

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
OCTOBER 18, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Zoning Ordinance Text Amendment	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An ordinance has been prepared amending Chapter 28, Zoning Ordinance, Article XV Signs. The proposed amendment affects garage sale signs and corrects a previous error for commercial monument signs.

STRATEGIC PLAN ALIGNMENT

The Goals 2011-2018 identified *Exceptional Municipal Services*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the October 11, 2011 Village Council meeting. Staff recommends approval on the October 11, 2011 Active Agenda.

BACKGROUND

The Village is proposing two text amendments to the sign regulations. The first amendment would modify the garage sale sign regulations allowing them to be placed in the public right-of-way on Mondays that are holidays. The ordinance currently permits garage sale signs to be placed on Village rights-of-way on Fridays, Saturdays and Sundays, but does not address holidays. Currently, the Village does not enforce placement of garage sale signs on the parkway during holidays. As such, the proposed amendment would have no impact on the Village's enforcement practices. All of the other provisions (signs, location, number, etc.) for garage sale signs will remain unchanged.

The second amendment would correct a scrivener's error related to commercial monument signs. The error occurred when the regulations were amended in 2009 for large lots in the B-3 zoning district. When this change was made, the adopting ordinance inadvertently eliminated requirements for lots that are exactly 100 feet wide. The sign requirements adopted in 2005 permitted lots that are 100 feet wide to have signs that are 10 feet tall and contain 36 square feet. When the ordinance was revised in 2009, the sign regulations were modified to contain provisions for lots that are less than 100 feet wide, lots between 101 and 259 feet wide and lots that are wider than 260 feet. However, the amendments did not include provisions for lots that are exactly 100 feet wide.

The proposed amendment corrects the sign regulations to reflect the correct allowance for 100-foot wide lots. Specifically, the table in Section 28.1502.01(A)(1) would be modified to allow signs that are 10 feet tall and 36 square feet for lots between 100-259 feet wide. This modification will match the original sign ordinance requirements.

Staff believes the change would not impact the overall intent of the Village's re-write of the Sign Ordinance. The proposed amendments will match current enforcement practices.

The Plan Commission considered the amendment at its September 12, 2011 meeting. The Commission found that the amendments did not impact the intent or goals of the Sign Ordinance. No public comments were received during the public hearing. The Plan Commission found the proposed modifications would be beneficial and unanimously recommended approval of the amendment. Staff concurs.

ATTACHMENTS

Ordinance

Staff Report dated September 12, 2011

Draft Minutes of the Plan Commission Hearing dated September 12, 2011

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Community Development **DATE:** October 18, 2011
(Name)

RECOMMENDATION FROM: n/a **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to adopt "AN ORDINANCE AMENDING CERTAIN SIGN PROVISIONS", as presented.

SUMMARY OF ITEM:

Adoption of this ordinance shall amend certain provisions for monument and garage sale signs.

RECORD OF ACTION TAKEN:

Garage Sale & Monument Signs

ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN SIGN PROVISIONS

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by **shading/underline**; deletions by ~~strikeout~~):

Section 1. That Section 28.1501.04 is hereby amended to read as follows:

28.1501.04 Signs Not Requiring Permit.

The following signs shall not require a permit and shall adhere to the following regulations:

(1) Governmental signs. Public signs and other signs incidental thereto for identification, information or directional purposes erected or required by governmental bodies, or authorized for a public purpose by any law, statute or ordinance.

(2) Railroad crossing and signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities.

(3) Street address signs not exceeding four (4) square feet in area.

(4) Decorations temporarily displayed in connection with a Village sponsored or approved event or a generally recognized or national holiday.

(5) Temporary signs at a residence commemorating a personal event including but not limited to the birth of a baby or birthday.

(6) No trespassing signs or other such signs regulating the use of property, such as no hunting, no fishing, etc., of no more than two (2) square feet in area.

(7) Non-commercial flags of any country, state, or unit of local government.

(8) Real Estate Signs: In residential zoning districts, real estate signs shall not exceed five and one half (5 1/2) square feet in sign surface, including all tags attached thereto. In business and manufacturing zoning districts, real estate signs shall not exceed thirty six (36) square feet in sign surface area. Content of a real estate sign shall be restricted to advertising for the sale, rental or lease of the property where such sign is located. Real estate signs shall not exceed ten (10) feet in height. There shall be no more than one such sign allowed per zoning lot where such lot contains a single use except on a corner lot which may have one such real estate sign per street front. Where a zoning lot contains multiple uses there shall be no more than one such sign per use. Real estate signs shall not be placed in the public right-of-way, except that certain signs promoting open houses may be placed in the public right-of-way on Friday, Saturday and Sunday of the weekend that the open house will take place. Such sale signs shall be posted only between the hours of 5:00 a.m. Friday to 10:00 p.m. on Sunday provided that:

a. the open house sign shall not exceed four (4) square feet of sign surface area;

b. the open house sign shall be free standing, not attached to any utility pole or structure nor any traffic control sign and placed at least three (3) feet from the curb or edge of the pavement;

c. that only one open house sign be permitted within one hundred fifty (150) feet of another sign which relates to the same address. There shall be only one (1) open house sign relating to the same address placed in front of a single lot;

d. no attention or attracting devices shall be attached to any open house sign;

e. each open house sign must have attached to it an adhesive label or other means to identify the name, address and telephone number of the person responsible for the placement and removal of such sign;

f. a fine in the amount of \$75.00 per Section 1.16(f) of the Municipal Code, shall be charged to the person whose name is on the sign, if the sign does not comply with the above restrictions. If no names are found on the sign the owner(s) of the property identified on the sign shall be assessed the fine.

Garage Sale & Monument Signs

(9) Political Signs and non-commercial signs: The total area of all signs together shall have a maximum area of twelve (12) square feet per zoning lot. Political and non-commercial signs shall not be placed in the public right-of-way.

(10) Garage/Rummage/Yard/Estate Sale Signs: Garage/Rummage/Yard/Estate sale signs may be placed in the public right-of-way on Friday, Saturday, ~~and Sunday~~ and any Federal Holidays that are recognized on Mondays of the weekend that the sale will take place. Such sale signs shall be posted only between the hours of 5:00 a.m. Friday to 10:00 p.m. on Sunday provided that:

- a. the sale sign shall not exceed four (4) square feet of sign surface area;
- b. the sale sign shall be free standing, not attached to any utility pole or structure nor any traffic control sign and placed at least three (3) feet from the curb or edge of the pavement;
- c. that only three such sale signs are permitted for one address. There shall be only one (1) sale sign relating to the same address placed in front of a single lot;
- d. no attention or attracting devices shall be attached to any sale sign;
- e. each sale sign must have attached to it an adhesive label or other means to identify the name, address and telephone number of the person responsible for the placement and removal of such sign;
- f. a fine in the amount of \$75.00 per Section 1.16(f) of the Municipal Code, shall be charged to the person whose name is on the sign, if the sign does not comply with the above restrictions. If no names are found on the sign the owner(s) of the property identified on the sign shall be assessed the fine.

(11) Memorial signs and tablets, names of buildings and date of erection when cut into masonry surface or inlaid so as to be part of the building or when constructed of bronze or other noncombustible material.

(12) Help wanted signs not to exceed two (2) square feet. The "help wanted" sign text must be the predominant text on the sign. Help wanted signs shall only be located in a window or door.

(13) Public hearing notice signs. Public hearing notice signs shall be permitted and erected by the Village on property which is the subject of a public meeting or hearing. Such sign shall be three (3) feet by three (3) feet and shall not exceed six (6) feet in height. The content of such sign shall include, but not be limited to the time, place, date and nature of the hearing or meeting, and a telephone number to call for further information. A setback of at least five (5) feet shall be provided for each sign and at least one sign per street frontage shall be posted.

(14) Vehicle Signs. When the vehicle to which the sign is attached is licensed, insured, and operational. The vehicle must be used for the operation of the business and may not remain stationary for an extended period of time for the purpose of attracting attention to a business.

(15) Contractor Signs. No more than one (1) sign per zoning lot exceeding six (6) feet in surface area. Such sign must be removed upon completion of related work.

Section 2. That Section 28.1502.01 is hereby amended to read as follows:

28.1502.01 Monument Signs and Shingle Signs.

Unless otherwise specifically provided herein, each zoning lot is allowed either one monument sign or one shingle sign.

A. Monument Signs.

(1) Monument Signs may have signage on a maximum of two (2) sides only and shall comply with the following height and area limitations based on the indicated zoning lot widths and lot size requirements:

Zoning Lot Widths (ft.) and lot size	< 100 (ft.) All lot sizes	101-100 100-259 (ft.) All lot sizes	260+ (ft.) And lot size of at least 2.5 acres for properties in the B-3 district only
Height (ft.)	8	10	15
Area (SF per side)	24	36	60

Garage Sale & Monument Signs

(2) Any monument sign fronting a street shall be setback ten (10) feet. No monument sign shall be located closer than twenty-five (25) feet from the lot line of any adjacent zoning lot. Monument signs that are greater than ten (10) feet in height and greater than thirty-six (36) square feet shall be setback at least one hundred (100) feet from the lot line of any adjacent zoning lot.

(3) Monument signs shall be subject to setback and vision safety requirements of Section 28-1102.

(4) Monument signs must contain the numerical street address of the property which shall be no less than eight (8) inches and no more than ten (10) inches in height. Such sign copy shall be excluded from the total sign surface area allowed.

(5) Zoning lots with more than one street frontage shall be allowed two (2) monument signs one on each street frontage of the same size placed no closer together than one hundred (100) feet.

(6) Shopping Centers:

a. Shopping centers with multi-tenants and a minimum of five hundred (500) linear feet of frontage along the public roadway may have two (2) monument signs of the same size placed no closer together than two hundred (200) feet. The maximum height shall be fifteen (15) feet with a maximum area of sixty (60) square feet. Such signs shall contain the names of more than one tenant. The maximum height shall be fifteen (15) feet with a maximum area of sixty (60) square feet. Each tenant's panel sign shall not be counted toward allowable sign surface area.

b. Shopping centers having between one hundred (100) and five hundred (500) linear feet of frontage along the roadway shall be allowed only one (1) monument sign with a maximum height of ten (10) feet and a maximum area of thirty-six (36) square feet. Such signs shall contain the names of more than one tenant. Each tenant's panel sign shall not be counted toward allowable sign surface area.

c. Shopping centers with less than one hundred (100) linear feet of frontage along the roadway shall be allowed one (1) monument sign with a maximum height of eight (8) feet and a maximum area of twenty-four (24) feet. Such signs shall contain the names of more than one tenant. Each tenant's panel sign shall not be counted toward allowable sign surface area.

(7) Tollway Corridor: For properties that are directly adjacent to the I-88 and/or I-355 corridor, the regulations of this Section 28-1500, et seq. shall apply with the following exceptions:

a. In addition to the signage allowed by this Section 28-1502.01, one (1) additional monument sign shall be allowed for properties with a minimum tollway frontage of one hundred (100) feet or one hundred (100) feet of frontage on an IDOT right-of-way which fronts the tollway.

b. Such monument sign shall be placed adjacent to the tollway.

c. Such monument sign may not exceed two hundred twenty-five (225) square feet in sign surface area and shall not exceed twenty (20) feet in height.

d. Such monument sign shall be placed at least thirty (30) feet away from an existing tollway sign.

e. Such monument sign shall not be counted toward allowable sign surface area.

B. Shingle Signs.

(1) Shingle signs shall have a maximum of ten (10) square feet per side with a maximum height of seven feet (7'). The sign can be no closer to any side lot line than eight feet (8') there shall be no front yard setback.

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Garage Sale & Monument Signs

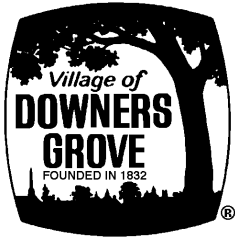
Mayor

Passed:

Published:

Attest:

Village Clerk



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
SEPTEMBER 12, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC 29-11 Zoning Ordinance Text Amendment – Signs	Zoning Ordinance Text Amendment	Jeff O’Brien, AICP Planning Manager

REQUEST

The proposed amendment will modify the Village’s sign regulations as it relates to temporary garage sale signs. Also, the commercial monument signs will be modified to correct a previous scrivener’s error.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

APPLICANT: Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL 60515

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Zoning Ordinance
3. Proposed Amendment

PROJECT DESCRIPTION

The Village is requesting review of a text amendment to the Zoning Ordinance. Specifically, the staff is proposing to modify the temporary sign regulations to allow garage sale signs to be placed in the public right-of-way on holidays. The ordinance currently permits garage sale signs to be placed on Village rights-of-way on Fridays, Saturdays and Sundays, but does not address holidays. This provision was added during a 2006 review of the sign ordinance. It was the expectation at that time that the amendment would also cover holidays. Specifically, holiday Mondays. Currently, the Village does not enforce placement of garage sale signs on the parkway during holidays. As such, the proposed amendment would have no impact on the Village’s enforcement practices.

Specifically, Section 28.1501.04(10) will be modified to read as follows (proposed language in **bold**).

“(10) Garage/Rummage/Yard/Estate Sale Signs: Garage/Rummage/Yard/Estate sale signs may be placed in the public right-of-way on Friday, Saturday ~~and~~, Sunday **and any Federal Holidays that are recognized on Mondays** of the weekend that the sale will take place. Such sale signs shall be posted only between the hours of 5:00 a.m. Friday to 10:00 p.m. on Sunday provided that:...”

All of the other provisions (signs, location, number, etc.) for garage sale signs will remain unchanged.

In addition, Village staff is also making a small modification to the commercial monument signs to correct an error that was made when the regulations were amended in 2009. Specifically, the sign ordinance was amended to allow signs that are 15 feet tall and contain up to 60 square feet for certain properties in the B-3 zoning district. When this change was made, the adopting ordinance inadvertently created a conflict for lots that are 100 feet wide.

The original sign requirements permitted lots that are 100 feet wide to have signs that are 10 feet tall and contain 36 square feet. Lots narrower than 100 feet were required to have signs that are 8 feet tall and contain 24 square feet. The revised ordinance contains regulations for lots that are “<100 (ft.)...” and “101-259 (ft).” However, the regulations do not include provisions for lots that are exactly 100 feet wide. This was an oversight from the 2009 amendment.

Staff is proposing to correct the sign regulations to reflect the correct allowance for 100-foot wide lots. Specifically, staff is proposing to modify the table in Section 28.1502.01(A)(1) for signs that are 10 feet tall and 36 square feet by changing “101-259 (ft).” to “100-259 (ft).” This modification will match the original sign ordinance requirements.

PUBLIC COMMENT

No public comments have been received to at this time.

FINDINGS OF FACT

The amendments will simply correct two oversights from previous amendments to the sign ordinance. The change would not impact the overall intent of the Village’s sign regulations. Staff believes the proposed amendments are necessary to clarify the intentions and goals of the sign ordinance.

RECOMMENDATIONS

The proposed text amendments would correct two oversights from previous reviews of the sign ordinance. There would be no change to the current enforcement practices regarding these provisions. The proposed changes clarify these two provisions in the sign ordinance. The amendments are consistent with the original intent of the sign regulations. As such, staff recommends the Plan Commission make a positive recommendation to the Village Council.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:jwo
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P:\P&CD\PROJECTS\PLAN COMMISSION\2011 PC Petition Files\PC-29-11 Garage Sale Signs - Text Amend\Staff Report PC 29-11.doc

File PC-29-11 A petition seeking an amendment to Article XV, Signs, of Chapter 28 of the Municipal Code. The purpose of the request is to amend certain sign regulations. Village of Downers Grove, Petitioner.

Mr. O'Brien reported that this amendment amended the garage sale signs from being placed on village rights-of-ways for not only Fridays, Saturdays and Sundays, but to include federal holiday Mondays. There would be no impact to the Village's enforcement practices because there currently is minimal sign enforcement on holidays. Mr. O'Brien explained how the ordinance would be modified to read, as drafted in staff's memo. The other provision of the code amended the sign height and size requirements for large B-3 zoned property that were exactly 100 feet wide. The amendment addressed Section 28.1502.01(A)(1) for signs that were 10 feet in height and 36 square feet by changing "101-259 (ft)." to "100-259 (ft)" in order to match the original sign ordinance requirements.

Mr. O'Brien noted that no public comments have been received regarding this modification.

Mr. Hose noted that the holiday amendment was brought up at a Village Council meeting.

Staff believed the text amendment was appropriate and did not impact the intent of the Village's original adoption of the amended sign ordinance. Staff recommended approval of the petition.

Chairman Jirik opened up the meeting for public comment. No public comment followed. As such, the Chairman closed public participation.

WITH RESPECT TO FILE PC-29-11 MR. WEBSTER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE TWO ABOVE TEXT AMENDMENTS TO THE SIGN ORDINANCE.

SECONDED BY MR. MATEJCZYK.

ROLL CALL:

AYE: MR. WEBSTER, MR. MATEJCZYK, MR. BEGGS, MR. COZZO, MR. HOSE, MR. QUIRK, MRS. RABATAH, MR. WAECHTLER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 9-0