



MEMORANDUM

TO: Mayor Laurel Lunt Prussing and Members of the Urbana City Council
FROM: William R. Gray, Public Works Director
Bradley M. Bennett, Assistant City Engineer
Barb Stiehl, Assistant to the Director
DATE: October 20, 2016
RE: Outdoor Café License Agreement Amendment for Permitting Sandwich Boards in the Campus Commercial District

Background

In 2007, 704 and 706 Gregory Place (now Gregory Street), 1004, 1006, and 1008 West Nevada Street, and 1003, 1005, and 1007 West Oregon Street were rezoned from the R-5 (Medium High Density, Multiple Family Residential) Zoning District to the CCD (Campus Commercial District) Zoning District. Development occurred along Gregory Street which included the addition of several restaurants. Recently, a coffee shop opened along Oregon Street and the owners asked for permission to place signs in City right-of-way to announce its grand opening. Since the zoning change occurred after the language allowing sandwich boards in certain zoning districts was written, this zoning district was not included as an area where sandwich boards are allowed. The proposed revision would amend the ordinance to allow sandwich boards on Oregon Street and Nevada Street in the CCD-zoned district as long as the signage meets the standards defined in the license agreement.

Another proposed change stems from research completed by the Legal Division that found the current language in this section to be unconstitutional as the section places restrictions on the content of the message on the sandwich board. The amendment will strike the restrictive language from the code.

Fiscal Impacts

There are no fiscal impacts associated with these changes.

Recommendation

It is recommended that an Ordinance Amending Urbana City Code Chapter 20, Section 20-615 (Advertising on or in a sidewalk café) be approved.

Attachments: Ordinance
Location Map

ORDINANCE NO. 2016-10-103

AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 20, SECTION 20-615

(Advertising on or in a sidewalk café)

WHEREAS, the City of Urbana ("City") is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, the City Council heretofore has enacted Urbana City Code Section 20-615 to establish minimum requirements for license agreements giving the consent of the City to use City right-of-way for outdoor cafés; and

WHEREAS, the City Council finds that amending said Section, as provided herein, will protect the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

Urbana City Code Chapter 20, "Public Right-of-Way and Other Public Places," Article VI, "Franchise and License Agreements," Section 20-615, "Consent to license agreements," subsection 12, is hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as follows:

Sec. 20-615. - Consent to license agreements.

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- (12) No advertising shall be permitted on or in any sidewalk café except a sandwich board portable sign. ~~that advertises daily specials or sales for a business.~~ Such sign shall not be located in the traveled roadway or block pedestrian traffic and shall be moved indoors daily at the end of business hours. Such sign shall be permitted only in the B-1, B-2, B-3U, B-4, B-4E, CCD, or MOR zoning districts and shall not exceed eight (8) square feet in area and four (4) feet in height. If applicable, a scale drawing of the sign shall be included as part of the license agreement.

Section 2.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those

expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3.

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 4.

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:

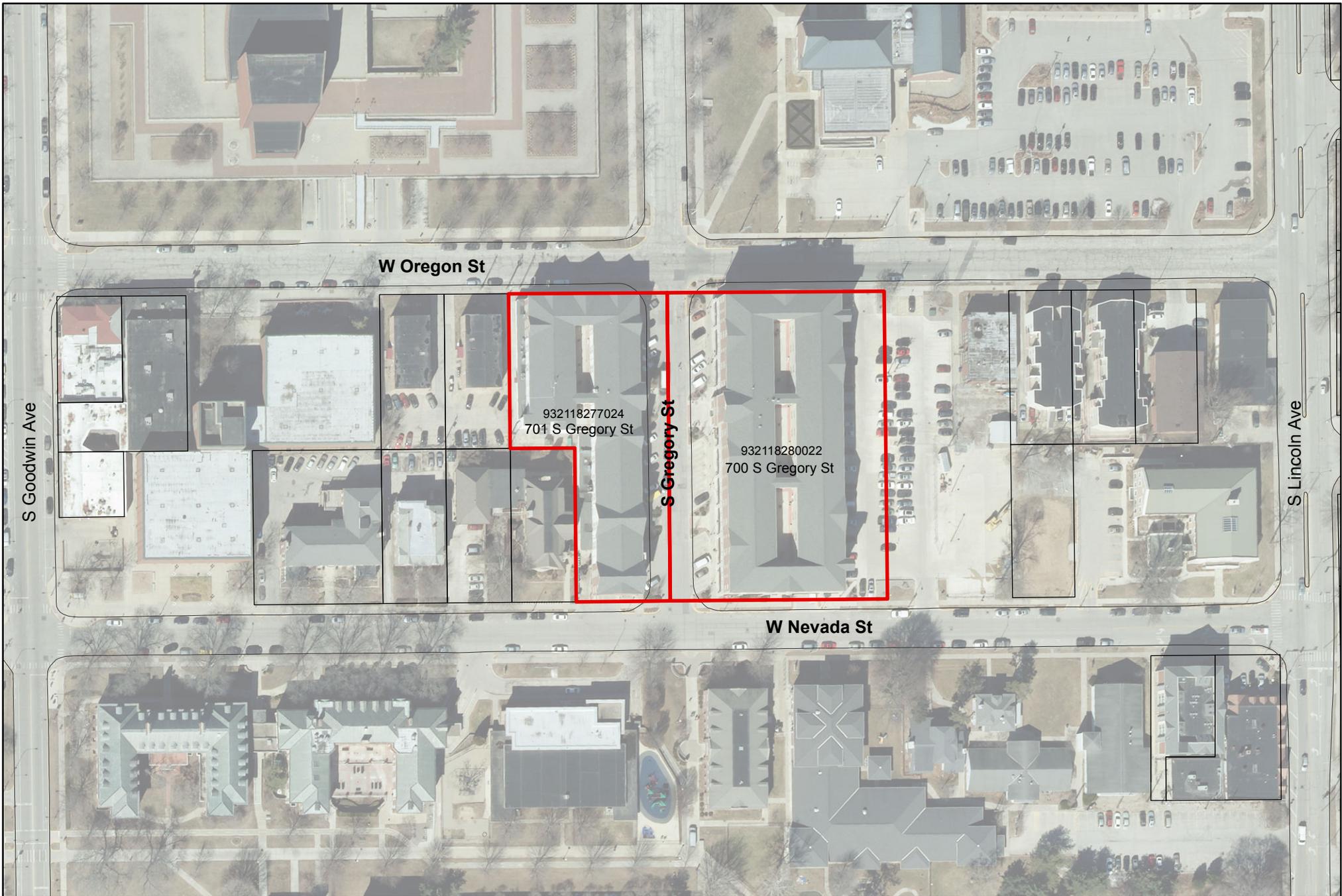
ABSENT:

ABSTAINED:

Phyllis D. Clark, City Clerk

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

Laurel Lunt Prussing, Mayor



Outdoor Cafe License Agreement Amendment in the Campus Commercial District

 Parcels effected by proposed zoning amendment



City of Urbana
Public Works Dept
Engineering Division
Date: 10/17/2016

