amend Section IX-4.I. Temporary Signs

The proposed changes include allowing temporary signs in the B-1 (Neighborhood Business District), B-2 (Neighborhood Business – Arterial District), and CCD (Campus Commercial District) zoning districts. Temporary signs include signs like Grand Opening signs and banners for limited periods of time depending on type and number of signs. The short time frame that these signs are allowed to be up, which is generally up to a month per year, minimizes the impacts of the signage to be a nuisance to surrounding zoning districts. The omission of these zoning districts in the current text means that grand opening signs or banners displaying sales, or other temporary messages, are not allowed for some of Urbana’s smaller businesses.

12. Amend Section IX-4.J Signs Authorized Without a Permit

The proposed change will increase the number of flags permitted from two to three per premise to better reflect what is typically displayed.

13. Add Table IX-10 for Temporary Sign Regulations

Many sign regulations are summarized in tables to provide a quick reference, but there has not been a table summarizing the temporary sign regulations. The tables are popular with residents and sign contractors because they visually organize the regulations for many types of signs.

Article XI. Administration

14. Amend Section XI-3. Zoning Board of Appeals to clarify what parties can apply for a variation from the Zoning Ordinance

Currently there is no criteria for who can apply for a variance. The proposed amendment would indicate that owners, contract purchasers, and those with consent of the owner can apply.

Article XIII. Special Development Provisions

15. Amend Section XIII-3. Planned Unit Developments to clarify what parties can apply for a Planned Unit Development

Currently there is no criteria regarding who can apply for a Planned Unit Development. The proposed changes would allow owners, contract purchasers, and those with written consent to be able to apply.

Summary of Findings

1. The proposed amendment will assist with daily administration and enforcement of the Zoning Ordinance by improving clarity and updating language to meet current professional practices.
2. The proposed amendment is consistent with the goals and objectives of the 2005 Urbana Comprehensive Plan regarding updating various sections of the Zoning Ordinance.
3. The proposed amendment will update the Zoning Ordinance to ensure that the regulatory environment more closely matches the goals and policies of the City.
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).

Options

The City Council has the following options:

1. Approve the ordinance as presented;
2. Approve the ordinance as modified by specific suggested changes; or
3. Deny the ordinance.

Recommendation

At its April 4, 2019, meeting, the Plan Commission voted seven ayes to zero nays to forward to City Council a recommendation to **APPROVE** the proposed text amendment to revise a multiple parts of the Zoning Ordinance. Staff concurs with this recommendation.

Attachments: A: Zoning Ordinance Changes
B: DRAFT 4/4/2019 Plan Commission Minutes

ARTICLE IV. DISTRICTS AND BOUNDARIES

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Section IV-3. Official Zoning Map

- A. The boundaries of the districts ~~established~~ created in Section IV-1 of this Ordinance are hereby established as shown on a map designated as the "Official Zoning Map of Urbana, Illinois." The official zoning map, as amended from time to time, is maintained on the City's website. This map and all notations, colors, references, legends, symbols, and text thereon pertaining to said districts shall be as much a part of this Ordinance as if fully described herein. ~~This map, is or reproductions thereof, certified as showing the districts created and approved, shall and will be available for public reference on the official website of the City of Urbana in the office of the City Clerk of Urbana, Illinois, and in the office of the Zoning Administrator of Urbana, Illinois. The locations and boundaries of the zoning districts established by this zoning ordinance Ordinance are also shown on a geographic coverage layer that is maintained the City maintains as part of a geographic information system (GIS) maintained by the City of Urbana.~~
- B. ~~At least once annually, no later than March 31 of each year, or more frequently as may be necessary, the City Clerk shall prepare an Official Zoning Map, which shall include any changes affecting district boundary lines or other matter portrayed on the Official Zoning Map, accomplished by amendment to this Ordinance or otherwise, during the preceding calendar year. However, any change affecting the boundaries of districts or the classification of land shall be in full force and effect ten days after the publication of the Amendatory Ordinance effectuating it, regardless of whether such a change has yet been incorporated into the Official Zoning Map. If no changes in the Official Zoning Map were made in the preceding year, a new map need not be prepared. Copies of all Amendatory Ordinances and of the Official Zoning map shall be available for public reference in the office of the City Clerk.~~

The Zoning Administrator shall request official zoning map amendments as necessary to reflect changes to the text of this Ordinance. The zoning administrator may authorize reproduction of the official zoning map to be produced. Printed copies of the map will be made available for public reference in the City Clerk's Office. No unauthorized person may alter or modify the official zoning map.

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ARTICLE VI. DEVELOPMENT REGULATIONS

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Section VI-5. Yards

15. Ramps or other structures for ~~handicapped~~ accessibility may encroach into required yards.

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ARTICLE VII. STANDARDS AND PROCEDURES FOR CONDITIONAL AND SPECIAL USES

- Section VII-1. Conditional and Special Uses
- Section VII-2. Conditional Use Procedures
- Section VII-3. Conditional Use Terms and Conditions
- Section VII-4. Special Use Procedures
- Section VII-5. Special Use Terms and Conditions
- Section VII-6. Standards for Specific Conditional Uses
- Section VII-7. Special Use Permit Procedures for Utility or Public Buildings and Adaptive Re-use of School Buildings and Church Buildings

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Section VII-2. Conditional Use Procedures

Except as otherwise provided herein, the Zoning Administrator shall not permit a conditional use until expressly authorized by the Zoning Board of Appeals and the following procedure is completed:

- A. A written application for a conditional use shall be submitted to the Secretary of the Zoning Board of Appeals ~~by~~. ~~Only the following persons may submit an application:~~ the owners of more than 50% of the ~~ownership of the~~ subject property, ~~involved a contract purchaser of the subject property, or a person with evidence of written consent from the owner.~~ involved a contract purchaser of the subject property, or a person with evidence of written consent from the owner. The application shall demonstrate:

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Section VII-4. Special Use Procedures

The standards and procedures for the consideration of mobile home parks and planned unit developments are specified in Article XIII. All other special uses, as designated in Table V-1, are subject to the procedures and standards stipulated herein. Except as otherwise provided, the Zoning Administrator shall not issue a special use until expressly authorized by the City Council and the following procedure has been completed:

- A. A written application for a special use shall be submitted to the Secretary of the Plan Commission ~~by~~ Only the following persons may submit an application: the owners of more than 50% of the ~~ownership of the~~ subject property, a contract purchaser of the subject property, or a person with evidence of written consent from the owner. The application shall demonstrate:

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ARTICLE VIII. PARKING AND ACCESS

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Section VIII-3. Design and Specifications of Off-Street Parking

A. *Design and Construction Requirements*

1. Adjacent residential uses shall be screened in accordance with Section VI-6.B from direct rays of light from the illumination of any off-street parking areas.
2. All off-street parking lots, access drives, off-street loading areas, and parking spaces shall be paved with a hard surface, including oil-and-chip, concrete, asphalt, brick, permeable asphalt, permeable pavers or other suitable surface including new environmentally friendly technologies, as approved by the Zoning Administrator so that the environment created is dust free and conforms to the following criteria:
 - a) The pavement design shall be such that any material composing the pavement and the soil underneath is not displaced by traffic movement in a manner that generates pollution in the air due to flying particles and causes damage, injury, or nuisance to the people/vehicles which use the facility.
 - b) The design and construction of the pavement shall be such that the physical appearance, characteristics, performance, and rigidity of the surface that comes into direct contact with vehicles does not change with varying weather conditions. The form and texture of the surface shall be conducive to safe flow of traffic.
 - c) Notwithstanding normal wear and tear, the surface and appearance of the parking lot shall be maintained to perform as originally designed.
3. Driveways and access drives existing as of March 1, 1990 which are not improved with a surface specified above shall not be required to be paved unless a new structure intended to be occupied by a principal use is constructed or the driveway is reconstructed or widened. Access drives resurfaced with additional gravel shall be contained with a curb or approved landscape edging treatment.
4. Where a garage is not provided in new construction of single- or two-family dwellings, a paved driveway and access drive shall be provided to accommodate a minimum of two off-street parking spaces per dwelling unit which will not encroach on the public right-of-way. (See Section VIII-3.H for drainage requirements)
5. The 20013 Champaign-Urbana Urbanized Area Transportation Study (CUUATS) Access Management Guidelines shall be generally followed to determine the location and number of access drives.

- B. ~~Handicapped~~ Accessible Parking. Accessible parking must comply with the State of Illinois Accessibility Code, as amended.

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Section VIII-4. Location of Parking Facilities

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- G. Where parking is permitted in a required yard in any zoning district, a minimum space of 18 inches shall be maintained from the nearest edge of the parking lot to the property line. ~~A minimum of three feet is required where parking lot screening is required in conformance~~ When screening is required a three-foot minimum setback is required for parking to conform to with Section VI-6.B.4.

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ARTICLE IX. SIGN AND OASS REGULATIONS

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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 temporary sign made of paper, plastic or fabric of any kind and which can be easily folded or rolled.
- ~~C.~~ *Blade Banner.* A banner that is supported by a single vertical pole mounted into the ground or on a portable structure.
- ~~D.~~ *Commercial sign.* A sign directing attention to or indicating any business or involving any goods or services.
- ~~E.~~ *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)
- ~~F.~~ *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.
- ~~G.~~ *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.
- ~~H.~~ *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.
- ~~I.~~ *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.
- ~~J.~~ *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)
- ~~K.~~ *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 household residing on the premises.

- ~~L~~ *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.
- ~~M~~ *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.
- ~~N~~ *Institutional Signs*: Any sign and/or message board displayed by any public, charitable, educational, religious or other noncommercial institution, when located on the premises of such institution.
- ~~O~~ *Message Board*: A sign, or any portion of a sign, designed and constructed to allow changeable messages through manual, mechanical, or electronic means.
- ~~P~~ *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.
- ~~Q~~ *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.
- ~~R~~ *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.
- ~~S~~ *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.
- ~~T~~ *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.
- ~~U~~ *Permanent Sign*: A sign that is permanently affixed or anchored to the ground, building, or other structure.
- ~~V~~ *Portable Sign*: A ~~freestanding~~ sign not permanently anchored or secured to either a building or structure.
- ~~W~~ *Private Traffic Directional and Instructional Signs*: Any ~~on-premise~~ premises 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.
- ~~X~~ *Projecting Sign*: A permanent sign, other than a wall sign, which projects from and is supported by, or attached to, a wall of a building or structure.
- ~~Y~~ *Roof Sign*: A permanent 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.
- ~~Z~~ *Sandwich Board Sign*: A temporary ~~freestanding~~ sign that is oriented in its display primarily towards pedestrian traffic.

~~AA.~~ *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.

~~BB.~~ *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.

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

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

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

~~FF.~~ *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 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.
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, or base on which the sign is placed, unless the supports, ~~or~~ uprights, or base 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%.

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Section IX-4. General Sign Allowances

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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. ~~The ,including a frequency of display change may not occur 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 at the distance specified by the following:

$$\text{Measurement Distance} = \sqrt{\text{Area of Sign (Sq. Ft.)} * 100}$$

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.

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I. *Temporary Signs.*

Temporary signs shall be allowed in the following districts:

B-1, B-2, B-3, B-3U, B-4, B-4E, CCD, IN-1, IN-2; and
 For non-residential uses in residential districts

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~~ 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 one-week banner displays per business frontage per calendar year. Banner displays may be consecutive or concurrent, but shall not exceed four weeks per calendar year for one banner, or one week for four banners. Banners must be securely fastened at both ends to a building or other structure, or securely fastened along both at one sides if displayed as a ~~vertical banner secured to the ground, or a blade banner mounted into the ground or on a portable 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.
 - a) The area of ~~each temporary banner signs~~ shall be restricted to 100 square feet for wall banners ~~signs~~ or wall-mounted banners ~~signs~~, 50 square feet for freestanding banners ~~signs~~, and 25 square feet for ~~vertical banners secured to the ground on one side~~ blade banners.
 - b) A temporary ~~banner~~ wall-mounted, freestanding, or blade 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~~ banner 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~~ three 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-12.
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:* Shall be placed within the 30 feet directly in front of a business. Shall not be located in the traveled roadway or block pedestrian traffic. Shall be moved indoors at the end of business hours. Shall not exceed eight square feet in area and four feet in height

Sandwich boards shall be allowed in the following districts:

B-1, B-2, B-3, B-3U, B-4, B-4E, CCD, MOR

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.

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TABLE IX-10. STANDARDS FOR TEMPORARY SIGNS

<u>Type of Temporary Sign</u>	<u>Zoning Districts Permitted</u>	<u>Maximum Number Permitted</u>	<u>Maximum Area of Sign</u>	<u>Maximum Height</u>	<u>Location of Signs</u>	<u>Length of Time Allowed</u>
<u>Banner, wall-mounted</u>	<u>B-1, Neighborhood Business</u>	<u>One per business and per frontage</u>	<u>100 sq. ft.</u>		<u>Minimum 10-foot setback from public rights-of-way</u>	
<u>Banner, free-standing</u>	<u>B-2, Neighborhood Business - Arterial</u> <u>B-3U, General Business – University</u> <u>B-3, General Business</u>	<u>One per business and per frontage</u>	<u>50 sq. ft.</u>	<u>None</u>	<u>Minimum 10-foot setback from public rights-of-way</u>	<u>Per calendar year, total number of display days = 28 / (# of signs)¹</u>
<u>Banner, blade</u>	<u>B-4, Central Business</u> <u>B-4E, Central Business Expansion</u>	<u>One per business and per frontage²</u>	<u>25 sq. ft.</u>		<u>Minimum 10-foot setback from public rights-of-way</u>	
<u>Balloon or air-activated inflatable sign³</u>	<u>IN-1 & IN-2, Industrial Districts</u> <u>Non-residential uses in residential areas</u>	<u>One per premise</u>	<u>Not Applicable</u>	<u>25 feet</u>	<u>Minimum setback is equal to the height, plus five feet⁴</u>	<u>No more than 30 consecutive days, and no more the 6 months after the business opens</u>
<u>Grand Opening sign⁵</u>		<u>One per frontage</u>	<u>None</u>	<u>None</u>	<u>Secured to the business' building face</u>	<u>No more than 30 consecutive days, and no more the 6 months after the business opens</u>

¹ One-week periods may be consecutive or concurrent, but shall not exceed four weeks per calendar year. For example, no more than four one-week displays per year or one week for four banners.

² Businesses with street frontage may have multiple blade banners, but must be spaced 50 feet apart.

³ Must be installed by a commercial sign installer. Permit will not be issued without proof of liability insurance of a minimum of one million dollars.

⁴ Must maintain at least 25 feet from all electrical wires.

⁵ Grand Opening signs require the temporary sign permit but there is no fee to this sign.

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ARTICLE XI. ADMINISTRATION, ENFORCEMENT, AMENDMENTS AND FEES

...

Section XI-3. Zoning Board of Appeals

C. *Powers and Duties of the Board.* The Board shall have the power and duty to hear and decide:

...

f) *Procedure on Request for Variation*

- 1) A written application for a variance shall be submitted to the Secretary of the Board, presenting evidence regarding the variance request and relative to the findings of fact outlined in Section XI-3.C.2.(c). ~~(Ord. No. 1999-07-064, 07-06-99)~~ Only the following persons may submit an application: the owner of more than 50% of the subject property, a contract purchaser of the subject property, or a person with evidence of written consent from the owner.
- 2) Each application for a variance shall be accompanied by a fee to be paid by the applicant, as provided in Section XI-8 of this Article.
- 3) Applicants for any proposed variance shall include the necessary information specified in Section XI-10 so that notification requirements for a public hearing as specified in Section XI-10 of the Urbana Zoning Ordinance can be satisfied.
- 4) The Board shall hold a public hearing to consider a variance.
- 5) The Board may, by majority vote, postpone, continue, or adjourn from time to time any public hearing. In the event of such postponement or adjournment, another public notice regarding the variance need not be published.

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ARTICLE XIII. Special Development Provisions

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Section XIII-3. Planned Unit Developments

(Ord. No. 2007-01-003, 04-02-07)

...

F. Preliminary Development Plan Submittal Requirements

1. *Preliminary Conference.* Prior to the preparation of a formal application, the applicant shall meet with the Secretary of the Urbana Plan Commission and the Zoning Administrator, or his/her designee, to discuss the proposed development and determine if it meets the requirements of this Article and if additional information is needed. Only the following persons may submit an application the owner of more than 50% of the subject property, a contract purchaser of the subject property, or a person with evidence of written consent from the owner.
2. *Preliminary Development Plan Application.* The applicant shall submit a completed application to the Secretary of the Urbana Plan Commission, together with five copies of a preliminary development plan, and an application fee as specified in Section XI-8. The preliminary development plan should be conceptual but shall minimally include the following materials:
 - a) The name and address of all owners of the site proposed for development, as well as the name and address of all professional site planners, architects, engineers, surveyors, or other consultants. Applications shall be submitted by the owners of more than 50% of the ownership of the subject property involved.
 - b) A general location map of suitable scale which shows the location of the property within the community and adjacent parcels.
 - c) A site inventory and analysis to identify site assets and constraints, such as floodplains, wetlands, soils, wooded areas, existing infrastructure and easements, existing buildings, and public lands.
 - d) A conceptual site plan with the following information:
 - 1) Any adjacent and/or contiguous parcels of land owned or controlled by the petitioner(s).
 - 2) Proposed land uses, building locations, and any conservation areas.
 - 3) Existing and proposed streets, sidewalks, and multi-use paths.
 - 4) Buffers between different land uses.
 - e) Any other information deemed necessary by the Secretary of the Plan Commission.
3. If the development plan involves a Zoning Map Amendment, such a request may be submitted concurrently with or subsequently to the planned unit development permit request.

4. If the development plan involves a subdivision plat and/or subdivision code waiver request, such a request may be submitted concurrently with or subsequently to the planned unit development permit request.

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Section XIII-5. Neighborhood Conservation Districts

(Ord. No. 2007-06-059, 11-05-07)

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- G. Conservation District Plan and Design Guidelines. Following the preliminary determination, the City, in consultation with district property owners and residents, will prepare a plan to conserve and promote desirable characteristics of the neighborhood and may additionally prepare design guidelines for the proposed district. Conservation district design guidelines should minimally include:

1. An inventory defining what is significant about the established character of the proposed neighborhood conservation district, including building characteristics such as established setbacks from property lines and patterns in height, massing, bulk, and orientation; patterns of parcel size and orientation; and streetscape elements.
2. Defined boundaries of the neighborhood conservation district;
3. Proposed design guidelines prescribing future development within the district, which may include the following or other necessary elements:
 - a) Building size and massing;
 - b) Roofline and pitch;
 - c) Façade/elevation features, including orientation of doorways and window openings;
 - d) Porches;
 - e) Exterior materials;
 - f) Parking areas; and
 - g) Screening;

provided that any design guidelines shall not include requirements for areas not visible from a public street or sidewalk, building interiors, doors and windows (as opposed to door and window openings), colors, landscaping other than landscape screening, ~~handicapped~~ accessibility ramps, and solar panels.

4. An outline of the proposed review process for future exterior changes and whether these changes are to be reviewed by a commission or board, City staff, or a combination thereof depending on levels of review, including rights for variances and appeals.
- H. Notification of Public Hearing. The Secretary shall schedule a public hearing on the application and any design guidelines at the Plan Commission. The Secretary shall provide the following notice not less than ten days before a public hearing on the proposal:
 1. Notice by Mail. The Secretary shall notify owners of all properties within the proposed district the date of the public hearing. Notification shall be sent by first-class U.S. mail to:
 - a) The address of the property affected;

- b) The address of the person who last paid the general taxes on the affected property according to the records of the Champaign County Supervisor of Assessments;
- 2. Notice by Publication. At least 15 days, but not more than 30 days before a public hearing, notice of the time and place of the public hearing on any proposed neighborhood conservation district shall be published in a newspaper of general circulation in the City of Urbana. The notice of such proposed hearing shall contain the common street addresses or address ranges, a description of the proposed district boundaries for which such action is sought, as well as a brief description of the proposed action.
- 3. Notice by Sign. The Secretary shall make a good faith effort to post notice by sign in accordance with Section XI-10 of the Urbana Zoning Ordinance.

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MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: April 4, 2019

TIME: 7:00 P.M.

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

MEMBERS PRESENT: Barry Ackerson, Jane Billman, Andrew Fell, Tyler Fitch, Nancy Ouedraogo, Jonah Weisskopf, Chenxi Yu

MEMBERS EXCUSED: Lew Hopkins

STAFF PRESENT: Lorrie Pearson, Planning Manager/Zoning Administrator; Kevin Garcia, Planner II; Lily Wilcock, Planner I; Sam Stewart, Planning Intern; Teri Andel, Planning Administrative Assistant II

OTHERS PRESENT: Yu Du, Karen Fresco, Dennis Roberts, Chris Saunders, Josh Stroot, Yihunny Zhui

NEW PUBLIC HEARINGS

Plan Case No. 2371-T-19 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with minor changes to Article IV (District and Boundaries), Article VI (Development Regulations), Article VII (Conditional and Special Use Permits), Article VIII (Parking and Access), Article IX (Signs and OASS Regulations), Article XI (Administration), and Article XIII (Special Development Provisions).

Chair Fitch opened the public hearing for this case. Lily Wilcock, Planner I, and Sam Stewart, Planning Intern, presented the staff report for this case to the Plan Commission. They reviewed the proposed changes to the Urbana Zoning Ordinance, which are summarized as follows:

1. Remove the requirement to republish a paper zoning map once a year by designating the online map as the Official Zoning Map;
2. Amend Section VII-2, Conditional Use Permit procedures and Section VII-4, Special Use Permit procedures to allow contract purchasers and individuals with written consent from the owner to apply;

3. Amend Section VIII-3.A. Design and Specifications of Off-Street Parking requirements to refer to the latest version of the Champaign-Urbana Urbanized Area Transportation Study (CUATTS) Access Management Guidelines;
4. Clarify in Section VIII-4.G. Location of Parking Facilities that when screening is required, a parking lot must be set back at least three feet to accommodate that screening.
5. Amendments to Article IX – Sign and OASS Regulations – Various changes including modifying and adding definitions for temporary signs, blade banner, and non-commercial institutional signs. Changes also included allowing temporary signs in the B-1 (Neighborhood Business), B-2 (Neighborhood Business – Arterial), and CCD (Campus Commercial) Zoning Districts AND increase the number of flags permitted from two to three in Section IX-4.J. Signs Authorized Without a Permit AND add Table IX-19 for Temporary Sign Regulations.
6. Amend Section XI-3. Zoning Board of Appeals to clarify what parties can apply for a variation from the Zoning Ordinance.
7. Amend Section XIII-3. Planned Unit Developments to clarify what parties can apply for a Planned Unit Development.

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

Ms. Ouedraogo commented that she liked the addition of Table IX-19 and felt it would be helpful and increase the ease for a person applying for a temporary sign permit.

With no further questions and no audience input, Chair Fitch closed the public input portion of the hearing and opened it for Plan Commission discussion and/or motion(s).

Ms. Billman moved that the Plan Commission forward Plan Case No. 2371-T-19 to the Urbana City Council with a recommendation for approval. Mr. Ackerson seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Ms. Ouedraogo	-	Yes	Mr. Weisskopf	-	Yes
Ms. Yu	-	Yes	Mr. Ackerson	-	Yes
Ms. Billman	-	Yes			

The motion passed by unanimous vote.

Ms. Wilcock announced that this case would be forwarded to the City Council on April 15, 2019.

ORDINANCE NO. 2019-04-027

AN ORDINANCE AMENDING THE URBANA ZONING ORDINANCE

(Omnibus Text Amendment– Plan Case No. 2371-T-19)

WHEREAS, the City Council passed Ordinance No. 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 (“City”), which is also known as the Urbana Zoning Ordinance (“Zoning Ordinance”); and

WHEREAS, the Zoning Ordinance from time to time is amended to assist in the daily administration of the Zoning Ordinance, reduce inconsistencies, and update regulations to meet current professional standards; and

WHEREAS, the set of proposed changes have been identified since the last update but, on their own, not warrant separate amendments; and

WHEREAS, the Zoning Administrator has submitted a petition to amend the Zoning Ordinance, which includes numerous miscellaneous editorial changes as part of a recodification and republishing of the Zoning Ordinance; and

WHEREAS, said petition was presented to the Plan Commission as Plan Case No. 2371-T-19; and

WHEREAS, after due publication in accordance with Section XI-7 of the Zoning Ordinance and Section 11-13-14 of the Illinois Municipal Code (65 ILCS 5/11-13-14), the Plan Commission held a public hearing on the petition on April 4, 2019; and

WHEREAS, the Plan Commission voted seven ayes to zero nays on April 4, 2019, to forward Plan Case No. 2371-T-19 to the City Council with a recommendation for approval of the proposed amendment; and

WHEREAS, the amendments described herein conform to the goals, objectives and policies of the 2005 Comprehensive Plan as amended from time to time; and

WHEREAS, after due and proper consideration, the City Council finds that amending the Zoning Ordinance as herein provided is in best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

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

Section 1.

The following provisions of the Urbana Zoning Ordinance are hereby amended and as amended shall read as set forth in Exhibit “A,” which is attached hereto and incorporated herein by reference:

- A. Article IV, “Districts and Boundaries,” Section IV-3, “Official Zoning Map.”
- B. Article VI, “Development Regulations,” Section VI-5. “Yards.”
- C. Article VII, “Standards and Procedures for Conditional and Special Uses,” Section VII-2, “Conditional Use Procedures,” Section VII-4, “Special Use Procedures.”
- D. Article VIII, “Parking and Access,” Section VIII-3, “Design and Specifications of Off-Street Parking,” Section VIII-4, “Location of Parking Facilities.”
- E. Article IX, “Sign and OASS Regulations,” Section IX-2, “Sign and OASS Definitions,” Section IX-3, “Measurement Standards,” Section IX-4, “General Sign Allowances,” and the creation of Table IX-10, “Standards for Temporary Signs.”
- F. Article XI, “Administration, Enforcement, Amendments and Fees,” Section XI-3, “Zoning Board of Appeals.”
- G. Article XIII, “Special Development Provisions,” Section XII-3, “Planned Unit Developments.”

Section 2.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 3.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ___ day of _____, _____.

AYES:

NAYS:

ABSTAINED:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this ___ day of _____, _____.

Diane Wolfe Marlin, Mayor

ARTICLE IV. DISTRICTS AND BOUNDARIES

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Section IV-3. Official Zoning Map

- A. The boundaries of the districts created in Section IV-1 of this Ordinance are hereby established as shown on a map designated as the "Official Zoning Map of Urbana, Illinois." The official zoning map, as amended from time to time, is maintained on the City's website. This map and all notations, colors, references, legends, symbols, and text thereon pertaining to said districts shall be as much a part of this Ordinance as if fully described herein. The locations and boundaries of the zoning districts established by this Ordinance are also shown on a geographic coverage layer the City maintains as part of a geographic information system (GIS).
- B. The Zoning Administrator shall request official zoning map amendments as necessary to reflect changes to the text of this Ordinance. The zoning administrator may authorize reproduction of the official zoning map to be produced. Printed copies of the map will be made available for public reference in the City Clerk's Office. No unauthorized person may alter or modify the official zoning map.

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ARTICLE VI. DEVELOPMENT REGULATIONS

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Section VI-5. Yards

15. Ramps or other structures for accessibility may encroach into required yards.

...

ARTICLE VII. STANDARDS AND PROCEDURES FOR CONDITIONAL AND SPECIAL USES

- Section VII-1. Conditional and Special Uses**
- Section VII-2. Conditional Use Procedures**
- Section VII-3. Conditional Use Terms and Conditions**
- Section VII-4. Special Use Procedures**
- Section VII-5. Special Use Terms and Conditions**
- Section VII-6. Standards for Specific Conditional Uses**
- Section VII-7. Special Use Permit Procedures for Utility or Public Buildings and Adaptive Re-use of School Buildings and Church Buildings**

...

Section VII-2. Conditional Use Procedures

Except as otherwise provided herein, the Zoning Administrator shall not permit a conditional use until expressly authorized by the Zoning Board of Appeals and the following procedure is completed:

- A. A written application for a conditional use shall be submitted to the Secretary of the Zoning Board of Appeals. Only the following persons may submit an application: the owners of more than 50% of the subject property, a contract purchaser of the subject property, or a person with evidence of written consent from the owner. The application shall demonstrate:

...

Section VII-4. Special Use Procedures

The standards and procedures for the consideration of mobile home parks and planned unit developments are specified in Article XIII. All other special uses, as designated in Table V-1, are subject to the procedures and standards stipulated herein. Except as otherwise provided, the Zoning Administrator shall not issue a special use until expressly authorized by the City Council and the following procedure has been completed:

- A. A written application for a special use shall be submitted to the Secretary of the Plan Commission. Only the following persons may submit an application: the owners of more than 50% of the subject property, a contract purchaser of the subject property, or a person evidence of written consent from the owner. The application shall demonstrate:

...

ARTICLE VIII. PARKING AND ACCESS

...

Section VIII-3. Design and Specifications of Off-Street Parking

A. *Design and Construction Requirements*

1. Adjacent residential uses shall be screened in accordance with Section VI-6.B from direct rays of light from the illumination of any off-street parking areas.
2. All off-street parking lots, access drives, off-street loading areas, and parking spaces shall be paved with a hard surface, including oil-and-chip, concrete, asphalt, brick, permeable asphalt, permeable pavers or other suitable surface including new environmentally friendly technologies, as approved by the Zoning Administrator so that the environment created is dust free and conforms to the following criteria:
 - a) The pavement design shall be such that any material composing the pavement and the soil underneath is not displaced by traffic movement in a manner that generates pollution in the air due to flying particles and causes damage, injury, or nuisance to the people/vehicles which use the facility.
 - b) The design and construction of the pavement shall be such that the physical appearance, characteristics, performance, and rigidity of the surface that comes into direct contact with vehicles does not change with varying weather conditions. The form and texture of the surface shall be conducive to safe flow of traffic.
 - c) Notwithstanding normal wear and tear, the surface and appearance of the parking lot shall be maintained to perform as originally designed.
3. Driveways and access drives existing as of March 1, 1990 which are not improved with a surface specified above shall not be required to be paved unless a new structure intended to be occupied by a principal use is constructed or the driveway is reconstructed or widened. Access drives resurfaced with additional gravel shall be contained with a curb or approved landscape edging treatment.
4. Where a garage is not provided in new construction of single- or two-family dwellings, a paved driveway and access drive shall be provided to accommodate a minimum of two off-street parking spaces per dwelling unit which will not encroach on the public right-of-way. (See Section VIII-3.H for drainage requirements)
5. The 2013 Champaign-Urbana Urbanized Area Transportation Study (CUUATS) Access Management Guidelines shall be generally followed to determine the location and number of access drives.

- B. *Accessible Parking.* Accessible parking must comply with the State of Illinois Accessibility Code, as amended.

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Section VIII-4. Location of Parking Facilities

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- G. Where parking is permitted in a required yard in any zoning district, a minimum space of 18 inches shall be maintained from the nearest edge of the parking lot to the property line. When screening is required a three-foot minimum setback is required for parking to conform to Section VI-6.B.4.

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ARTICLE IX. SIGN AND OASS REGULATIONS

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Section IX-2. Sign and OASS Definitions

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.

Banner. A temporary sign made of paper, plastic or fabric of any kind and which can be easily folded or rolled.

Blade Banner. A banner that is supported by a single vertical pole mounted into the ground or on a portable structure.

Commercial sign: A sign directing attention to or indicating any business or involving any goods or services.

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)

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.

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.

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.

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.

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)

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 household residing on the premises.

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.

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.

Institutional Signs: Any sign and/or message board displayed by any public, charitable, educational, religious or other noncommercial institution, when located on the premises of such institution.

Message Board: A sign, or any portion of a sign, designed and constructed to allow changeable messages through manual, mechanical, or electronic means.

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.

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.

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.

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.

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.

Permanent Sign: A sign that is permanently affixed or anchored to the ground, building, or other structure.

Portable Sign: A sign not permanently anchored or secured to either a building or structure.

Private Traffic Directional and Instructional Signs: Any on premises 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.

Projecting Sign: A permanent sign, other than a wall sign, which projects from and is supported by, or attached to, a wall of a building or structure.

Roof Sign: A permanent 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.

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

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.

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.

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

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

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

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 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.
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, uprights, or base on which the sign is placed, unless the supports, uprights, or base 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%.

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Section IX-4. General Sign Allowances

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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. The frequency of display change may not occur 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 at the distance specified by the following:

$$\text{Measurement Distance} = \sqrt{\text{Area of Sign (Sq. Ft.)} * 100}$$

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.

...

I. *Temporary Signs.*

Temporary signs shall be allowed in the following districts:

B-1, B-2, B-3, B-3U, B-4, B-4E, CCD, IN-1, IN-2; and
For non-residential uses in residential districts

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 one-week banner displays per business frontage per calendar year. Banner displays may be consecutive or concurrent, but shall not exceed four weeks per calendar year for one banner, or one week for four banners. Banners must be securely fastened at both ends to a building or other structure, or securely fastened along both sides if displayed as a banner secured to the ground, or a blade banner mounted into the ground or on a portable 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.
 - a) The area of each banner shall be restricted to 100 square feet for wall banners or wall-mounted banners, 50 square feet for freestanding banners, and 25 square feet for blade banners.
 - b) A temporary wall-mounted, freestanding, or blade banner shall be set back at least ten feet from the front property line, or shall be displayed so that the bottom edge of the banner 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 three 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-12.
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:* Shall be placed within the 30 feet directly in front of a business. Shall not be located in the traveled roadway or block pedestrian traffic. Shall be moved indoors at the end of business hours. Shall not exceed eight square feet in area and four feet in height

Sandwich boards shall be allowed in the following districts:

B-1, B-2, B-3, B-3U, B-4, B-4E, CCD, MOR

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.

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TABLE IX-10. STANDARDS FOR TEMPORARY SIGNS

Type of Temporary Sign	Zoning Districts Permitted	Maximum Number Permitted	Maximum Area of Sign	Maximum Height	Location of Signs	Length of Time Allowed
Banner, wall-mounted	B-1, Neighborhood Business	One per business and per frontage	100 sq. ft.	None	Minimum 10-foot setback from public rights-of-way	Per calendar year, total number of display days = 28 / (# of signs) ¹
Banner, free-standing	B-2, Neighborhood Business - Arterial B-3U, General Business – University B-3, General Business	One per business and per frontage	50 sq. ft.		Minimum 10-foot setback from public rights-of-way	
Banner, blade	B-4, Central Business B-4E, Central Business Expansion	One per business and per frontage ²	25 sq. ft.		Minimum 10-foot setback from public rights-of-way	
Balloon or air-activated inflatable sign ³	IN-1 & IN-2, Industrial Districts Non-residential uses in residential areas	One per premise	Not Applicable	25 feet	Minimum setback is equal to the height, plus five feet ⁴	No more than 30 consecutive days, and no more the 6 months after the business opens
Grand Opening sign ⁵		One per frontage	None	None	Secured to the business' building face	No more than 30 consecutive days, and no more the 6 months after the business opens

¹ One-week periods may be consecutive or concurrent, but shall not exceed four weeks per calendar year. For example, no more than four one-week displays per year or one week for four banners.

² Businesses with street frontage may have multiple blade banners, but must be spaced 50 feet apart.

³ Must be installed by a commercial sign installer. Permit will not be issued without proof of liability insurance of a minimum of one million dollars.

⁴ Must maintain at least 25 feet from all electrical wires.

⁵ Grand Opening signs require the temporary sign permit but there is no fee to this sign.

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ARTICLE XI. ADMINISTRATION, ENFORCEMENT, AMENDMENTS AND FEES

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Section XI-3. Zoning Board of Appeals

C. *Powers and Duties of the Board.* The Board shall have the power and duty to hear and decide:

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f) *Procedure on Request for Variation*

- 1) A written application for a variance shall be submitted to the Secretary of the Board, presenting evidence regarding the variance request and relative to the findings of fact outlined in Section XI-3.C.2.(c). Only the following persons may submit an application: the owner of more than 50% of the subject property, a contract purchaser of the subject property, or a person with evidence of written consent from the owner.
- 2) Each application for a variance shall be accompanied by a fee to be paid by the applicant, as provided in Section XI-8 of this Article.
- 3) Applicants for any proposed variance shall include the necessary information specified in Section XI-10 so that notification requirements for a public hearing as specified in Section XI-10 of the Urbana Zoning Ordinance can be satisfied.
- 4) The Board shall hold a public hearing to consider a variance.
- 5) The Board may, by majority vote, postpone, continue, or adjourn from time to time any public hearing. In the event of such postponement or adjournment, another public notice regarding the variance need not be published.

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ARTICLE XIII. Special Development Provisions

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Section XIII-3. Planned Unit Developments

(Ord. No. 2007-01-003, 04-02-07)

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F. Preliminary Development Plan Submittal Requirements

1. *Preliminary Conference.* Prior to the preparation of a formal application, the applicant shall meet with the Secretary of the Urbana Plan Commission and the Zoning Administrator, or his/her designee, to discuss the proposed development and determine if it meets the requirements of this Article and if additional information is needed. Only the following persons may submit an application the owner of more than 50% of the subject property, a contract purchaser of the subject property, or a person with evidence of written consent from the owner.
2. *Preliminary Development Plan Application.* The applicant shall submit a completed application to the Secretary of the Urbana Plan Commission, together with five copies of a preliminary development plan, and an application fee as specified in Section XI-8. The preliminary development plan should be conceptual but shall minimally include the following materials:
 - a) The name and address of all owners of the site proposed for development, as well as the name and address of all professional site planners, architects, engineers, surveyors, or other consultants. Applications shall be submitted by the owners of more than 50% of the ownership of the subject property involved.
 - b) A general location map of suitable scale which shows the location of the property within the community and adjacent parcels.
 - c) A site inventory and analysis to identify site assets and constraints, such as floodplains, wetlands, soils, wooded areas, existing infrastructure and easements, existing buildings, and public lands.
 - d) A conceptual site plan with the following information:
 - 1) Any adjacent and/or contiguous parcels of land owned or controlled by the petitioner(s).
 - 2) Proposed land uses, building locations, and any conservation areas.
 - 3) Existing and proposed streets, sidewalks, and multi-use paths.
 - 4) Buffers between different land uses.
 - e) Any other information deemed necessary by the Secretary of the Plan Commission.
3. If the development plan involves a Zoning Map Amendment, such a request may be submitted concurrently with or subsequently to the planned unit development permit request.

4. If the development plan involves a subdivision plat and/or subdivision code waiver request, such a request may be submitted concurrently with or subsequently to the planned unit development permit request.

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Section XIII-5. Neighborhood Conservation Districts

(Ord. No. 2007-06-059, 11-05-07)

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- G. Conservation District Plan and Design Guidelines. Following the preliminary determination, the City, in consultation with district property owners and residents, will prepare a plan to conserve and promote desirable characteristics of the neighborhood and may additionally prepare design guidelines for the proposed district. Conservation district design guidelines should minimally include:

1. An inventory defining what is significant about the established character of the proposed neighborhood conservation district, including building characteristics such as established setbacks from property lines and patterns in height, massing, bulk, and orientation; patterns of parcel size and orientation; and streetscape elements.
2. Defined boundaries of the neighborhood conservation district;
3. Proposed design guidelines prescribing future development within the district, which may include the following or other necessary elements:
 - a) Building size and massing;
 - b) Roofline and pitch;
 - c) Façade/elevation features, including orientation of doorways and window openings;
 - d) Porches;
 - e) Exterior materials;
 - f) Parking areas; and
 - g) Screening;

provided that any design guidelines shall not include requirements for areas not visible from a public street or sidewalk, building interiors, doors and windows (as opposed to door and window openings), colors, landscaping other than landscape screening, accessibility ramps, and solar panels.

4. An outline of the proposed review process for future exterior changes and whether these changes are to be reviewed by a commission or board, City staff, or a combination thereof depending on levels of review, including rights for variances and appeals.

- H. Notification of Public Hearing. The Secretary shall schedule a public hearing on the application and any design guidelines at the Plan Commission. The Secretary shall provide the following notice not less than ten days before a public hearing on the proposal:

1. Notice by Mail. The Secretary shall notify owners of all properties within the proposed district the date of the public hearing. Notification shall be sent by first-class U.S. mail to:
 - a) The address of the property affected;

- b) The address of the person who last paid the general taxes on the affected property according to the records of the Champaign County Supervisor of Assessments;
2. Notice by Publication. At least 15 days, but not more than 30 days before a public hearing, notice of the time and place of the public hearing on any proposed neighborhood conservation district shall be published in a newspaper of general circulation in the City of Urbana. The notice of such proposed hearing shall contain the common street addresses or address ranges, a description of the proposed district boundaries for which such action is sought, as well as a brief description of the proposed action.
3. Notice by Sign. The Secretary shall make a good faith effort to post notice by sign in accordance with Section XI-10 of the Urbana Zoning Ordinance.

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