

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF URBANA, ILLINOIS**

(Additions to Section IX-3.C, Measurement of Outdoor Advertising Sign Structure Surface Display Area; and Amendments to Table IX-5, Standards for Future Outdoor Advertising Sign Structures)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance No. 9293-124 on June 21, 1993 consisting of a Comprehensive Amendment to the 1979 Zoning Ordinance of the City of Urbana, also known as the Urbana Zoning Ordinance; and

WHEREAS, Article IX of the Urbana Zoning Ordinance, Comprehensive Sign Regulations, includes as an intent of regulating signs, to protect and enhance the physical appearance of the community and the scenic value of the surrounding area; and

WHEREAS, a number of Outdoor Advertising Sign Structures (OASS) have been constructed recently in the Champaign-Urbana area that call into question their compliance with the above stated intent of the Zoning Ordinance; and

WHEREAS, on December 18, 2000, the Urbana City Council approved Ordinance No. 2000-11-136 to add Section IX-10, Interim Development Ordinance, Moratorium on Outdoor Advertising Structures, to the Urbana Zoning Ordinance which significantly limited the issuance of OASS permits for a period of 180 days; and

WHEREAS, the City of Urbana created an OASS Task Force composed of representatives of the City as well as the outdoor advertising industry to conduct a comprehensive review of the OASS regulations and to develop additional guidelines for OASS's while considering input from the outdoor advertising industry; and

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend Section IX-3.C., Measurement of Outdoor Advertising Sign Structure Surface Display Area, and Table IX-5, Standards for Future Outdoor Advertising Sign Structures, as presented herein; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case No. 1777-T-01; 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 to consider the proposed amendment on April 19, 2001; and

WHEREAS, the Urbana Plan Commission voted 8 ayes and 0 nays to forward the proposed amendment set forth in Plan Case No. 1777-T-01 to the Urbana City Council with a recommendation for approval with the condition to continue the review of certain aspects of the OASS regulations; and

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interests of the City of Urbana to amend the text of the Urbana Zoning Ordinance as described herein.

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

Section 1. Section II-3, Definitions, of the Zoning Ordinance is hereby amended as follows:

- Outdoor advertising sign structure (OASS): A standardized outdoor advertising display, including the permanent framework, structural members, support or supports, foundation, scaffolding and illumination, facing or panels, and message, 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. Such OASS's shall be limited to two (2) standardized structures.

a. The "30 sheet poster panel" or painted bulletin, whose outside dimensions, including trim, if any, but excluding the base, apron, supports and other structural members is approximately twelve (12) feet by twenty-five (25) feet, containing three hundred (300) square feet of total display area;

b. The "Junior panel" whose outside dimensions, including trim, if any, but excluding the base, apron, supports and other structural members is approximately six (6) feet by twelve (12) feet, containing seventy-two (72) square feet of total display area.

c. 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%.

Section 2. Section IX-1., Legislative Intent and Findings, is hereby amended as follows:

- The purpose of this Article is to establish regulations and controls which promote the goals, objectives and policies of the City of Urbana Comprehensive Plan and to permit and regulate signs in such a manner as to support and complement the land use policies set forth in Article I, Section I-1. To these ends, this Article regulates the size, number and

spacing of signs which is intended to: aid in traffic safety by avoiding uncontrolled proliferation of signs which distract and endanger safety and traffic flow; reduce congestion of land, air and space; preserve and protect property values; establish reasonable standards for the use of signs in order to maintain and encourage business activity and development; protect and enhance the physical appearance of the community and the scenic value of the surrounding area; and regulate signs located near or visible from public property such as streets, highways, parks and schools where such signs could jeopardize the public's investment in these facilities.

- The sign regulations expressly distinguish between "signs" and "outdoor advertising sign structures" based on the specific finding that outdoor advertising sign structures represent a separate and unique communication medium available to the general public for the periodic display of signs for announcements of both a commercial and noncommercial nature, utilizing nationally standardized signs or painted panels. At the same time, the regulations recognize that a limitation upon the size, number and spacing of such structures is consistent with and will further the goals expressed herein.
- Recognizing that OASS's and other signage can be constructed to varying degrees of architectural compatibility or incompatibility with their surroundings, these regulations require that certain design standards be implemented when constructing OASS's. Further recognizing that the zoning

districts in and routes along which OASS's may be erected are mainly commercial, rather than industrial, these provisions are intended to result in a minimum baseline of architectural compatibility between OASS's and their surroundings with respect to structural color, landscaping, and architectural features, and are intended to result in OASS's that have an acceptable commercial, as opposed to industrial, appearance.

- These sign regulations recognize the basic guaranteed right of freedom of speech and therefore are not intended to control the content of any message displayed on signs or outdoor advertising sign structures and do not discriminate between on-premise and off-premise signs.

Section 3. Section IX-3.C., Measurement of outdoor advertising sign structure surface display area, is hereby amended to read as follows:

The surface area of a sign or surface display area of an outdoor advertising sign structure shall be the area of the smallest convex geometric figure encompassing the maximum projected area of the volume on a flat plane which completely encloses the extreme limits of the surface display area of writing, representation, emblem, advertising embellishment, or other figure of similar character or potential display area of an outdoor advertising sign structure, together with any material forming an integral part of the display, or used to differentiate such sign or outdoor advertising sign structure from the background against which it is placed. Such measurement shall exclude the necessary supports or

uprights on which the sign is placed, unless the supports or uprights constitute part of the display because of the predominant overall concept of the sign, and shall exclude the apron, if any, which itself covers structural members, supports or uprights. The lowest projection of the display area shall not be more than 6 inches above the lowest portion of any horizontal structural element of the OASS.

Section 4. Table IX-5, Standards for Future Outdoor Advertising Sign Structures, is hereby amended to read as shown in the attachment.

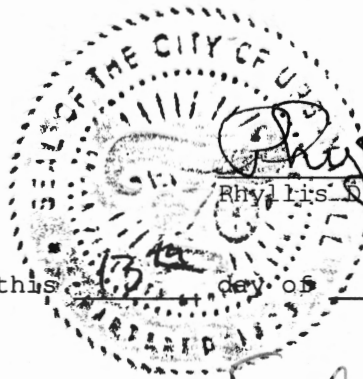
Section 5. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes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

PASSED by the City Council this 4th day of June,
2001.

AYES: Chynoweth, Hayes, Huth, Otto, Patt, Whelan, Wyman

NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 13th day of June,
2001.

Tod Satterthwaite
Tod Satterthwaite, Mayor