

## COUNCIL WORKSHOP ITEM

**ITEM:** PLAN COMMISSION FILE NO. 11-04 – Request for approval of proposed amendments to Chapter 28, Zoning Ordinance, Article XV, Signs.  
**DATE:** July 20, 2004  
**PREPARED BY:** Joseph Skach, AIA, AICP, NCARB  
Director, Department of Planning and Community Development  
**PURPOSE:** Consideration of the Plan Commission’s recommendation to approve the subject petition

### DISCUSSION:

The Village, acting as petitioner, is requesting approval of amendments to Chapter 28, Zoning Ordinance, Article XV, Signs. In review, the Village Council established a moratorium on signage at their meeting on May 18, 2004. The moratorium was set to last for a period of three (3) months to enable staff, with input from the Strategic Planning Committee and Zoning Board of Appeals (ZBA), to review and refine Village sign regulations.

The Joint Strategic Planning Committee along with members of the ZBA met on June 22, and June 28, 2004, to discuss the proposed comprehensive revision to sign regulations. These meetings were open and attended by community business members as well. Due to the number and complexity of issues to address, there was discussion and concurrence at the June 28, 2004 meeting to recommend more immediate refinements limited to the existing sign regulations in Article XV while continuing to work on more complex issues and broad revisions to the code in the future in focused committee work. These more immediate limited but focused refinements to the existing sign code are the basis of this petition.

Subsequently, at their July 12, 2004 meeting, the Plan Commission reviewed and discussed these more immediate refinements to the current sign regulations discussed by the Strategic Planning Committee. The Plan Commission considered the request, after additional input from business and other community members, and recommended the Village Council approve the proposed amendments subject to certain revisions as delineated in the attached Staff Report and Draft Ordinance. The following areas summarize Plan Commission recommended refinements to the proposed code language amendments reviewed on July 12, 2004:

#### Exposed Neon Signs

Due to concerns regarding potential unintended consequences of regulating such signs on the interior of establishments without further consideration, and after much discussion, the Plan Commission recommended that the immediate changes, regarding exposed neon should specifically address only exterior exposed neon type signs at this time, leaving further required discussion regarding interior neon signs. The recommended ordinance language states that exterior signs containing exposed gas tubing including but not limited to Argon and Neon would be prohibited (Section 28.1502(e)(4)). Also recommended is a one-year amortization period (Section 28.1204(d)) from the approval of the ordinance.

#### Temporary Signs

The Plan Commission felt that the definition for Temporary Signs (Section 28.201; Sign, Temporary) needed further clarification and distinction regarding its location noting that a temporary sign is an exterior sign thus distinctly distinguishing it from what is known as a Window Sign per code. Window Signs are distinctly interior signs as defined per code (Section 28.201; Sign, Window). Also discussed for clarification was the non-permanent nature of materials that would be considered temporary signs such as vinyl, plastic, and other similar materials.

Exemption from permit required [Flags]

The Plan Commission discussed the proliferation and possible misuse or overuse of the American Flag by using it as a sign and felt that it was important to address this issue in these more immediate amendments. The Plan Commission added to Section 28.1516, (n), *Flags, flags of any country, state or unit of local government shall be permitted. No more than three (3) flags per business may be displayed properly per federal guidelines.*

The balance of the proposed amendments to the existing code were recommended for approval as presented including additions to prohibited sign types such as roof signs, inflatable signs, off site/off premises signs termed “advertising signs” per current code, vehicles used as permanent signs, searchlights, as well as the use of pennants. Also, additional strength was given to clear sight zones (or “vision safety” triangles within which signs cannot be located) by cross-referencing current code language (Section 28.1102; Corner Lots). Finally, enforcement of existing regulations was also recommended.

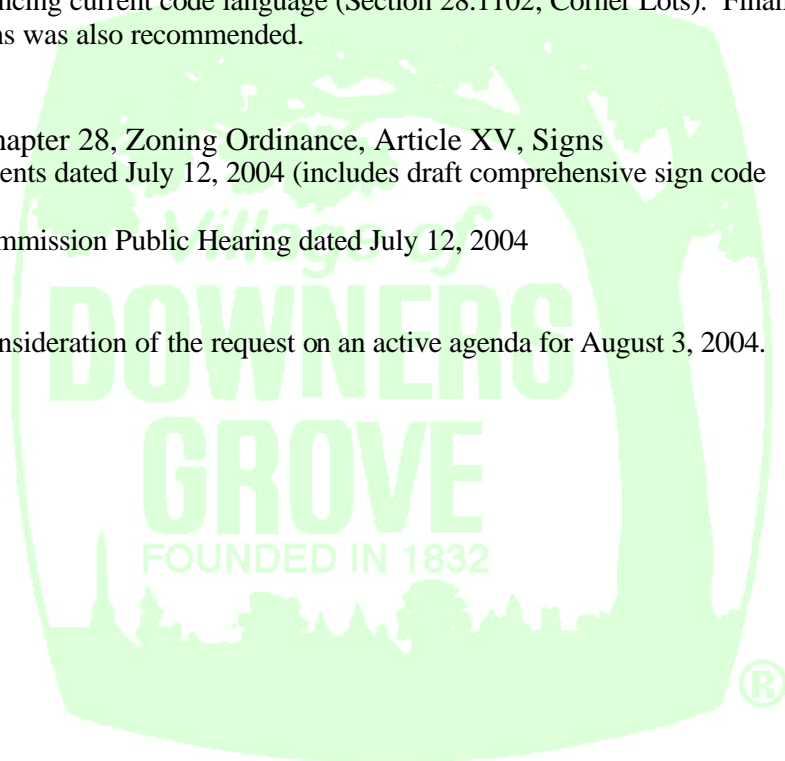
**ATTACHMENTS:**

1. Draft amendments to Chapter 28, Zoning Ordinance, Article XV, Signs
2. Staff Report with attachments dated July 12, 2004 (includes draft comprehensive sign code revision)
3. Draft Minutes of Plan Commission Public Hearing dated July 12, 2004

**RECOMMENDATION:**

That the Village Council place consideration of the request on an active agenda for August 3, 2004.

- C: Enza Petrarca, Village Attorney  
Beth Clark, Village Prosecutor  
Don Rosenthal, Director Code Services  
Don Scheidler, Chief Building Inspector  
Lori Sommers, Strategic Planner



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING 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 ~~XXXXXX~~/underline; deletions by ~~strikeout~~):

**Section 1. That Section 28.201 is hereby amended to read as follows:**

**28.201 Definitions.**

For the purposes of this Zoning Ordinance, wherever any term is used in this Chapter, it shall have the same meaning as defined in Chapter 1 of the Downers Grove Municipal Code, unless otherwise defined in this Chapter. The following words and phrases shall have the meanings respectively ascribed to them as follows:

*Adult Entertainment Establishment or Adult Establishment.* Any of the following Commercial Establishments, as defined herein:

1. *Adult Cabaret.* Any Commercial Establishment including, but not limited to a lounge, theater, concert hall, men's or women's club, auditorium, or similar commercial establishment, regardless of its seating capacity that as a substantial or significant portion of its business features or provides any of the following:

(i) Persons who appear Nude or Semi-Nude.  
(ii) Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas or the conduct or simulation of Specified Sexual Activities.

(iii) The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.

~~(iii)~~ (iv) Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas, or the conduct or simulation of Specified Sexual Activities.

(iv) The actual or simulated touching, caressing or fondling of the breast, buttocks, anus or genitals.

~~(v)~~ (v) The actual or simulated displaying of the breasts, pubic hair, anus, vulva or genitals.

(vi) A role playing interaction.

2. *Adult Store.* Any Commercial Establishment (i) that contains one or more Adult Booths or; (ii) that as a substantial or significant portion of its business offers for sale, rental, or viewing any Adult Materials.

3. *Adult Theater.* Any Commercial Establishment that as a substantial or significant portion of its business features or provides films, motion pictures, video or audio cassettes, slides, or other visual representation or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas, or the conduct or simulation of Specified Sexual Activities.

*Aircraft landing area.* Any premises which are used or made available for the landing or takeoff of aircraft, including premises which are classified as a restricted landing area as contemplated by the rules and regulations promulgated by the Illinois Department of

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Transportation Division of Aeronautics, and including any appurtenant areas which are used or suitable for use for structures or facilities incidental to aircraft services.

*Aisle (parking).* That portion of a parking facility which acts as a maneuvering area to gain access to a parking stall or to a parking structure.

*Alternative Telecommunications Tower.* A man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that render the facility aesthetically consistent with the character of the surrounding area and otherwise camouflage or conceal the presence of antennas or telecommunications towers.

*Amateur Radio Station Operators/Receive Only Antennas.* A telecommunications tower, or an antenna, that is under seventy (70) feet in telecommunications tower height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only antennas.

*Animal Surgical Office.* An office for veterinary services permitting surgical procedures, consultations, patient visits, and boarding, which shall be limited to pre-surgical and/or post-surgical care, and to the care of infirmed animals.

*Antenna.* An exterior transmitting or receiving device, including any supporting post not more than twelve (12) feet in length, mounted on the ground or on a telecommunications tower, building or structure and used in communications that radiate or capture electromagnetic waves, micro waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

*Attention getting device.* A device such as a pennant, flag, valance, banner, propeller, spinner, streamer, ~~search light~~, balloon, ~~inflatable shapes~~, or similar device used to draw someone's attention to a particular place.

*Automobile Laundry.* An "automobile laundry" is a building, or any portion thereof, which either (i) contains facilities for washing of one or more automobiles primarily by means of steam cleaning, or high pressure water devices, or other mechanical devices, or (ii) provides space, water, equipment or soap for the complete or partial handwashing of more than 2 automobiles at any one time, whether by operator or customer.

*Automobile Service Station.* Any building or portion thereof, or any premises, used for dispensing or sale of automobile fuels, lubricating oil or grease, tires, batteries or minor automobile accessories. Services offered by an automobile service station may include the installation of tires, batteries, and minor accessories; minor automobile repairs; and greasing or handwashing of not more than 2 automobiles at any one time, but not by means of steam cleaning, high pressure water devices, or other mechanical devices. If such sales, services and repairs are offered incidentally to the operation of a public garage, the building and premises shall be classified as a public garage.

*Automobile Repair, Major.* The replacement and rebuilding of engines, transmissions, differentials, frames and bodies of motor vehicles.

*Automobile Repair, Minor.* Incidental repairs, replacement of parts, and motor service to automobiles, but not including any operation specified under "Auto Repair, Major."

*Automobile and Trailer Sales Area.* An open area, other than a street, used for the display and sale of new or used automobiles, trucks, or trailers, and where no repair work is done except for minor incidental repair of automobiles, trucks, or trailers to be displayed and sold on the premises.

*Automobile Wrecking.* The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, or wrecked vehicles or their parts.

*Backhaul network.* The lines that connect a provider's telecommunications towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

*Basement.* A story having part but not more than half of its height below grade. (Also

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see "cellar")

*Block.* That property abutting on one side of a street between two (2) nearest intersecting streets, railroad right-of-ways, or other natural barriers. Provided that where a street curves so that any two (2) chords thereof form an angle of one hundred twenty (120) degrees or less, measured on the lot side, such curve shall be construed as an intersecting street.

*Boarding house.* A building or premises where meals are regularly served by pre-arrangement for definite periods for compensation for three (3) or more persons, but not exceeding twelve (12) persons, not open to transient guests, in contradistinction to hotels or restaurants open to transients.

*Buildable area.* The space remaining on a zoning lot after the minimum yard and open space requirements of this Zoning Ordinance have been met.

*Building.* Any structure with a permanent roof, separated on all sides from adjacent open space by walls, built for the shelter, or enclosure of persons, animals, chattels, or property of any kind.

*Bulk.* The term used to indicate the size and setbacks of structures and location of same with respect to one another and includes the following:

- (a) Size and height of structures;
- (b) Location of exterior walls at all levels in relation to lot lines, streets, or to other structures;
- (c) Floor area ratio of buildings;
- (d) All yards and open spaces allocated to structures; and
- (e) Amount of lot area per dwelling unit.

*Business.* The engaging in the purchase, sale, barter, or exchange of goods, areas, or merchandise, or the maintenance or operation of offices or recreational or amusement enterprises or the furnishing of services.

*Canopy.* A structure which is an overhanging shelter consisting of a roof and supporting vertical columns. Such structure may be freestanding without walls, or may project from the walls of a structure.

*Cellar.* A story having more than half of its height below the curb level or below the highest level of the adjoining ground. (Also see "basement")

*Certificate of Occupancy.* A certification issued by the Director as provided and required herein authorizing property or a structure to be occupied or used, in whole or in part, in conformance with this Zoning Ordinance.

*Church.* Wherever the term "church" is used, it shall include any church, synagogue, temple or other structure designed, intended and used primarily for religious worship or religious ceremony by an assembled group.

*Church School.* A school affiliated with and conducted on the same zoning lot or contiguous zoning lots as the Church to which it is affiliated.

*Community center.* A structure, including its surrounding premises, that is owned, leased or otherwise controlled by a unit of local government or a school district and that contains rooms or other facilities limited to use for purposes of meetings, gatherings or other functions or activities carried on or performed by or under the supervision of a unit of local government, a school district or a civic, educational, religious or eleemosynary organization. The authorization for the establishment of a municipal community center may include authorization for the incidental and accessory sale or resale of food, merchandise or services in connection with and in support of the principal activity or function being carried on or performed by such unit of local government, school district or organization.

*Concentrated Business District.* The Concentrated Business District includes the following areas:

- (a) The block bounded by Main Street, Forest Avenue, Franklin Street and Warren Avenue.
- (b) Frontage along the east side of Main Street from Franklin Street to Rogers Street.
- (c) The block bounded by Main Street, Highland Avenue, Rogers Street and Warren Avenue.

(d) The blocks bounded by Main Street, Warren Avenue, Forest Avenue and Curtiss Street, and the blocks bounded by Main Street, Warren Avenue, Washington Street and Curtiss Street;

(e) Beginning at a point on the south line of Curtiss Street, 465.52 feet west of Main Street; thence south 196.68 feet to a point at the southwest corner of Lot 55 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11 east of the Third Principal Meridian, thence east along the south line thereof 245.52 feet; thence south to the south line of Grove Street; thence east along said south line to the northwest corner of Lot 1 of Hoefert's Subdivision of Lot 47 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11, East of the Third Principal Meridian, thence south along the west line of Lots 1, 2, 3, and 4 of said Hoefert's Subdivision to the southwest corner of said Lot 4, thence east along the south line of said Lot 4 to the west line of Main Street; thence north along said west line of Main Street to the south line of Curtiss Street; thence west along the south line of Curtiss Street to the point of beginning; and

(f) Frontage along the east side of Main Street from the north line of Lot 20 in Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian to the south line of Grove Street, extended; and

(g) That part of Outlot 1 in Curtiss' Addition to Downers Grove as recorded as Document Number 7317 lying south of Lot 22 in Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian and lying west of Lot 18 in said Assessor's Subdivision; also, Lots 20, 21 and 22 in said Assessor's Subdivision; also that part of Lot 18 in said Assessor's Subdivision described by beginning on the north line of Maple Avenue at the southwest corner of Lot 18; thence North 1-1/2 degrees West along the west line of said Lot 18 a distance of 118.9 feet; thence North 77 degrees East a distance of 44.2 feet; thence South 4-3/4 degrees East a distance of 107.4 feet to the north line of said Maple Avenue; thence South 65-1/2 degrees West along said north line a distance of 54.2 feet to the place of beginning.

(h) Beginning at a point on the east line of Main Street at the intersection with the south line of Curtiss Street; thence south along said east line of Main Street to the south line of Grove Street, extended; thence east along said south line of Grove Street, extended, a distance of 380 feet east of the east line of Main Street; thence north along a line parallel to the east line of Main Street to the south line of Tract 2 of Albert P. Nelson's Assessment Plat, a part of Lot 52 of Assessor's Subdivision of Part of Section 8, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded March 27, 1945 as Document 475345, in DuPage County, Illinois; thence easterly along the south line of said Tract 2 to the southeast corner of said Tract 2; thence continuing east along the extended south line of said Tract 2 to the west line of Washington Street; thence north along said west line of Washington Street to the south line of Curtiss Street; thence west along said south line of Curtiss Street to the point of beginning; and

(i) Beginning at a point on the northeast corner of the rights-of-way of Warren Street and Highland Avenue; thence east along the north right-of-way line of Warren Street, a distance of 154 feet, east of the east line of Highland Avenue; thence north a distance of 124 feet; thence east, a distance of 60 feet; thence north to the south right-of-way line of Rogers Avenue, thence west to the east right-of-way line of Highland Avenue; thence south to the point of beginning.

*Concentrated Business District compact development.* Structures located in the Concentrated Business District containing uses permitted in the district, but with a gross floor area greater than the maximum allowed for the permitted use.

*Concentrated Business District Re-Development Project.* A development involving residential units of not more than three bedrooms or a combination of commercial units and residential units of not more than three bedrooms which must be pursued as a Planned Development and located in the Concentrated Business District, and which involves the redevelopment through the construction of new buildings on vacant or underutilized parcels.

*Concentrated Central Area.* An area defined as commencing at southeast corner of the intersection of Gilbert Avenue and Carpenter Street and running thence southeasterly along the

east line of Carpenter Street to the north line of Maple Avenue; thence easterly along the north line of Maple Avenue to the southeast corner of Lot 44 of Assessor's Subdivision of Sections 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, to the point of beginning; thence southerly on a straight line to the northwest corner of Lot 2 of Blanchard Subdivision in the southwest quarter of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, also being the northeast corner of Lot 1 of Meadowcroft Resubdivision; thence continuing southerly along the easterly boundary of the aforementioned Blanchard Subdivision to the southwest corner of Lot 4 of said Blanchard Subdivision; thence easterly along the southerly line of said Lot 4 to the southeast corner of said Lot 4; thence northeasterly on a straight line to the southwest corner of Lot 36 of the aforementioned Assessor's Subdivision; thence east along the south line of said Lot 36 a distance of 165 feet to the southeast corner of said Lot 36; thence northerly along the east line of said Lot 36 and the east line of Lot 6 in Curtiss Subdivision (Recorded as Document 29341) to the northwest corner of the Park District property; thence easterly along the most northerly line of the Park District property and its easterly prolongation to a point in the southerly prolongation of the west line of Lot 32 in said Curtiss Subdivision; thence southerly along said prolongation to a point being 150 feet northerly of the westerly prolongation of the south line of Lot 26 in said Curtiss Subdivision as measured along the said southerly prolongation of the west line of said Lot 32; thence easterly along the said line being 150 feet northerly of the westerly prolongation of the south line of Lot 26 to a point in the east line of the west 92 feet of said Lot 26, said point being 150 feet northerly of the south line of Lot 26 as measured along the said east line of the west 92 feet of Lot 26; thence northerly along the said east line of the west 92 feet of Lot 26 to a point in the northerly line of Maple Avenue right-of-way; thence easterly along the north line of Maple Avenue to the west line of Washington Street; thence northerly along the west line of Washington Street to the center line of the St. Joseph Creek easement; thence easterly along the center line of St. Joseph Creek easement to the west line of Belden Place; thence northerly along the west line of Belden Place to the north line of Curtiss Street; thence easterly along the north line of Curtiss Street to its intersection with the east line of Mackie Place; thence northerly along the extension of the east line of Mackie Place to the intersection of said line with the south line of the Chicago, Burlington and Quincy Railroad right-of-way; thence westerly along the south line of said right-of-way to the west line of Washington Street; thence northerly along the west line of Washington Street to the south line of Rogers Street; thence westerly along the south line of Rogers Street to the west line of Highland Avenue; thence northerly along the west line of Highland Avenue to the south line thence westerly along the south line of Franklin Street to the east line of East Parkway; thence south along the east line westerly along the north line of said Lot 23 to the northwest corner thereof; thence southerly along the east lines of Lots 22 and 17, and the southerly extension of said Lot 17 (in said Block 3) to the south line of Warren Avenue; thence easterly along the south line of Warren Avenue to the northeast corner of Lot 13 in Block 1 of said E. H. Prince and Company's Addition; thence southerly along the east line of said Lot 13, and the southerly extension of said line to the south line of Gilbert Avenue; thence westerly along the south line of Gilbert Avenue to the place of beginning.

*Concentrated central area compact residential development.* Buildings for multiple-family dwellings within the Concentrated Central Area at a greater density and floor area ratio than allowed for permitted uses.

*Curb Level.* The level of the established curb in front of the structure measured at the center of such front. Where a structure faces on more than one (1) street, the curb level shall be the average of the levels of the curbs at the center of the front of each street. Where no curb elevation has been established, the Village Engineer shall establish such curb levels.

*Day care centers.* The term "day care centers" shall have the same meaning as contained in the Illinois Child Care Act as now or hereafter amended.

*Decibel.* A unit of measurement of the intensity of sound level.

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*Director.* The Director of Planning Services of the Village of Downers Grove, or such person's designee.

*Displacement (vibration).* The amount of motion involved in a vibration.

*Drive-in; drive-through; or drive-up use.* An establishment which, by design, physical facilities, service or packaging procedures permits or encourages customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.

*Dwelling.* A building or portion thereof, but not including a house trailer or mobile home, designed or used exclusively for residential occupancy, including single-family, two-family, and multiple-family dwelling units, but not including hotels, motels, boarding or lodging houses.

*Dwelling unit.* One (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having its own permanently installed cooking and sanitary facilities.

*Dwelling, attached single-family. (Group, Row, Townhouse)* A building originally designed and constructed to accommodate three (3) or more dwelling units, with dwelling units joined together by party wall or walls. Each unit shall have its own ground floor entrance and living space.

*Dwelling, detached.* A single-family dwelling entirely surrounded by open space.

*Dwelling, multiple-family.* A dwelling containing three (3) or more dwelling units, with one or both of the following:

- (a) More than one (1) dwelling unit connecting to a common corridor or entranceway; or,
- (b) Dwelling unit vertically connected to neighboring dwelling units through shared floors and ceilings.

*Dwelling, single-family.* A detached dwelling containing accommodations for and occupied by one (1) family only.

*Dwelling, two-family.* A dwelling containing two (2) dwelling units with each unit having its own ground floor entrance and living space.

*Educational institution.* Public, parochial, charitable, or nonprofit junior college, college, or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants, and other incidental facilities for students, teachers, and employees.

*Efficiency unit.* A dwelling unit consisting of one (1) room containing a minimum area of four hundred (400) square feet, exclusive of bathroom, kitchen, hallway or closets directly off the principal room.

*Exempt Telecommunications Facilities.* The following:

- a. Amateur radio station operators/receive only antennas.
- b. Receive only television, direct broadcast satellite and wireless cable antennas not more than one (1) meter in diameter which may be located on posts not more than twelve (12) feet in length.

*Exercise of religion.* Exercise of religion means an act or refusal to act that is substantially motivated by religious belief, whether or not the religious exercise is compulsory or central to a larger system of religious belief.

*Extended family accessory housing.* A single-family dwelling which has been constructed or converted as two separate dwelling units to provide for joint occupancy of the dwelling in the separate dwelling units by persons related to one another by blood, marriage, or adoption with at least one of the units being occupied by a person sixty-two (62) years of age or older or by a person with a proven physical or mental condition, excluding drug addiction, alcoholism, or similar chemical dependency or substance abuse condition, which renders such joint occupancy of the single-family dwelling medically necessary, beneficial or desirable. The two (2) separate dwelling units shall be designated as follows:

- (a) A primary unit, which shall be that portion of the extended family accessory housing

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dwelling which is the primary housing dwelling, and which is not part of the accessory unit; and

(b) An accessory unit, which shall be that portion of the extended family accessory housing dwelling which is in addition to and separate from the primary unit, and which is a dwelling unit composed of one or more rooms including complete, permanently installed kitchen and bath facilities.

*FAA.* The Federal Aviation Administration.

*FCC.* The Federal Communications Commission.

*Fairview Concentrated Business District.* Frontage along Fairview Avenue from Maple Avenue to Burlington Avenue.

*Family.* An individual, or two (2) or more persons related by blood, marriage, or adoption and/or a group of not more than three (3) unrelated persons living together as a single housekeeping unit in a dwelling unit, but not including sororities, fraternities, or other similar organizations.

*Farm, crop.* An area on more than one (1) acre which is used for the growing of the usual farm crops such as vegetables, fruit trees, and grain, and for the packing and storage of the products produced on the premises, but not including the raising of farm animals or laboratory animals such as mice, rats, rabbits, etc.

*Fence, open design.* Fences which (i) are of split-rail, post and board, or similar designs which do not create a hazard by obstructing or distorting vision, except that chain link and woven mesh fences are not included as such similar designs; and (ii) have no vertical members with a width in excess of six (6) inches; and (iii) have a ratio of open area to closed area of at least 1:2, with the open area distributed uniformly over the entire fence surface.

*Floor area, gross.* The sum of the gross horizontal areas of the several floors of the building, measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The floor area of a building shall include basement and cellar floor areas; elevator shafts and stairwells at each floor; floor space used for mechanical equipment, open or enclosed, located on the roof; penthouse; attic space having headroom of seven (7) feet ten (10) inches or more; interior balconies and mezzanines; enclosed porches; and floor area devoted to accessory uses. However, any space devoted to off-street parking or loading shall not be included in floor area.

*Floor area, livable.* Livable floor area shall be the same as "gross floor area" defined above, excluding all areas occupied by cellars, garages, porches, attics, stairways, and storage, utility and heating rooms.

*Floor area ratio.* The floor area of the building or buildings on a zoning lot divided by the area of such zoning lot, or in the case of planned developments, the floor area divided by the net site area.

*Foot candle.* A unit of illumination intensity.

*Frequency.* The number of oscillations per second in a sound wave - an index of the pitch of the resulting sound.

*Frontage.* All the property fronting on one side of a street between the nearest intersecting streets, or between a street and right-of-way, waterway, or other similar barrier.

*Garage, Private.* A detached accessory building or portion of the main building designed, arranged, used or intended to be used by the occupants of the premises for the storage of passenger automobiles and commercial vehicles not exceeding 1 1/2 tons capacity.

*Garage, Public.* A building other than a private garage, used for the care, incidental servicing and sale of automobile supplies, or where motor vehicles are parked or stored for remuneration, hire, or sale within the structure, but not including trucks, tractors, truck trailers, and commercial vehicles exceeding 1 1/2 tons capacity.

*Garage, Truck.* A building which is used or intended to be used for the storage of motor trucks, truck trailers, tractors, and commercial vehicles exceeding 1 1/2 tons capacity.

*Group home.* A single-family dwelling owned and operated by a governmental, religious

or other not-for-profit agency and occupied by persons who do not constitute a family as defined herein, but who will have a cooperative living arrangement. Group homes shall include, but not be limited to residential-care homes as defined herein, but shall not include living quarters which serve persons as an alternative to incarceration for a criminal offense.

*Height.* The vertical distance from the established average grade at the front of a structure to the highest point of the structure. In the case of a building, this shall be the vertical distance from the established average grade at the front of the building to the highest point of the roof surface of a flat roof, to the deck line for a mansard roof, to the mean height level between the eaves and ridge for hip, gabled, and gambrel roofs.

*Home occupation.* An occupation carried on in a dwelling by a resident thereof which is incidental to the principal use as a residence.

*Hospital.* An institution consisting of one or more buildings or structures primarily devoted to the diagnosis, prevention or treatment of illness, disease, injury, deformity or other abnormal physical or mental conditions. The term "hospital" may include such services, equipment and activities as may from time to time be customarily included at such institutions for outpatient and inpatient care. This may include, but is not limited to the following as accessory uses: general medical, surgical care; cardiovascular care; perinatal, neonatal or obstetrics care; skilled nursing care; diagnostic, interventional, therapeutic, rehabilitative services or geriatric care; oncology services; diagnostic imaging centers; medically oriented health, fitness or wellness centers; surgical centers; emergency and trauma centers; heliports; medical offices; community health programs; sports medicine services; and health, wellness libraries and worksite health promotions. The term "hospital" shall not include convalescent or nursing homes, sheltered care facilities or boarding houses.

*Hotel.* A building in which lodging or board and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such it is open to the public in contradiction to a boarding house, a lodging house, or an apartment hotel.

*Hotel, apartment.* A hotel in which at least ninety percent (90%) of the accommodations are occupied or intended for occupancy by permanent guests.

*Improvement Location Permit.* A permit issued by the Director as provided and required herein authorizing the erection, reconstruction, or structural alteration of a structure.

*Inner court.* All open, unoccupied spaces surrounded on all sides by walls or by walls and a lot line or lines.

*Institution.* A structure occupied by a nonprofit corporation or a nonprofit establishment for public use.

*Junk yard.* The use of more than two hundred (200) square feet of any lot where waste, scrap metal, paper, rags, or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including vehicle and structure wrecking yards, but excluding similar uses taking place entirely within a completely enclosed building.

*Junker.* An automobile, truck, or other motor vehicle which has been damaged to such an extent that it cannot be operated under its own power, and will require major repairs before being made usable, or such a vehicle which does not comply with State or Village vehicle laws or ordinances.

*Kennel.* Any lot or premises or portion thereof on which more than four (4) dogs or cats, or other household domestic animals, over four (4) months of age, are kept or on which more than two (2) such animals are boarded for compensation or kept for sale.

*Laboratory.* A place devoted to experimental study such as testing and analyzing. Manufacturing, assembly, or packaging of products is not included within this definition.

*Landbank Area.* The area south of Gilbert Street, north of Curtiss Street, east of Forest Avenue and west of Carpenter Street.

*Landbank Development.* A residential townhouse development when pursued as a

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Planned Development and involving more than 1.5 acres of land and located in the Landbank Area.

*Landscaped green space.* An area of land on which has been located grass, living groundcover, shrubs, trees, flowering plants, annuals, perennials, and water areas, but not including synthetic plants or surface materials, walks, open terraces or patios, decorative walls, fences or other similar features.

*Loading space, off-street.* An open, hard-surfaced area of land, other than a street or alley, the principal use of which is for the standing, loading, and unloading of motor vehicles, to avoid undue interference with the public use of streets and alleys.

*Lodging house.* A building where sleeping and living quarters, without cooking facilities, and with or without an individual bathroom, are rented on a weekly or monthly basis. Each room in a lodging house which provides sleeping accommodations shall be considered a dwelling unit for the purposes of lot area requirements, and a lodging unit for the purposes of off-street parking requirements.

*Lot, zoning lot or parcel.* A lot of record, an unsubdivided parcel of land, or a combination of contiguous parcels or lots under common ownership or control, used or intended to be used for a single principal use.

*Lot coverage.* Area of zoning lot occupied by the principal and accessory structure or structures.

*Lot depth.* The mean horizontal distance between the front and rear lot lines.

*Lot of record.* A lot which is part of a real estate subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of DuPage County, Illinois, pursuant to statute.

*Lot width.* The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front setback line.

*Lot, corner.* A lot located at the intersection of two (2) streets or a lot bounded on two (2) sides by a curving street two (2) chords of which form an angle of one hundred twenty (120) degrees or less measured on the lot side.

*Lot, double frontage.* A lot having frontage on two (2) nonintersecting streets as distinguished from a corner lot.

*Lot line, front.* The boundary of a lot abutting on a street. On a corner lot, the shortest street lot line shall be the front lot line; provided, however, that if the length of the longer street lot line of a corner lot is not more than ten percent (10%) greater than the length of the shorter street lot line on such lot, the Director, shall, upon written request of the owner, designate the longer of such street lot lines as the front lot line for all purposes of this Zoning Ordinance.

*Lot line, rear.* The lot line or lot lines most nearly parallel to and most remote from the front lot line.

*Lot line, side.* Lot lines other than front or rear lot lines are side lot lines.

*Lounge.* An area within a restaurant which is licensed by the Village for the sale of alcoholic liquor which is accessory to the restaurant use, includes a bar and the open area immediately adjacent thereto, and may include stools, seats and tables with a diameter of less than two (2) feet or an area of less than four (4) square feet.

*Motels.* A group of attached or detached buildings containing individual sleeping or living units, designed for or used temporarily by automobile tourists or transients, with garage attached or parking spaces conveniently located to each unit, including auto courts, motels, motor lodges, or other similar type uses.

*Nonconforming structure.* A structure or portion thereof which, as currently existing, is not in conformance with the provisions of this Zoning Ordinance. A structure which was lawfully established or existing, but which was rendered non-conforming as a result of an amendment to this Zoning Ordinance shall be considered a lawful nonconforming structure until such time as such lawful nonconforming status is terminated as provided in this Zoning Ordinance.

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*Nonconforming use.* A use which, as currently conducted, is not in conformance with the provisions of this Zoning Ordinance. A use which was lawfully established or existing, but which was rendered non-conforming as a result of any amendment to this Zoning Ordinance shall be considered a lawful nonconforming use until such time as such lawful nonconforming status is terminated as provided in this Zoning Ordinance.

*Odorous matter.* Material which is gas, liquid or solid that causes an odor sensation to a human being.

*Outdoor café.* An outdoor seating area in which food and beverages are served and consumed.

*Owner.* The fee title holders of property, including such persons designees and agents.

*Parking Space, Automobile, Exterior.* Space within a public or private parking area of not less than 166.5 square feet (9 feet by 18.5 feet) for Class A parking as provided in section 28-1410, and 157.25 square feet (8.5 feet by 18.5 feet) for Class B parking as provided in section 28-1410, exclusive of access drives or aisles, ramps, columns, or office and work areas, for the storage of one passenger automobile or commercial vehicle under 1 1/2 tons capacity. Such space shall have a vertical clearance of at least 7 feet.

*Parking Space, Automobile, Interior.* Space within a public or private underground, covered or decked parking area of not less than the length and width requirements set forth in Section 28-1405, exclusive of access drives or aisles, ramps, columns or office and work areas, for the storage of one passenger automobile or commercial vehicle under 1 1/2 tons capacity.

*Particulate matter.* Finely divided solid or liquid matter other than water which is released into the atmosphere.

*Permanent common open space.* Property under common ownership used for parks, playgrounds, parkway medians, landscaped green space, schools, community centers or other similar areas in public ownership or common ownership and subject to the provisions of restrictive covenants, if any, required or approved by the Village Council, but shall not include space devoted to structures, public rights-of-way or areas improved for use as private drives or parking facilities.

*Plan Commission.* The Downers Grove Plan Commission.

*Planned development.* A tract of land which is developed as a unit under single or multiple ownership or control, containing one (1) or more principal structures, and containing minimum acreage as specified in the provisions relating to the several zoning districts.

*Planned development plan.* The plans and other documents setting forth the land uses and restrictions of a planned development. This may include, but is not limited to, documents commonly referred to as the site plan, elevation drawings, landscape plan, and engineering plans.

*Planned redevelopment.* A tract of land in the Concentrated Central Area involving the redevelopment or rehabilitation of multiple-family residential property and which includes either demolition and redevelopment, or rehabilitation of existing structures or improvements, or a combination of both.

*Preexisting Telecommunications Towers and Preexisting Antennas.* Any telecommunications tower or antenna for which a building permit or conditional use has been properly issued prior to August 1, 1997, including permitted telecommunications towers or antennas that have not yet been constructed so long as such approval is current and not expired.

*Pump island.* A concrete structure in the immediate vicinity of and designed to support and protect gasoline pumps.

*Railroad right-of-way.* A strip of land with tracks and auxiliary facilities for track operation, but not including depots, loading platforms, stations, train sheds, warehouses, car shops, car yards, locomotive shops, or water towers.

*Recreational equipment.* Any snowmobile or all-terrain vehicle (as that term is defined in the Illinois Motor Vehicle Code), and any watercraft including personal watercraft and specialty prop-craft (as those terms are defined in the Illinois Boat Registration and Safety Act),

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and the trailers used to transport or store such recreational equipment.

*Recreational vehicle.* Any camping trailer, motor home, mini-motor home, travel trailer, truck camper and van camper as those terms are defined in the Illinois Motor Vehicle Code, or any other habitable vehicle used primarily for recreational purposes.

*Recycling collection facility.* A facility, limited to a building, trailer, vehicle or completely closed containers of wood, metal or masonry, designed for the purpose of receiving articles or materials which are to be transported to another location for distribution or processing, which may or may not be the principal use on the zoning lot where located. Provided, the term "recycling collection facility" as used in this Zoning Ordinance shall not include facilities located within a structure principally devoted to another use, facilities temporarily located on a zoning lot under authority of a temporary uses, and facilities for collecting used motor oil which are necessary to an automobile service station.

*Rest home or nursing home.* A rest home or nursing home is a private home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders. Such home does not contain equipment for surgical care or for treatment of disease or injury.

*Ringelmann chart.* A chart described by the U.S. Bureau of Mines Information Circular 6888 and upon which are illustrated graduated shades of gray for use in estimating the light obscuration of smoke.

*Ringelmann number.* The next lowest shade number on the Ringelmann Chart which most nearly corresponds to the light obscuration of the smoke being measured. For example, smoke capacity lying between No. 1 and No. 2 shades of gray on the Ringelmann Chart shall be measured as Ringelmann No. 1 smoke.

*School.* An institution which offers instruction in any of the branches of learning and study as taught in the public schools under the Illinois School Code, including pre-kindergarten, kindergarten, elementary school, and junior and senior high schools, but excluding trade, business or commercial schools.

*Senior citizen housing.* A multiple-family dwelling designed for occupancy by the elderly which means a dwelling:

- (a) Intended for, and solely occupied by persons sixty-two (62) years of age or older; or
- (b) Provided under any state or federal housing subsidy program for elderly persons (as defined in any such program); or
- (c) Intended for and operated for occupancy by at least one (1) person fifty-five (55) years of age or older per unit, provided such senior citizen housing facility shall:

- (1) Provide significant facilities and services specifically designed to meet the physical or social needs of elderly persons, or if the provision of such facilities and services is not practicable, that such housing is necessary to provide important housing opportunities for older persons; and

- (2) Have at least eighty percent (80%) of its units occupied by at least one person fifty-five (55) years of age or older per unit, or if less than eighty percent (80%) of such units are so occupied, not less than eighty percent (80%) of such units shall be reserved for occupancy by persons fifty-five (55) years of age or older; and

- (3) Publish and adhere to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons fifty-five (55) years of age or older.

- (d) Senior Citizen Housing shall be processed and require approval as a residential planned development.

*Service bay.* An area situated entirely within a building which is required to store and service one automobile.

*Setback.* A minimum required front yard, as specified for the respective zoning districts, within which no structure or parts of structures shall be erected, altered or maintained except as authorized herein.

*Shed.* An accessory building storage to be utilized for the comfort, convenience or

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necessity of the occupants of the principal structure on the lot upon which the shed is located.

*Sheltered care facility.* A private home which provides personal assistance, meal preparation, supervision, oversight, and a suitable activity program for the care of the aged or infirm who need such assistance in daily living, but do not need full-time nursing care.

*Sign.* A sign is a structure consisting of tangible material that includes, contains, or is designed to include or contain, a display or illustration of any letters, words, numbers, objects or symbols, or any combination thereof, which is affixed to, suspended from, placed upon or otherwise represented directly or indirectly upon a building or other structure, or upon the ground, which is intended to direct attention to an object, product, place, activity, person, institution, organization or business; provided that any such structure that is related directly to a national holiday shall not be deemed to be a sign for the purposes of this Article.

*Sign, Advertising off premises.* A sign that directs attention to a business, product or activity available or conducted, at a location other than the zoning lot upon which such sign is located or that directs attention to a noncommercial message or idea not directly related to an activity conducted on such zoning lot. Village-sponsored banners located in an established business district shall not be considered advertising off premises signs.

*Sign, awning.* A sign located on a structure made of cloth, metal, or other material attached to a structure, such structure being erected so as to permit its being raised or retracted to a position against the structure when not in use.

*Sign, billboard.* See freestanding and wall sign.

*Sign, Building Identification.* A non-illuminated or indirectly illuminated sign, either freestanding or affixed to a building, that states only the name or address, or both, of a multi-family building.

*Sign, Business.* A sign that directs attention to a business or profession conducted upon or to a commodity, service or entertainment sold or offered upon the zoning lot upon which sign is located.

*Sign, canopy.* A sign located on a structure, other than an awning, made of cloth, metal or other material with frames attached to a building, and supported by a frame or other device placed upon or affixed to the ground or sidewalk.

*Sign, Changeable Copy.* A sign whereon provision is made for letters or characters to be placed in the sign or upon the surface area of the sign, either manually or electronically to provide a message or picture.

*Sign, contractor.* A contractor's sign is a sign placed by a contractor engaged in construction activities for a limited period of time on a certain zoning lot or lots for the purpose of identifying the work of the contractor.

*Sign, developer's temporary.* A non-illuminated, on premises, freestanding sign that supplies information concerning the development in which the sign is located. In residence districts, this includes pennants used in conjunction with residential development to attract attention to and promote such development.

*Sign, directly illuminated.* A sign having its characters, letters, figures, designs, or outlines illuminated by any source of artificial lighting that is located on or within the perimeter of such sign.

*Sign, Exterior Rate.* Any sign that is attached to a freestanding or wall sign, and that consists of words, numbers, or figures that describe rates, prices or any similar information.

*Sign, flashing.* A directly or indirectly illuminated sign with a source of artificial light that is not maintained stationary or constant in intensity or color at all times when such sign is illuminated, or if any portion of such illuminated sign revolves or otherwise moves. For the purpose of this Zoning Ordinance, any sign that indicates the time, temperature, date or other similar information shall not be considered to be a flashing sign, provided the surface area of such sign does not exceed 24 square feet and further provided that no letter or number appearing on such sign exceeds 24 inches in height.

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*Sign, freestanding.* A sign that is completely or principally self-supported by posts or other supports independent of any other structure and anchored in or upon the ground. This term also includes those signs commonly known as ground signs, pole signs and lawn signs.

*Sign, indirectly illuminated.* A sign having its characters, letters, figures, designs, or outlines illuminated entirely by its own source of artificial light located outside the perimeter of such sign.

~~*Sign, inflatable.* Any inflatable animal, character or shape used for drawing attention to a business.~~

*Sign, marquee.* A sign located on any hood of permanent and stationary construction projecting from the wall of a structure, but not supported by the ground or sidewalk, such hood serving the purpose of providing shelter and protection from the weather and providing the location for an illuminated sign surface. A structure facade which extends over the public right-of-way and is not primarily used as the location for a sign shall not be considered to be a marquee.

*Sign, moving.* Any sign that rotates or moves or that gives the visual impression of rotating or moving.

*Sign, Nameplate.* A sign, of a design other than freestanding, that sets forth only the name or address, or both, of a building, or the practice of an occupation therein.

*Sign, ornamental entry gate.* A freestanding, non-illuminated or indirectly illuminated sign that sets forth the name of a subdivision or planned unit development. In manufacturing districts, such signs may also contain a listing of the names and addresses of the businesses or industries within the planned unit development or subdivision.

*Sign, political campaign.* Signs or posters announcing or describing candidates seeking public political office or announcing or describing political issues and data pertinent thereto.

*Sign, projecting.* A sign which is attached to a structure wall, with the sign faces perpendicular to such wall.

*Sign, public hearing notice.* A sign posted by the Village which is intended to provide notice of a public hearing or meeting concerning a proposed rezoning, planned development or subdivision for the property on which the sign is posted.

*Sign, Real Estate.* A sign used or intended for use for purposes of advertising a parcel of land or a building that is or will be available for sale or lease.

*Sign, roof.* A sign erected, constructed, or maintained in whole or in part upon the roof of a structure.

*Sign, surface area.* The entire area within a single continuous perimeter enclosing the extreme limits of a sign, exclusive of any structure or framing elements. For projecting or double-faced signs, only one display face shall be measured in computing the surface area if the sign faces are parallel or if the interior angle formed by such faces is 90 degrees or less. For purposes of this Article, any determination by the Director of the surface area of a sign shall be binding and conclusive upon all parties.

~~*Sign, temporary external.* A sign of a portable nature, not permanently affixed to a structure or the ground, or an attention getting device, provided that pennants used in conjunction with residential development shall be excluded from the definition of temporary external signs established herein.~~

~~*Sign, temporary.* An exterior sign designed and intended for a temporary period of posting, typically constructed from non-durable materials such as paper, cardboard, vinyl, cloth, plastic and/or wallboard and which does not constitute a structure subject to the Village's building or zoning codes.~~

*Sign, under canopy.* A sign suspended beneath a canopy or marquee and generally intended to attract pedestrians.

*Sign, vehicle.* Any advertising or business sign attached to a motor vehicle that is parked or placed in a position for the purpose of displaying such sign to the public. ~~The vehicle must be~~

~~licensed, insured and operable. The vehicle may not remain stationary, must be used for the operation of the business and may not be used solely to display signage for the business.~~

*Sign, wall.* A sign attached directly to the wall of a structure with the sign face being effectively parallel to the wall and projecting not more than 12 inches from such wall or a sign painted on the wall of a structure.

*Sign, window.* A sign that is visible from the exterior of a structure and that is permanently painted on a window, or hung immediately behind a window, or displayed from a window for the specific purpose of identifying the proprietor or name of business to the passerby.

*Smoke.* A visible discharge from a chimney, stack, vent, exhaust or combustion process which is made up of particulate matter.

*Stormwater Control Ordinance.* Chapter 26 of the Downers Grove Municipal Code entitled "Stormwater and Flood Plain Ordinance", as now or hereafter amended.

*Story.* That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof.

*Structure.* Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground. This includes but is not limited to, buildings, freestanding signs, back stops for tennis courts, canopies and awnings, pump islands, at- or above- grade walkways, swimming pools, antennae, and pergolas.

*Structure, accessory.* A structure which:

- (a) is subordinate to and serves a principal structure; and,
- (b) is subordinate in area, extent, and purpose to the principal structure; and,
- (c) contributes to the comfort, convenience, or necessity of occupants of the

principal structure.

*Structural alterations.* Any change in the supporting members of a structure, such as bearing walls or partitions, columns, beams, or girders, excepting such alterations as may be required for the safety of the structure.

*Structure, principal.* A structure, other than an accessory structure, in which is conducted a principal use of the zoning lot on which it is located.

*Subdivision Ordinance.* Chapter 20 of the Downers Grove Municipal Code entitled "Subdivisions", as now or hereafter amended.

*Telecommunications Tower.* Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

*Telecommunications Tower Height.* The distance measured from the finished grade of the parcel to the highest point on the telecommunications tower or other structure supporting an antenna, including the base pad and any antenna.

*Temporary use.* An activity permitted on a limited basis pursuant to Chapter 8 of the Downers Grove Municipal Code.

*Terrace, open; patio.* A level plane or platform which, for the purpose of this Zoning Ordinance, is located adjacent to one (1) or more faces of the principal structure and which is constructed not more than four (4) feet in height above grade.

*Three-component measuring system.* An instrument or complement of instruments which records earthborn vibrations simultaneously in three (3) mutually perpendicular directions. Such systems shall be subject to the approval of the Director.

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*Toxic or noxious matter.* Materials which may be gas, liquid or solid which are capable of causing injury to living organisms by chemical means when present in relatively small amounts.

*Trailer.* A vehicle without motive power used or adaptable for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirting, which does not meet building code requirements and has been or reasonably may be equipped with wheels or other devices for transporting the structure from place to place. A permanent foundation shall not change its character unless the entire structure is erected in accordance with the Village Building Code.

*Trailer House or Mobile Home.* Any trailer as defined herein used for residential purposes, but excluding travel trailers.

*Travel Trailer.* A trailer designed to be used only as a temporary dwelling for travel, recreational and vacation use, and not exceeding 8 feet in width.

*Use, accessory.* A use which is subordinate in its scope, intensity and purpose to a principal use.

*Use, principal.* The purpose for which land or a structure thereon is designed, arranged, or intended, or for which it is occupied, maintained or leased.

*Use, exceptional.* A use which, although not designated as a permitted use or a special use in a particular district, may be established and maintained as authorized by the Village Council as part of a planned development in conformance with the regulations of this Zoning Ordinance.

*Use, permitted.* A use which is designated as a permitted use and may be lawfully established in a particular district, provided it conforms with all requirements, regulations, and use restrictions, if any.

*Use, special.* A use which is designated as special use and may be lawfully established in a particular district in conformance with the regulations of this Zoning Ordinance governing special uses, provided it conforms with all requirements, regulations, and use restrictions, if any.

*Vibration.* A periodic displacement of the earth measured in inches.

*Walkways, At- or Above-grade Covered.* Covered structures for pedestrian access, connecting structures on two (2) adjacent lots.

*Yard.* An open space on the same zoning lot with a principal structure or group of structures which is unoccupied and unobstructed from its lowest level upward except as otherwise permitted in this Zoning Ordinance and which extends along a lot line and at right angles thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located.

*Yard, front.* A yard extending across the full width of the zoning lot and lying between the front lot line and the front line of the structure located on the lot.

*Yard, rear.* A yard extending across the full width of the zoning lot and lying between the rear line of the structure located on the lot and the rear lot line.

*Yard, side.* A yard extending along the side lot line between the front and rear yard.

*Yard, transitional.* A yard which is required to be provided on certain zoning lots in business or manufacturing districts by reason of the fact that such lots are abutting or adjacent to residential districts.

*Zoning Board of Appeals.* The Downers Grove Zoning Board of Appeals.

*Zoning map.* The map designating the zoning districts in Downers Grove and adopted by reference in this Zoning Ordinance.

**Section 2. That Section 28.1204. is hereby amended to read as follows:**

**28.1204. Nonconforming signs.**

(a) ~~With the exception of advertising signs, a~~ Any sign that has been erected, constructed or placed in its location and that is being used as of July 1, 1985, shall be conclusively presumed to have been so erected, constructed or placed and used in compliance with the codes and ordinances of the Village pertaining to signs that were in effect immediately prior to such date and thus shall be considered lawful nonconforming signs.

(b) Any sign that is non-conforming because it fails to comply with the provisions of this Article may be repaired, restored or reconstructed when required by applicable statute, ordinance or regulation provided that, notwithstanding any provisions of this Zoning Ordinance to the contrary, no such non-conforming sign shall be altered structurally, extended or enlarged, in whole or in part, unless such sign as so altered, extended or enlarged shall conform with the provisions of this Article.

(c) The owner on July 1, 1985, of any sign that is nonconforming because it fails to comply with the provisions of this Article (provided that such owner has registered his ownership of the sign with the Code Services Department on or before January 1, 1986) may alter the colors, letters, words, numbers, objects or symbols appearing thereon, without being required to make the sign comply with the provisions of this Article. No other person shall alter any nonconforming sign (including alterations in the colors, letters, words, numbers, objects or symbols appearing thereon), unless such sign as so altered shall conform with the provisions of this Article. The occurrence of any one or more of the following events shall constitute a change in ownership of a nonconforming sign which shall extinguish the right to alter the face or message on such sign without making the sign comply with the provisions of this Article:

(1) For an owner who is a sole proprietor, the sale, lease, gift, bequest or other transfer of the sign or the business utilizing the sign to another individual, a partnership or a corporation with shareholders in addition to such individual.

(2) For an owner that is a general partnership:

(i) The sale, lease or other transfer of the sign or the business utilizing the sign to an individual, another partnership or a corporation other than a partnership or corporation whose partners or shareholders are the same as the general partners; or

(ii) A change in the pro rata ownership of partnership assets which result in a change in the majority (over 50%) ownership of the partnership assets or creates a majority ownership.

(3) For an owner that is a limited partnership:

(i) The sale, lease or other transfer of the sign or the business utilizing the sign to an individual, a general partnership, or another limited partnership or a corporation, other than a partnership or corporation whose partners or shareholders are the same as in the limited partnership owning the sign or the business utilizing the sign, on July 1, 1985; or

(ii) A change in the pro rata ownership of partnership assets which results in a change in the majority (over 50%) ownership of the partnership assets or creates a majority ownership.

(4) For an owner that is a corporation:

(i) The sale, lease or other transfer of the sign or the business utilizing the sign to an individual, a general or limited partnership or a corporation other than a partnership or corporation whose partners or shareholders are the same as in the corporation owning the sign on July 1, 1985; or

(ii) A change in the pro rata ownership of corporate assets which results in a change in the majority (over 50%) ownership of the corporate assets or creates a majority ownership.

(ed) ~~Any advertising off premises sign, roof sign or exterior sign containing exposed gas tubing, including but not limited to Argon and Neon,~~ that has been erected, constructed or placed in its location and that is being used as of ~~June 28, 1982~~ September 1, 2004, shall be conclusively

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presumed to have been so erected, constructed or placed and used in compliance with the codes and ordinances of the Village pertaining to signs that were in effect prior to such date. Any such sign that is nonconforming because it fails to comply with the provision of this Article relating to advertising signs, shall be brought into compliance with all applicable provisions of this Article within a period of ~~three (3) years~~ one (1) year from ~~June 28, 1982~~ September 1, 2004; thereafter, all such nonconforming signs shall be deemed unlawful and shall be removed.

### Section 3. That Section 28.1502. is hereby amended to read as follows:

#### **28.1502. General requirements.**

All signs shall comply with the following requirements unless otherwise provided:

(a) *Location.*

(1) Signs shall be located within the zoning lot in accordance with the applicable setback and yard provisions of the zoning district in which such lot is located unless otherwise specified in this Ordinance. ~~All signs located on corner lots shall comply with Section 28-1102.~~

(2) When a business or service is denied direct access to a public street, signs directing traffic to such business or service may be located off of the premises at the point of access. Such signs shall be calculated in the total sign area and shall be subject to sign requirements for the zoning district.

(3) No sign shall be attached to any tree, fence, or public utility pole, other than authorized signs installed by public utilities or governmental bodies.

(b) *Electrical requirements.* Electrical components, connections, and installations of all signs shall comply with all applicable ordinances and regulations of the Village. In no case shall electrical wiring be exposed to the view of, or access by, the public.

(c) *Wind pressure and load requirements.* All permanent exterior signs shall be designed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area.

(d) *Gooseneck reflectors and lights.* Gooseneck reflectors and lights shall be permitted on permanent freestanding signs, wall signs, ~~and projecting signs and roof signs.~~ Provided, any such reflectors or lights shall be installed so that the direct rays of the reflectors or lights are concentrated on the sign and are directed, shielded or otherwise constructed so as to avoid any glare on the adjacent street or adjacent properties.

(e) *Illumination and movement.*

(1) The light from every illuminated sign shall be shaded, shielded or directed so that direct or indirect illumination therefrom, measured at any lot line adjacent to a residential district, will not exceed 0.1 foot candles. In no case shall the lighting intensity of any sign exceed two hundred and fifty (250) foot Lamberts measured with a light meter having an accuracy rating determined by regulation of the Director.

(2) Flashing signs, flashing or moving lights or parts on signs, and reflective pennants are prohibited, except that signs that exhibit time, temperature, date or other similar information, ~~and search lights approved by the Director as a temporary sign are permitted.~~

(3) No exposed reflective type bulb, fluorescent or incandescent lamp shall be used in any sign in any sign unless it is 15 watts or less. Provided, this section shall not apply to neon bulbs, lighting or tubing.

(4) ~~Exterior signs containing exposed gas tubing including but not limited to Argon and Neon, are prohibited.~~ Outlining structures or premises by use of exposed neon tubing, strings of lights, or by any similar method is prohibited.

(5) Except as otherwise provided in this Article, signs that move or have moving parts are prohibited, whether or not such signs are illuminated.

(f) *Projection.*

(1) No sign that is affixed to a structure shall project more than twelve (12) inches into a required setback or required yard or such further distance as may be approved as a variation

by the Plan Commission pursuant to this Zoning Ordinance on the basis of considerations of safety to pedestrian and vehicular traffic.

(2) No sign shall project into the normal line of vision of any motor vehicle in a public street within one hundred and fifty (150) feet of a traffic signal, or at a street or railroad intersection, and no sign visible from the street shall contain the words "danger" or "stop" or otherwise simulate any traffic sign or signal erected by any governmental body.

(g) *Maintenance.* All signs shall be properly maintained which includes but is not limited to; no broken or missing parts, no rust or oxidation, no faded or chipped paint, and no similar conditions of disrepair. Failure to properly maintain any sign in the Village shall constitute a violation of this section. If the Director finds that any sign has not been properly maintained in accordance with this section, he shall give written notice of such violation to the owner or occupant of the premises upon which such sign is located. Such notice shall describe the violation and provide a reasonable period of time within which to remedy the deficiency. Failure to remedy the deficiency shall constitute a continuing violation of this section with each day after the expiration of the time period provided in the written notice constituting a separate offense.

(h) *Area.* Unless specifically excepted in this Ordinance, the surface area of all signs on a zoning lot located within an area classified for business or manufacturing purposes shall be counted in determining the area of signage permitted on such zoning lot.

(i) *Post Event Removal of Temporary Signs.* All temporary signs shall be removed by the person or organization who erected or caused the erection of the same not less than three days after the date of the event to which they relate, or the maximum period for which such sign is allowed, whichever comes first.

**Section 4. That Section 28.1503. is hereby amended to read as follows:**

**28.1503. Advertising off premises signs.**

~~Advertising signs shall be freestanding signs and, except as otherwise expressly provided, shall meet all requirements of this Article which are applicable to freestanding signs. No advertising off premises signs shall be permitted in the Village.~~

**Section 5. That Section 28.1505. is hereby amended to read as follows:**

**28.1505. Developers' temporary signs.**

(a) Developers' temporary signs shall be non-illuminated, on premises, freestanding signs and shall comply with the following requirements:

(1) There shall be no more than one such sign in each subdivision or planned unit development of twenty (20) acres or less. One additional sign may be added for each additional twenty (20) acres in such subdivision or planned unit development in excess of twenty (20) acres, but in no event shall more than a total of five (5) such signs be permitted.

(2) One (1) square foot of sign surface area shall be permitted for each foot of street frontage. The maximum sign surface area of each such sign shall not exceed one hundred and fifty (150) square feet.

(3) In a residential district, no such sign shall be located closer than fifteen (15) feet to any adjacent zoning lot not owned or otherwise controlled and in the possession of the developer.

(4) Such signs may promote and describe only the sale or rental of land or structures in the subdivision or planned unit development.

~~(b) In residence districts, pennants shall be permitted for the purpose of attracting attention to or promoting a residential subdivision or the residential portion of a planned unit development subject to the following requirements:~~

## Sign Ordinance

~~(1) Pennants shall be displayed only on the zoning lot on which the model homes for the subdivision are located.~~

~~(2) - The developer shall take all necessary action to assure that pennants are replaced if they are torn down or become weather beaten to protect the environment and physical appearance of the neighborhood. No pennants shall be permitted.~~

(c) No developers' temporary sign may be maintained in a subdivision or planned unit development for a period exceeding three (3) years from the date of recording of the plat of such subdivision or the granting of final approval of such planned unit development. Upon petition, the Director may authorize the continuation of such sign for additional consecutive periods of one (1) year each.

### Section 6. That Section 28.1509. is hereby amended to read as follows:

#### **28.1509. Roof signs/Inflatable Signs.**

No roof sign or inflatable signs shall be permitted within the Village unless the Director has received certification from a registered structural engineer or licensed architect that the roof on which a roof sign is to be located is able to support the additional load of such sign.

### Section 7. That Section 28.1510. is hereby amended to read as follows:

#### **28.1510. Temporary signs.**

(a) This subsection shall regulate all temporary external signs exclusive of all such signs as are specifically described and regulated in other Sections of this Article. Attention getting devices are prohibited unless allowed as a temporary external sign under this Section. ~~Inflatable signs are prohibited.~~

(b) Temporary external signs may be permitted for promotions of special community activities, special business or commercial events such as grand openings or sales, or extraordinary activities of nonprofit organizations.

(c) A permit shall be obtained from the Director for all temporary external signs. Permits shall be limited to a minimum of three (3) days and a maximum of fourteen (14) days. For any zoning lot, the total number of days for which temporary external sign permits can be issued shall not exceed sixty (60) days per calendar year.

(d) No more than one temporary external sign shall be permitted on a zoning lot at any one time; provided, that zoning lots that front on two (2) or more streets may have one such sign for each street frontage. Such signs shall not be included in computing the total sign surface area of the zoning lot.

(e) Temporary external signs shall comply with all other applicable provisions of this Article unless otherwise specified.

### Section 8. That Section 28.1516. is hereby amended to read as follows:

#### **28.1516. Exemptions from permit requirement.**

Except as otherwise provided in this section, the following types of signs shall be exempt from the permit and permit fee requirements of this Article; such signs shall, however, conform to all other applicable requirements of this Article:

(a) *Contractor's signs.* No more than one contractor's sign shall be allowed for each street frontage of the property for which such sign is proposed. Each such sign shall be no more than 36 square feet in surface area. The content of such sign shall be limited to naming the contractors engaged in the construction on the property where the sign is located or to the name and business of the company which shall occupy the site. Signs shall be removed at the time of issuance of an

## Sign Ordinance

occupancy permit, and shall not be erected until a building permit is issued for the property. The maximum height of such sign shall be ten (10) feet. Contractor's signs are not included when calculating total sign surface area on a zoning lot.

(b) *Noncommercial signs in residential districts.*

(c) *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 on proposed rezonings, planned developments, and subdivisions for such property. 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. The sign shall be posted at least fifteen (15) days prior to the public hearing or meeting affecting the property and shall be removed no later than three (3) days after such hearing or meeting.

(d) *Signs Accessory to Parking Areas.* Signs directing and guiding vehicular ingress and egress to public or private off-street parking areas shall not exceed two (2) square feet in sign surface area. No more than two (2) such signs shall be allowed at each entrance to or exit from the parking area. One (1) sign having no more than nine (9) square feet of surface area may be maintained on each street side of such parking areas for the purpose of designating the conditions of use or identity of the parking area. Signs accessory to parking areas are not included in computing the total sign surface area of a lot in business and manufacturing districts. Signs accessory to parking areas shall be set back at least three (3) feet from the public right-of-way and shall be located so as not to obstruct the view of either drivers or pedestrians.

(e) *Public directional signs within the right-of-way.*

(f) *Institutional Signs.* Exterior identification signs or bulletin boards not over twenty (20) square feet in area shall be permitted for public charitable or religious institutions where such signs or bulletin boards are located on the premises of the institution. A permit without fee shall be required for this type of sign. No more than one such sign shall be permitted for each street side of the premises.

(g) *Nameplate sign.* One nameplate sign shall be permitted for each building or building unit if the building contains more than one use. The maximum permitted sign surface area shall be one square foot.

(h) *Real estate signs.* In residential zoning districts, real estate signs shall not exceed four (4) square feet in sign surface. 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 and no more than one such sign per use where the zoning lot contains multiple uses.

(i) *Rummage Sale or Garage Sale Signs.* Rummage sale or garage sale signs shall be subject to the provisions of Section 28-1506. In addition, no such sign shall exceed five (5) square feet in sign surface area, and no such sign shall continue to be used more than a period of five (5) days. No rummage sale or garage sale sign shall be placed or otherwise erected on the public right-of-way.

(j) *Window Displays.* Merchandise, pictures, or models of product or service incorporated in a window display shall be permitted without building permit or fee. Such displays shall not be calculated in the total surface area of signs permitted in a commercial establishment.

(k) *Political Campaign Signs.* Political campaign signs shall be permitted. Such signs shall contain a sign surface area not in excess of twelve (12) square feet.

(l) *Window Promotional Signs.* Window promotional signs shall be permitted. Such signs shall not be included when calculating total sign surface area on a zoning lot. (See Section 28-1514.)

(m) *College and University Signage.* Notwithstanding the provisions contained in Section 28-1517(c), exterior identification signs not over fifty (50) square feet in surface area and six (6) feet in height shall be permitted for colleges and universities containing forty (40) or more acres, where such signs are located on the premises of the college or university. A permit without fee shall be required for this type of sign. One such sign at each side of the primary entrance (not to exceed a total of two (2) signs) shall be permitted.

~~(n) *Flags.* Flags of any country, state or unit of local government shall be permitted. No more than three (3) flags per business may be displayed properly per federal guidelines.~~

**Section 9. That Section 28.1518. is hereby amended to read as follows:**

**28.1518. Regulations for the B-1 Limited Retail District.**

(a) *Permitted sign types.* In B-1 zoning districts only the following types of signs are permitted:

- Awning and canopies
- Freestanding signs not exceeding 20 feet
- Wall signs
- Window signs
- Window promotional signs
- Contractors' signs
- Signs accessory to parking areas
- Directional signs within the public right-of-way
- Real estate signs
- Political campaign signs
- Developers' temporary signs
- Window displays
- Temporary ~~external~~ signs
- Projecting signs
- Signs on public utility facilities or public facilities
- Public Hearing Notice Signs

(b) *Number of signs per lot.* There shall be no more than one (1) freestanding sign for each zoning lot, provided that lots that have street frontage on two (2) arterial or collector streets may have one (1) freestanding sign on each street frontage.

(c) *Surface Area.* Total surface area of all signs on a zoning lot shall not exceed one (1) square foot per foot of street frontage on an arterial or collector street.

(d) *Height.* Freestanding signs shall not exceed twenty (20) feet in height.

(e) *Location.* Freestanding signs may be located within the required yard adjacent to a street but not less than eight (8) feet from any lot line.

(f) *Limitation.* Except for signs containing noncommercial copy of any nature, content of signs shall be limited to the business, product, and activity available or conducted on the zoning lot.

**Section 10. That Section 28.1519. is hereby amended to read as follows:**

**28.1519. Regulations for the B-2 General Retail District.**

(a) *Permitted sign types.* In B-2 zoning districts only the following types of signs are permitted:

- Signs permitted in the B-1 district
- Marquees
- Roof signs
- Exterior rate signs

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(b) *Surface Area.* Total sign surface area on a zoning lot shall not exceed two (2) square feet per foot of frontage on all adjacent streets, alleys or other public ways.

~~(c) *Height.* Roof signs shall not exceed six (6) feet in height or more than twenty (20) feet above grade, whichever is lower.~~

~~(d) *Location.* Same as for B-1 zoning districts, except there shall be a minimum of one hundred (100) feet of separation between freestanding signs on the same zoning lot as measured along the street frontage.~~

~~(e) *Limitation.* Except for signs containing noncommercial copy of any nature, content of signs shall be limited to the business, product, and activity available or conducted on the zoning lot.~~

**Section 11. That Section 28.1520, is hereby amended to read as follows:**

**28.1520. Regulations for B-3 General Services and Highway Business District.**

(a) *Permitted sign types.* In B-3 zoning districts only the following types of signs are permitted:

Signs permitted in the B-2 zoning district  
Advertising signs  
Roof signs

(b) *Surface Area.* Same as in B-2 zoning districts except that advertising signs shall not exceed 200 square feet.

~~(c) *Height.* Advertising signs shall not exceed twenty (20) feet in height. Roof signs shall not exceed fifteen (15) feet above the top of the roof.~~

~~(d) *Location.* Same as in B-2 zoning districts.~~

~~(e) *Limitation.* Except for signs containing noncommercial copy of any nature and advertising signs, content of signs shall be limited to the business, product, and activity available or conducted on the zoning lot.~~

**Section 11.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 12.** That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk

**PLANNING & COMMUNITY DEVELOPMENT/STAFF DEVELOPMENT TEAM REPORT**

**To:** Plan Commission  
**Prepared By:** Lori Sommers, AICP, Strategic Planner  
**Date Prepared:** July 8, 2004  
**Meeting Date:** July 12, 2004

**Project Title:** PC-11-04; Signs

**BACKGROUND INFORMATION:**

**Petitioner:** Village of Downers Grove  
**Property Address:** 801 Burlington Avenue  
**Existing Zoning:** NA  
**Application/Notice:** The application has been filed in conformance with applicable procedural and public notice requirements.

**Requested Action:**

Approval of amendments to Chapter 28, Zoning Ordinance, Article XV, Signs.

**BACKGROUND****General Description**

The Village Council established a moratorium on signage at their meeting on May 18, 2004. The moratorium was set to last for a period of three (3) months to enable staff, with input from the Strategic Planning Committee and Zoning Board of Appeals (ZBA), to review and refine the existing sign regulations while balancing the goals of the Village and the business community. A joint staff team consisting of Planning and Community Development, Legal, and Code Services staff developed draft, newly proposed sign regulations for consideration by the Joint Strategic Planning Committee.

The Joint Strategic Planning Committee along with members of the ZBA met on June 22, and June 28, 2004, to discuss the proposed sign regulations. These meetings were open and attended by community business members as well. Due to the number and complexity of issues to address, there was discussion and concurrence to recommend more immediate refinements to the existing regulations while continuing to work on more complex issues and broad revisions to the code in the future. These more immediate refinements are the focus of this petition to amend current sign regulations in the Zoning Ordinance and are reflected in the attached draft revisions to the existing ordinance (Attachment 1).

For background reference, also attached is the original staff packet from the June 22, 2004, Joint Committee meeting containing a draft of a newly proposed sign ordinance for consideration (Attachment 2). This information is not currently being considered for approval. As previously discussed with the Joint Committee, the attached proposed ordinance contains specific highlighted areas that will require, in the future, additional clarification and refinement based on further discussion. The Joint Committee concurred to recommend that additional, smaller subcommittee work occur with staff to address issues II through VI in the attached original staff packet.

The proposed modifications to the existing sign regulations were developed by the staff signage team based on a review of the existing sign regulations and discussions and guidance from members of the Plan Commission and the Strategic Planning Subcommittee of the Economic Development Commission (Joint Committee) and members of the Zoning Board of Appeals. It should be noted that these proposed changes are not the final changes being proposed to the sign regulations but just changes in the interim while the Strategic Planning Committee continues to review and discuss further modifications to the sign regulations.

## ANALYSIS

### Existing Sign Regulations

In an effort to address consistently raised issues concerning the existing sign regulations, upon guidance from the Joint Committee at the June 22 and 28, 2004 meetings, staff is moving forward on modifying those sections quickly while continuing to work with the committee on the other more broad components of the sign regulations. Below outlines areas of the proposed changes to the existing ordinance.

### Provisions to Prohibited Signs

There was concurrence from the Joint Committee to address the following sign issues:

#### Neon Signs

Currently, neon lighting sources are allowed but in covered signs or within lettering but are not allowed in the outlining of structures or premises per Section 28.1502(e)(4). In the proposed changes, all exposed neon lighting, or other similar neon-like lighting, is prohibited including the outlining of buildings and windows.

#### Rooftop Signs

Rooftop signs are currently permitted, and can be approved administratively, given certification from a registered structural engineer or licensed architect that the roof is able to support the additional load of such sign. These types of signs are currently allowed in Section 28.1502, *General Requirements*, Gooseneck reflectors and lights, Section 28.1502(d); B-2 zoning districts Section 28.1519(a)(c); and B-3 zoning districts Section 28.1520(a)(c). These rooftop signs would now be prohibited and any existing rooftop signs must be brought into compliance within one (1) year if their prohibition is approved.

#### Advertising off premises Signs

Advertising signs are essentially defined as off premises signs per Section 28.201, *Definitions*. The "off premises" designation was added to clarify the definition of an "advertising sign". Presently, these types of signs are allowed in the B-3, *General Services and Highway Business District*. The proposed changes would make these types of signs prohibited. Also included is a modification to Section 28.1204(d) which notes that any advertising/off-premises sign that have been previously erected, constructed or placed in their location shall be brought into compliance within a period of one (1) year from Village approval of their prohibition.

#### Illumination and movement on signs

In Section 28.1502 (e), *illumination and movement*, there was concurrence from the Strategic Planning Committee to remove searchlights as a permitted temporary sign and prohibit them all together.

#### Inflatable Signs

Inflatable signage, commonly seen as oversized figures, animals, etc., historically administered under temporary sign provisions in Section 28.1510, would also no longer be allowed. A definition has also been added to Section 28.201, *Definitions*, as *signs, inflatable*.

### Other

#### Automobile Signs

At this time, the existing sign regulations allow for a sign to be placed on vehicles as long as that vehicle is parked or placed in a position for the purpose of displaying it to the public. There was concurrence to add additional language to address vehicles or equipment as a sign or with signs, specifying that a vehicle with signage affixed to it must be licensed, insured, operable, and actually operated as part of the business. It may not remain stationary, in effect, acting as a permanent sign. The vehicle must be used in conjunction with the business and may not be used solely to display signage.

#### Temporary Signs

The Village's temporary sign definition is proposed to be modified to: *A sign designed and intended for a temporary period of posting; typically constructed from non-durable materials such as paper, cardboard, vinyl, cloth, plastic and/or wallboard and which does not constitute a structure subject to the Village's building and zoning codes.* In

Section 28.1510, *temporary signs*, inflatable type signs or objects will be prohibited in the Village. Additionally, in Section 28.1505, *developers' temporary signs*, pennants would not be allowed.

Site Location

A triangular area, located at the corner/intersection of lot lines or at intersection of lot lines with driveways or access drives, within which signs cannot be placed for vision safety reasons, is further strengthened by cross referencing this area to an existing section in the code. The vision safety triangle on corner lots is now addressed in Section 28.1502, *general requirements*, which simply reference the Village's existing regulation on the vision safety setbacks in Section 28.1102, *corner lots*. In business districts, the vision triangle is formed by connecting the two points 10 feet away from the lot line intersection.

Maintenance

In general, the Strategic Planning Committee felt that a stronger maintenance section would greatly enhance the visual look of the Village by cleaning up rusted, unpainted, broken, unused, or abandoned signs. In addition to those maintenance issues, the Committee also felt that extra strengthening of the enforcement section should also be done to more clearly define written notice procedures and fines; however, no interim/immediate changes to these provisions are recommended as the Joint Committee felt the enforcement of existing provisions would make notable improvements.

**RECOMMENDATION**

The staff signage team has had an opportunity to review the proposed requested action, in conjunction with discussion and guidance from the Joint Strategic Planning Committee and the ZBA, and concurs to recommend that the Plan Commission consider forwarding a favorable recommendation to the Village Council.

\_\_\_\_\_: Joseph Skach, AIA, AICP, NCARB  
Director, Planning and Community Development

Attachments

c: Riccardo Ginex, Village Manager  
Enza Petrarca, Village Attorney  
Beth Clark, Village Prosecutor  
David Barber, Director, Public Works  
Don Rosenthal, Director, Code Services  
Don Scheidler, Chief Building Inspector  
Howard Hoffman, Chief, Fire Prevention Division  
File

# ATTACHMENT 1

*Draft Revisions  
to the Existing Ordinance for Consideration  
at the July 12, 2004, Planning Commission*

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING 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 ~~XXXXXX~~underline; deletions by ~~strikeout~~):

**Section 1. That Section 28.201 is hereby amended to read as follows:**

**28.201 Definitions.**

For the purposes of this Zoning Ordinance, wherever any term is used in this Chapter, it shall have the same meaning as defined in Chapter 1 of the Downers Grove Municipal Code, unless otherwise defined in this Chapter. The following words and phrases shall have the meanings respectively ascribed to them as follows:

*Adult Entertainment Establishment or Adult Establishment.* Any of the following Commercial Establishments, as defined herein:

1. *Adult Cabaret.* Any Commercial Establishment including, but not limited to a lounge, theater, concert hall, men's or women's club, auditorium, or similar commercial establishment, regardless of its seating capacity that as a substantial or significant portion of its business features or provides any of the following:

- (i) Persons who appear Nude or Semi-Nude.
- (ii) Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas or the conduct or simulation of Specified Sexual Activities.
- (iii) The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.
- (~~iii~~iv) Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas, or the conduct or simulation of Specified Sexual Activities.
- (iv) The actual or simulated touching, caressing or fondling of the breast, buttocks, anus or genitals.
- (v) The actual or simulated displaying of the breasts, pubic hair, anus, vulva or genitals.
- (vi) A role playing interaction.

2. *Adult Store.* Any Commercial Establishment (i) that contains one or more Adult Booths or; (ii) that as a substantial or significant portion of its business offers for sale, rental, or viewing any Adult Materials.

3. *Adult Theater.* Any Commercial Establishment that as a substantial or significant portion of its business features or provides films, motion pictures, video or audio cassettes, slides, or other visual representation or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas, or the conduct or simulation of Specified Sexual Activities.

*Aircraft landing area.* Any premises which are used or made available for the landing or takeoff of aircraft, including premises which are classified as a restricted landing area as contemplated by the rules and regulations promulgated by the Illinois Department of Transportation Division of Aeronautics, and including any appurtenant areas which are used or suitable for use for structures or facilities incidental to aircraft services.

*Aisle (parking).* That portion of a parking facility which acts as a maneuvering area to gain access

to a parking stall or to a parking structure.

*Alternative Telecommunications Tower.* A man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that render the facility aesthetically consistent with the character of the surrounding area and otherwise camouflage or conceal the presence of antennas or telecommunications towers.

*Amateur Radio Station Operators/Receive Only Antennas.* A telecommunications tower, or an antenna, that is under seventy (70) feet in telecommunications tower height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only antennas.

*Animal Surgical Office.* An office for veterinary services permitting surgical procedures, consultations, patient visits, and boarding, which shall be limited to pre-surgical and/or post-surgical care, and to the care of infirmed animals.

*Antenna.* An exterior transmitting or receiving device, including any supporting post not more than twelve (12) feet in length, mounted on the ground or on a telecommunications tower, building or structure and used in communications that radiate or capture electromagnetic waves, micro waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

*Attention getting device.* A device such as a pennant, flag, valance, banner, propeller, spinner, streamer, search light, balloon, inflatable shapes, or similar device used to draw someone's attention to a particular place.

*Automobile Laundry.* An "automobile laundry" is a building, or any portion thereof, which either (i) contains facilities for washing of one or more automobiles primarily by means of steam cleaning, or high pressure water devices, or other mechanical devices, or (ii) provides space, water, equipment or soap for the complete or partial handwashing of more than 2 automobiles at any one time, whether by operator or customer.

*Automobile Service Station.* Any building or portion thereof, or any premises, used for dispensing or sale of automobile fuels, lubricating oil or grease, tires, batteries or minor automobile accessories. Services offered by an automobile service station may include the installation of tires, batteries, and minor accessories; minor automobile repairs; and greasing or handwashing of not more than 2 automobiles at any one time, but not by means of steam cleaning, high pressure water devices, or other mechanical devices. If such sales, services and repairs are offered incidentally to the operation of a public garage, the building and premises shall be classified as a public garage.

*Automobile Repair, Major.* The replacement and rebuilding of engines, transmissions, differentials, frames and bodies of motor vehicles.

*Automobile Repair, Minor.* Incidental repairs, replacement of parts, and motor service to automobiles, but not including any operation specified under "Auto Repair, Major."

*Automobile and Trailer Sales Area.* An open area, other than a street, used for the display and sale of new or used automobiles, trucks, or trailers, and where no repair work is done except for minor incidental repair of automobiles, trucks, or trailers to be displayed and sold on the premises.

*Automobile Wrecking.* The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, or wrecked vehicles or their parts.

*Backhaul network.* The lines that connect a provider's telecommunications towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

*Basement.* A story having part but not more than half of its height below grade. (Also see "cellar")

*Block.* That property abutting on one side of a street between two (2) nearest intersecting streets, railroad right-of-ways, or other natural barriers. Provided that where a street curves so that any two (2) chords thereof form an angle of one hundred twenty (120) degrees or less, measured on the lot side, such curve shall be construed as an intersecting street.

*Boarding house.* A building or premises where meals are regularly served by pre-arrangement

for definite periods for compensation for three (3) or more persons, but not exceeding twelve (12) persons, not open to transient guests, in contradistinction to hotels or restaurants open to transients.

*Buildable area.* The space remaining on a zoning lot after the minimum yard and open space requirements of this Zoning Ordinance have been met.

*Building.* Any structure with a permanent roof, separated on all sides from adjacent open space by walls, built for the shelter, or enclosure of persons, animals, chattels, or property of any kind.

*Bulk.* The term used to indicate the size and setbacks of structures and location of same with respect to one another and includes the following:

- (a) Size and height of structures;
- (b) Location of exterior walls at all levels in relation to lot lines, streets, or to other structures;
- (c) Floor area ratio of buildings;
- (d) All yards and open spaces allocated to structures; and
- (e) Amount of lot area per dwelling unit.

*Business.* The engaging in the purchase, sale, barter, or exchange of goods, areas, or merchandise, or the maintenance or operation of offices or recreational or amusement enterprises or the furnishing of services.

*Canopy.* A structure which is an overhanging shelter consisting of a roof and supporting vertical columns. Such structure may be freestanding without walls, or may project from the walls of a structure.

*Cellar.* A story having more than half of its height below the curb level or below the highest level of the adjoining ground. (Also see "basement")

*Certificate of Occupancy.* A certification issued by the Director as provided and required herein authorizing property or a structure to be occupied or used, in whole or in part, in conformance with this Zoning Ordinance.

*Church.* Wherever the term "church" is used, it shall include any church, synagogue, temple or other structure designed, intended and used primarily for religious worship or religious ceremony by an assembled group.

*Church School.* A school affiliated with and conducted on the same zoning lot or contiguous zoning lots as the Church to which it is affiliated.

*Community center.* A structure, including its surrounding premises, that is owned, leased or otherwise controlled by a unit of local government or a school district and that contains rooms or other facilities limited to use for purposes of meetings, gatherings or other functions or activities carried on or performed by or under the supervision of a unit of local government, a school district or a civic, educational, religious or eleemosynary organization. The authorization for the establishment of a municipal community center may include authorization for the incidental and accessory sale or resale of food, merchandise or services in connection with and in support of the principal activity or function being carried on or performed by such unit of local government, school district or organization.

*Concentrated Business District.* The Concentrated Business District includes the following areas:

- (a) The block bounded by Main Street, Forest Avenue, Franklin Street and Warren Avenue.
- (b) Frontage along the east side of Main Street from Franklin Street to Rogers Street.
- (c) The block bounded by Main Street, Highland Avenue, Rogers Street and Warren Avenue.
- (d) The blocks bounded by Main Street, Warren Avenue, Forest Avenue and Curtiss Street, and the blocks bounded by Main Street, Warren Avenue, Washington Street and Curtiss Street;
- (e) Beginning at a point on the south line of Curtiss Street, 465.52 feet west of Main Street; thence south 196.68 feet to a point at the southwest corner of Lot 55 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11 east of the Third Principal Meridian, thence east along the south line thereof 245.52 feet; thence south to the south line of Grove Street; thence east along said south line to the northwest corner of Lot 1 of Hoefert's Subdivision of Lot 47 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11, East of the Third Principal Meridian, thence south along the west line of Lots 1, 2, 3, and 4 of said Hoefert's Subdivision to the southwest corner of said Lot 4, thence east along

the south line of said Lot 4 to the west line of Main Street; thence north along said west line of Main Street to the south line of Curtiss Street; thence west along the south line of Curtiss Street to the point of beginning; and

(f) Frontage along the east side of Main Street from the north line of Lot 20 in Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian to the south line of Grove Street, extended; and

(g) That part of Outlot 1 in Curtiss' Addition to Downers Grove as recorded as Document Number 7317 lying south of Lot 22 in Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian and lying west of Lot 18 in said Assessor's Subdivision; also, Lots 20, 21 and 22 in said Assessor's Subdivision; also that part of Lot 18 in said Assessor's Subdivision described by beginning on the north line of Maple Avenue at the southwest corner of Lot 18; thence North 1-1/2 degrees West along the west line of said Lot 18 a distance of 118.9 feet; thence North 77 degrees East a distance of 44.2 feet; thence South 4-3/4 degrees East a distance of 107.4 feet to the north line of said Maple Avenue; thence South 65-1/2 degrees West along said north line a distance of 54.2 feet to the place of beginning.

(h) Beginning at a point on the east line of Main Street at the intersection with the south line of Curtiss Street; thence south along said east line of Main Street to the south line of Grove Street, extended; thence east along said south line of Grove Street, extended, a distance of 380 feet east of the east line of Main Street; thence north along a line parallel to the east line of Main Street to the south line of Tract 2 of Albert P. Nelson's Assessment Plat, a part of Lot 52 of Assessor's Subdivision of Part of Section 8, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded March 27, 1945 as Document 475345, in DuPage County, Illinois; thence easterly along the south line of said Tract 2 to the southeast corner of said Tract 2; thence continuing east along the extended south line of said Tract 2 to the west line of Washington Street; thence north along said west line of Washington Street to the south line of Curtiss Street; thence west along said south line of Curtiss Street to the point of beginning; and

(i) Beginning at a point on the northeast corner of the rights-of-way of Warren Street and Highland Avenue; thence east along the north right-of-way line of Warren Street, a distance of 154 feet, east of the east line of Highland Avenue; thence north a distance of 124 feet; thence east, a distance of 60 feet; thence north to the south right-of-way line of Rogers Avenue, thence west to the east right-of-way line of Highland Avenue; thence south to the point of beginning.

*Concentrated Business District compact development.* Structures located in the Concentrated Business District containing uses permitted in the district, but with a gross floor area greater than the maximum allowed for the permitted use.

*Concentrated Business District Re-Development Project.* A development involving residential units of not more than three bedrooms or a combination of commercial units and residential units of not more than three bedrooms which must be pursued as a Planned Development and located in the Concentrated Business District, and which involves the redevelopment through the construction of new buildings on vacant or underutilized parcels.

*Concentrated Central Area.* An area defined as commencing at southeast corner of the intersection of Gilbert Avenue and Carpenter Street and running thence southeasterly along the east line of Carpenter Street to the north line of Maple Avenue; thence easterly along the north line of Maple Avenue to the southeast corner of Lot 44 of Assessor's Subdivision of Sections 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, to the point of beginning; thence southerly on a straight line to the northwest corner of Lot 2 of Blanchard Subdivision in the southwest quarter of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, also being the northeast corner of Lot 1 of Meadowcroft Resubdivision; thence continuing southerly along the easterly boundary of the aforementioned Blanchard Subdivision to the southwest corner of Lot 4 of said Blanchard Subdivision; thence easterly along the southerly line of said Lot 4 to the southeast corner of said Lot 4; thence northeasterly on a straight line to the southwest corner of Lot 36 of the aforementioned Assessor's

Subdivision; thence east along the south line of said Lot 36 a distance of 165 feet to the southeast corner of said Lot 36; thence northerly along the east line of said Lot 36 and the east line of Lot 6 in Curtiss Subdivision (Recorded as Document 29341) to the northwest corner of the Park District property; thence easterly along the most northerly line of the Park District property and its easterly prolongation to a point in the southerly prolongation of the west line of Lot 32 in said Curtiss Subdivision; thence southerly along said prolongation to a point being 150 feet northerly of the westerly prolongation of the south line of Lot 26 in said Curtiss Subdivision as measured along the said southerly prolongation of the west line of said Lot 32; thence easterly along the said line being 150 feet northerly of the westerly prolongation of the south line of Lot 26 to a point in the east line of the west 92 feet of said Lot 26, said point being 150 feet northerly of the south line of Lot 26 as measured along the said east line of the west 92 feet of Lot 26; thence northerly along the said east line of the west 92 feet of Lot 26 to a point in the northerly line of Maple Avenue right-of-way; thence easterly along the north line of Maple Avenue to the west line of Washington Street; thence northerly along the west line of Washington Street to the center line of the St. Joseph Creek easement; thence easterly along the center line of St. Joseph Creek easement to the west line of Belden Place; thence northerly along the west line of Belden Place to the north line of Curtiss Street; thence easterly along the north line of Curtiss Street to its intersection with the east line of Mackie Place; thence northerly along the extension of the east line of Mackie Place to the intersection of said line with the south line of the Chicago, Burlington and Quincy Railroad right-of-way; thence westerly along the south line of said right-of-way to the west line of Washington Street; thence northerly along the west line of Washington Street to the south line of Rogers Street; thence westerly along the south line of Rogers Street to the west line of Highland Avenue; thence northerly along the west line of Highland Avenue to the south line thence westerly along the south line of Franklin Street to the east line of East Parkway; thence south along the east line westerly along the north line of said Lot 23 to the northwest corner thereof; thence southerly along the east lines of Lots 22 and 17, and the southerly extension of said Lot 17 (in said Block 3) to the south line of Warren Avenue; thence easterly along the south line of Warren Avenue to the northeast corner of Lot 13 in Block 1 of said E. H. Prince and Company's Addition; thence southerly along the east line of said Lot 13, and the southerly extension of said line to the south line of Gilbert Avenue; thence westerly along the south line of Gilbert Avenue to the place of beginning.

*Concentrated central area compact residential development.* Buildings for multiple-family dwellings within the Concentrated Central Area at a greater density and floor area ratio than allowed for permitted uses.

*Curb Level.* The level of the established curb in front of the structure measured at the center of such front. Where a structure faces on more than one (1) street, the curb level shall be the average of the levels of the curbs at the center of the front of each street. Where no curb elevation has been established, the Village Engineer shall establish such curb levels.

*Day care centers.* The term "day care centers" shall have the same meaning as contained in the Illinois Child Care Act as now or hereafter amended.

*Decibel.* A unit of measurement of the intensity of sound level.

*Director.* The Director of Planning Services of the Village of Downers Grove, or such person's designee.

*Displacement (vibration).* The amount of motion involved in a vibration.

*Drive-in; drive-through; or drive-up use.* An establishment which, by design, physical facilities, service or packaging procedures permits or encourages customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.

*Dwelling.* A building or portion thereof, but not including a house trailer or mobile home, designed or used exclusively for residential occupancy, including single-family, two-family, and multiple-family dwelling units, but not including hotels, motels, boarding or lodging houses.

*Dwelling unit.* One (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having its own permanently installed cooking and sanitary facilities.

*Dwelling, attached single-family.* (Group, Row, Townhouse) A building originally designed and constructed to accommodate three (3) or more dwelling units, with dwelling units joined together by party wall or walls. Each unit shall have its own ground floor entrance and living space.

*Dwelling, detached.* A single-family dwelling entirely surrounded by open space.

*Dwelling, multiple-family.* A dwelling containing three (3) or more dwelling units, with one or both of the following:

- (a) More than one (1) dwelling unit connecting to a common corridor or entranceway; or,
- (b) Dwelling unit vertically connected to neighboring dwelling units through shared floors and ceilings.

*Dwelling, single-family.* A detached dwelling containing accommodations for and occupied by one (1) family only.

*Dwelling, two-family.* A dwelling containing two (2) dwelling units with each unit having its own ground floor entrance and living space.

*Educational institution.* Public, parochial, charitable, or nonprofit junior college, college, or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants, and other incidental facilities for students, teachers, and employees.

*Efficiency unit.* A dwelling unit consisting of one (1) room containing a minimum area of four hundred (400) square feet, exclusive of bathroom, kitchen, hallway or closets directly off the principal room.

*Exempt Telecommunications Facilities.* The following:

- a. Amateur radio station operators/receive only antennas.
- b. Receive only television, direct broadcast satellite and wireless cable antennas not more than one (1) meter in diameter which may be located on posts not more than twelve (12) feet in length.

*Exercise of religion.* Exercise of religion means an act or refusal to act that is substantially motivated by religious belief, whether or not the religious exercise is compulsory or central to a larger system of religious belief.

*Extended family accessory housing.* A single-family dwelling which has been constructed or converted as two separate dwelling units to provide for joint occupancy of the dwelling in the separate dwelling units by persons related to one another by blood, marriage, or adoption with at least one of the units being occupied by a person sixty-two (62) years of age or older or by a person with a proven physical or mental condition, excluding drug addiction, alcoholism, or similar chemical dependency or substance abuse condition, which renders such joint occupancy of the single-family dwelling medically necessary, beneficial or desirable. The two (2) separate dwelling units shall be designated as follows:

- (a) A primary unit, which shall be that portion of the extended family accessory housing dwelling which is the primary housing dwelling, and which is not part of the accessory unit; and
- (b) An accessory unit, which shall be that portion of the extended family accessory housing dwelling which is in addition to and separate from the primary unit, and which is a dwelling unit composed of one or more rooms including complete, permanently installed kitchen and bath facilities.

*FAA.* The Federal Aviation Administration.

*FCC.* The Federal Communications Commission.

*Fairview Concentrated Business District.* Frontage along Fairview Avenue from Maple Avenue to Burlington Avenue.

*Family.* An individual, or two (2) or more persons related by blood, marriage, or adoption and/or a group of not more than three (3) unrelated persons living together as a single housekeeping unit in a dwelling unit, but not including sororities, fraternities, or other similar organizations.

*Farm, crop.* An area on more than one (1) acre which is used for the growing of the usual farm crops such as vegetables, fruit trees, and grain, and for the packing and storage of the products produced on the premises, but not including the raising of farm animals or laboratory animals such as mice, rats, rabbits, etc.

*Fence, open design.* Fences which (i) are of split-rail, post and board, or similar designs which do

not create a hazard by obstructing or distorting vision, except that chain link and woven mesh fences are not included as such similar designs; and (ii) have no vertical members with a width in excess of six (6) inches; and (iii) have a ratio of open area to closed area of at least 1:2, with the open area distributed uniformly over the entire fence surface.

*Floor area, gross.* The sum of the gross horizontal areas of the several floors of the building, measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The floor area of a building shall include basement and cellar floor areas; elevator shafts and stairwells at each floor; floor space used for mechanical equipment, open or enclosed, located on the roof; penthouse; attic space having headroom of seven (7) feet ten (10) inches or more; interior balconies and mezzanines; enclosed porches; and floor area devoted to accessory uses. However, any space devoted to off-street parking or loading shall not be included in floor area.

*Floor area, livable.* Livable floor area shall be the same as "gross floor area" defined above, excluding all areas occupied by cellars, garages, porches, attics, stairways, and storage, utility and heating rooms.

*Floor area ratio.* The floor area of the building or buildings on a zoning lot divided by the area of such zoning lot, or in the case of planned developments, the floor area divided by the net site area.

*Foot candle.* A unit of illumination intensity.

*Frequency.* The number of oscillations per second in a sound wave - an index of the pitch of the resulting sound.

*Frontage.* All the property fronting on one side of a street between the nearest intersecting streets, or between a street and right-of-way, waterway, or other similar barrier.

*Garage, Private.* A detached accessory building or portion of the main building designed, arranged, used or intended to be used by the occupants of the premises for the storage of passenger automobiles and commercial vehicles not exceeding 1 1/2 tons capacity.

*Garage, Public.* A building other than a private garage, used for the care, incidental servicing and sale of automobile supplies, or where motor vehicles are parked or stored for remuneration, hire, or sale within the structure, but not including trucks, tractors, truck trailers, and commercial vehicles exceeding 1 1/2 tons capacity.

*Garage, Truck.* A building which is used or intended to be used for the storage of motor trucks, truck trailers, tractors, and commercial vehicles exceeding 1 1/2 tons capacity.

*Group home.* A single-family dwelling owned and operated by a governmental, religious or other not-for-profit agency and occupied by persons who do not constitute a family as defined herein, but who will have a cooperative living arrangement. Group homes shall include, but not be limited to residential-care homes as defined herein, but shall not include living quarters which serve persons as an alternative to incarceration for a criminal offense.

*Height.* The vertical distance from the established average grade at the front of a structure to the highest point of the structure. In the case of a building, this shall be the vertical distance from the established average grade at the front of the building to the highest point of the roof surface of a flat roof, to the deck line for a mansard roof, to the mean height level between the eaves and ridge for hip, gabled, and gambrel roofs.

*Home occupation.* An occupation carried on in a dwelling by a resident thereof which is incidental to the principal use as a residence.

*Hospital.* An institution consisting of one or more buildings or structures primarily devoted to the diagnosis, prevention or treatment of illness, disease, injury, deformity or other abnormal physical or mental conditions. The term "hospital" may include such services, equipment and activities as may from time to time be customarily included at such institutions for outpatient and inpatient care. This may include, but is not limited to the following as accessory uses: general medical, surgical care; cardiovascular care; perinatal, neonatal or obstetrics care; skilled nursing care; diagnostic, interventional, therapeutic, rehabilitative services or geriatric care; oncology services; diagnostic imaging centers; medically oriented health, fitness or wellness centers; surgical centers; emergency and trauma centers;

heliports; medical offices; community health programs; sports medicine services; and health, wellness libraries and worksite health promotions. The term "hospital" shall not include convalescent or nursing homes, sheltered care facilities or boarding houses.

*Hotel.* A building in which lodging or board and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such it is open to the public in contradiction to a boarding house, a lodging house, or an apartment hotel.

*Hotel, apartment.* A hotel in which at least ninety percent (90%) of the accommodations are occupied or intended for occupancy by permanent guests.

*Improvement Location Permit.* A permit issued by the Director as provided and required herein authorizing the erection, reconstruction, or structural alteration of a structure.

*Inner court.* All open, unoccupied spaces surrounded on all sides by walls or by walls and a lot line or lines.

*Institution.* A structure occupied by a nonprofit corporation or a nonprofit establishment for public use.

*Junk yard.* The use of more than two hundred (200) square feet of any lot where waste, scrap metal, paper, rags, or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including vehicle and structure wrecking yards, but excluding similar uses taking place entirely within a completely enclosed building.

*Junker.* An automobile, truck, or other motor vehicle which has been damaged to such an extent that it cannot be operated under its own power, and will require major repairs before being made usable, or such a vehicle which does not comply with State or Village vehicle laws or ordinances.

*Kennel.* Any lot or premises or portion thereof on which more than four (4) dogs or cats, or other household domestic animals, over four (4) months of age, are kept or on which more than two (2) such animals are boarded for compensation or kept for sale.

*Laboratory.* A place devoted to experimental study such as testing and analyzing. Manufacturing, assembly, or packaging of products is not included within this definition.

*Landbank Area.* The area south of Gilbert Street, north of Curtiss Street, east of Forest Avenue and west of Carpenter Street.

*Landbank Development.* A residential townhouse development when pursued as a Planned Development and involving more than 1.5 acres of land and located in the Landbank Area.

*Landscaped green space.* An area of land on which has been located grass, living groundcover, shrubs, trees, flowering plants, annuals, perennials, and water areas, but not including synthetic plants or surface materials, walks, open terraces or patios, decorative walls, fences or other similar features.

*Loading space, off-street.* An open, hard-surfaced area of land, other than a street or alley, the principal use of which is for the standing, loading, and unloading of motor vehicles, to avoid undue interference with the public use of streets and alleys.

*Lodging house.* A building where sleeping and living quarters, without cooking facilities, and with or without an individual bathroom, are rented on a weekly or monthly basis. Each room in a lodging house which provides sleeping accommodations shall be considered a dwelling unit for the purposes of lot area requirements, and a lodging unit for the purposes of off-street parking requirements.

*Lot, zoning lot or parcel.* A lot of record, an unsubdivided parcel of land, or a combination of contiguous parcels or lots under common ownership or control, used or intended to be used for a single principal use.

*Lot coverage.* Area of zoning lot occupied by the principal and accessory structure or structures.

*Lot depth.* The mean horizontal distance between the front and rear lot lines.

*Lot of record.* A lot which is part of a real estate subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of DuPage County, Illinois, pursuant to statute.

*Lot width.* The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front setback line.

*Lot, corner.* A lot located at the intersection of two (2) streets or a lot bounded on two (2) sides by a curving street two (2) chords of which form an angle of one hundred twenty (120) degrees or less measured on the lot side.

*Lot, double frontage.* A lot having frontage on two (2) nonintersecting streets as distinguished from a corner lot.

*Lot line, front.* The boundary of a lot abutting on a street. On a corner lot, the shortest street lot line shall be the front lot line; provided, however, that if the length of the longer street lot line of a corner lot is not more than ten percent (10%) greater than the length of the shorter street lot line on such lot, the Director, shall, upon written request of the owner, designate the longer of such street lot lines as the front lot line for all purposes of this Zoning Ordinance.

*Lot line, rear.* The lot line or lot lines most nearly parallel to and most remote from the front lot line.

*Lot line, side.* Lot lines other than front or rear lot lines are side lot lines.

*Lounge.* An area within a restaurant which is licensed by the Village for the sale of alcoholic liquor which is accessory to the restaurant use, includes a bar and the open area immediately adjacent thereto, and may include stools, seats and tables with a diameter of less than two (2) feet or an area of less than four (4) square feet.

*Motels.* A group of attached or detached buildings containing individual sleeping or living units, designed for or used temporarily by automobile tourists or transients, with garage attached or parking spaces conveniently located to each unit, including auto courts, motels, motor lodges, or other similar type uses.

*Nonconforming structure.* A structure or portion thereof which, as currently existing, is not in conformance with the provisions of this Zoning Ordinance. A structure which was lawfully established or existing, but which was rendered non-conforming as a result of an amendment to this Zoning Ordinance shall be considered a lawful nonconforming structure until such time as such lawful nonconforming status is terminated as provided in this Zoning Ordinance.

*Nonconforming use.* A use which, as currently conducted, is not in conformance with the provisions of this Zoning Ordinance. A use which was lawfully established or existing, but which was rendered non-conforming as a result of any amendment to this Zoning Ordinance shall be considered a lawful nonconforming use until such time as such lawful nonconforming status is terminated as provided in this Zoning Ordinance.

*Odorous matter.* Material which is gas, liquid or solid that causes an odor sensation to a human being.

*Outdoor café.* An outdoor seating area in which food and beverages are served and consumed.

*Owner.* The fee title holders of property, including such persons designees and agents.

*Parking Space, Automobile, Exterior.* Space within a public or private parking area of not less than 166.5 square feet (9 feet by 18.5 feet) for Class A parking as provided in section 28-1410, and 157.25 square feet (8.5 feet by 18.5 feet) for Class B parking as provided in section 28-1410, exclusive of access drives or aisles, ramps, columns, or office and work areas, for the storage of one passenger automobile or commercial vehicle under 1 1/2 tons capacity. Such space shall have a vertical clearance of at least 7 feet.

*Parking Space, Automobile, Interior.* Space within a public or private underground, covered or decked parking area of not less than the length and width requirements set forth in Section 28-1405, exclusive of access drives or aisles, ramps, columns or office and work areas, for the storage of one passenger automobile or commercial vehicle under 1 1/2 tons capacity.

*Particulate matter.* Finely divided solid or liquid matter other than water which is released into the atmosphere.

*Permanent common open space.* Property under common ownership used for parks, playgrounds, parkway medians, landscaped green space, schools, community centers or other similar areas in public ownership or common ownership and subject to the provisions of restrictive covenants, if

any, required or approved by the Village Council, but shall not include space devoted to structures, public rights-of-way or areas improved for use as private drives or parking facilities.

*Plan Commission.* The Downers Grove Plan Commission.

*Planned development.* A tract of land which is developed as a unit under single or multiple ownership or control, containing one (1) or more principal structures, and containing minimum acreage as specified in the provisions relating to the several zoning districts.

*Planned development plan.* The plans and other documents setting forth the land uses and restrictions of a planned development. This may include, but is not limited to, documents commonly referred to as the site plan, elevation drawings, landscape plan, and engineering plans.

*Planned redevelopment.* A tract of land in the Concentrated Central Area involving the redevelopment or rehabilitation of multiple-family residential property and which includes either demolition and redevelopment, or rehabilitation of existing structures or improvements, or a combination of both.

*Preexisting Telecommunications Towers and Preexisting Antennas.* Any telecommunications tower or antenna for which a building permit or conditional use has been properly issued prior to August 1, 1997, including permitted telecommunications towers or antennas that have not yet been constructed so long as such approval is current and not expired.

*Pump island.* A concrete structure in the immediate vicinity of and designed to support and protect gasoline pumps.

*Railroad right-of-way.* A strip of land with tracks and auxiliary facilities for track operation, but not including depots, loading platforms, stations, train sheds, warehouses, car shops, car yards, locomotive shops, or water towers.

*Recreational equipment.* Any snowmobile or all-terrain vehicle (as that term is defined in the Illinois Motor Vehicle Code), and any watercraft including personal watercraft and specialty prop-craft (as those terms are defined in the Illinois Boat Registration and Safety Act), and the trailers used to transport or store such recreational equipment.

*Recreational vehicle.* Any camping trailer, motor home, mini-motor home, travel trailer, truck camper and van camper as those terms are defined in the Illinois Motor Vehicle Code, or any other habitable vehicle used primarily for recreational purposes.

*Recycling collection facility.* A facility, limited to a building, trailer, vehicle or completely closed containers of wood, metal or masonry, designed for the purpose of receiving articles or materials which are to be transported to another location for distribution or processing, which may or may not be the principal use on the zoning lot where located. Provided, the term "recycling collection facility" as used in this Zoning Ordinance shall not include facilities located within a structure principally devoted to another use, facilities temporarily located on a zoning lot under authority of a temporary uses, and facilities for collecting used motor oil which are necessary to an automobile service station.

*Rest home or nursing home.* A rest home or nursing home is a private home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders. Such home does not contain equipment for surgical care or for treatment of disease or injury.

*Ringelmann chart.* A chart described by the U.S. Bureau of Mines Information Circular 6888 and upon which are illustrated graduated shades of gray for use in estimating the light obscuration of smoke.

*Ringelmann number.* The next lowest shade number on the Ringelmann Chart which most nearly corresponds to the light obscuration of the smoke being measured. For example, smoke capacity lying between No. 1 and No. 2 shades of gray on the Ringelmann Chart shall be measured as Ringelmann No. 1 smoke.

*School.* An institution which offers instruction in any of the branches of learning and study as taught in the public schools under the Illinois School Code, including pre-kindergarten, kindergarten, elementary school, and junior and senior high schools, but excluding trade, business or commercial schools.

*Senior citizen housing.* A multiple-family dwelling designed for occupancy by the elderly which means a dwelling:

- (a) Intended for, and solely occupied by persons sixty-two (62) years of age or older; or
- (b) Provided under any state or federal housing subsidy program for elderly persons (as defined in any such program); or
- (c) Intended for and operated for occupancy by at least one (1) person fifty-five (55) years of age or older per unit, provided such senior citizen housing facility shall:

(1) Provide significant facilities and services specifically designed to meet the physical or social needs of elderly persons, or if the provision of such facilities and services is not practicable, that such housing is necessary to provide important housing opportunities for older persons; and

(2) Have at least eighty percent (80%) of its units occupied by at least one person fifty-five (55) years of age or older per unit, or if less than eighty percent (80%) of such units are so occupied, not less than eighty percent (80%) of such units shall be reserved for occupancy by persons fifty-five (55) years of age or older; and

(3) Publish and adhere to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons fifty-five (55) years of age or older.

(d) Senior Citizen Housing shall be processed and require approval as a residential planned development.

*Service bay.* An area situated entirely within a building which is required to store and service one automobile.

*Setback.* A minimum required front yard, as specified for the respective zoning districts, within which no structure or parts of structures shall be erected, altered or maintained except as authorized herein.

*Shed.* An accessory building storage to be utilized for the comfort, convenience or necessity of the occupants of the principal structure on the lot upon which the shed is located.

*Sheltered care facility.* A private home which provides personal assistance, meal preparation, supervision, oversight, and a suitable activity program for the care of the aged or infirm who need such assistance in daily living, but do not need full-time nursing care.

*Sign.* A sign is a structure consisting of tangible material that includes, contains, or is designed to include or contain, a display or illustration of any letters, words, numbers, objects or symbols, or any combination thereof, which is affixed to, suspended from, placed upon or otherwise represented directly or indirectly upon a building or other structure, or upon the ground, which is intended to direct attention to an object, product, place, activity, person, institution, organization or business; provided that any such structure that is related directly to a national holiday shall not be deemed to be a sign for the purposes of this Article.

*Sign, Advertising off premises.* A sign that directs attention to a business, product or activity available or conducted, at a location other than the zoning lot upon which such sign is located or that directs attention to a noncommercial message or idea not directly related to an activity conducted on such zoning lot. ~~Village sponsored banners located in an established business district shall not be considered advertising off premises signs.~~

*Sign, awning.* A sign located on a structure made of cloth, metal, or other material attached to a structure, such structure being erected so as to permit its being raised or retracted to a position against the structure when not in use.

*Sign, billboard.* See freestanding and wall sign.

*Sign, Building Identification.* A non-illuminated or indirectly illuminated sign, either freestanding or affixed to a building, that states only the name or address, or both, of a multi-family building.

*Sign, Business.* A sign that directs attention to a business or profession conducted upon or to a commodity, service or entertainment sold or offered upon the zoning lot upon which sign is located.

*Sign, canopy.* A sign located on a structure, other than an awning, made of cloth, metal or other

material with frames attached to a building, and supported by a frame or other device placed upon or affixed to the ground or sidewalk.

*Sign, Changeable Copy.* A sign whereon provision is made for letters or characters to be placed in the sign or upon the surface area of the sign, either manually or electronically to provide a message or picture.

*Sign, contractor.* A contractor's sign is a sign placed by a contractor engaged in construction activities for a limited period of time on a certain zoning lot or lots for the purpose of identifying the work of the contractor.

*Sign, developer's temporary.* A non-illuminated, on premises, freestanding sign that supplies information concerning the development in which the sign is located. In residence districts, this includes pennants used in conjunction with residential development to attract attention to and promote such development.

*Sign, directly illuminated.* A sign having its characters, letters, figures, designs, or outlines illuminated by any source of artificial lighting that is located on or within the perimeter of such sign.

*Sign, Exterior Rate.* Any sign that is attached to a freestanding or wall sign, and that consists of words, numbers, or figures that describe rates, prices or any similar information.

*Sign, flashing.* A directly or indirectly illuminated sign with a source of artificial light that is not maintained stationary or constant in intensity or color at all times when such sign is illuminated, or if any portion of such illuminated sign revolves or otherwise moves. For the purpose of this Zoning Ordinance, any sign that indicates the time, temperature, date or other similar information shall not be considered to be a flashing sign, provided the surface area of such sign does not exceed 24 square feet and further provided that no letter or number appearing on such sign exceeds 24 inches in height.

*Sign, freestanding.* A sign that is completely or principally self-supported by posts or other supports independent of any other structure and anchored in or upon the ground. This term also includes those signs commonly known as ground signs, pole signs and lawn signs.

*Sign, indirectly illuminated.* A sign having its characters, letters, figures, designs, or outlines illuminated entirely by its own source of artificial light located outside the perimeter of such sign.

~~*Sign, inflatable.* Any inflatable animal, character or shape used for drawing attention to a business.~~

*Sign, marquee.* A sign located on any hood of permanent and stationary construction projecting from the wall of a structure, but not supported by the ground or sidewalk, such hood serving the purpose of providing shelter and protection from the weather and providing the location for an illuminated sign surface. A structure facade which extends over the public right-of-way and is not primarily used as the location for a sign shall not be considered to be a marquee.

*Sign, moving.* Any sign that rotates or moves or that gives the visual impression of rotating or moving.

*Sign, Nameplate.* A sign, of a design other than freestanding, that sets forth only the name or address, or both, of a building, or the practice of an occupation therein.

*Sign, ornamental entry gate.* A freestanding, non-illuminated or indirectly illuminated sign that sets forth the name of a subdivision or planned unit development. In manufacturing districts, such signs may also contain a listing of the names and addresses of the businesses or industries within the planned unit development or subdivision.

*Sign, political campaign.* Signs or posters announcing or describing candidates seeking public political office or announcing or describing political issues and data pertinent thereto.

*Sign, projecting.* A sign which is attached to a structure wall, with the sign faces perpendicular to such wall.

*Sign, public hearing notice.* A sign posted by the Village which is intended to provide notice of a public hearing or meeting concerning a proposed rezoning, planned development or subdivision for the property on which the sign is posted.

*Sign, Real Estate.* A sign used or intended for use for purposes of advertising a parcel of land or

a building that is or will be available for sale or lease.

*Sign, roof.* A sign erected, constructed, or maintained in whole or in part upon the roof of a structure.

*Sign, surface area.* The entire area within a single continuous perimeter enclosing the extreme limits of a sign, exclusive of any structure or framing elements. For projecting or double-faced signs, only one display face shall be measured in computing the surface area if the sign faces are parallel or if the interior angle formed by such faces is 90 degrees or less. For purposes of this Article, any determination by the Director of the surface area of a sign shall be binding and conclusive upon all parties.

~~*Sign, temporary external.* A sign of a portable nature, not permanently affixed to a structure or the ground, or an attention-getting device, provided that pennants used in conjunction with residential development shall be excluded from the definition of temporary external signs established herein.~~

~~*Sign, temporary.* A sign designed and intended for a temporary period of posting, typically constructed from non-durable materials such as paper, cardboard, vinyl, cloth, plastic and/or wallboard, and which does not constitute a structure subject to the Village's building or zoning codes.~~

*Sign, under canopy.* A sign suspended beneath a canopy or marquee and generally intended to attract pedestrians.

~~*Sign, vehicle.* Any advertising or business sign attached to a motor vehicle that is parked or placed in a position for the purpose of displaying such sign to the public. The vehicle must be licensed, insured and operable. The vehicle may not remain stationary, must be used for the operation of the business and may not be used solely to display signage for the business.~~

*Sign, wall.* A sign attached directly to the wall of a structure with the sign face being effectively parallel to the wall and projecting not more than 12 inches from such wall or a sign painted on the wall of a structure.

*Sign, window.* A sign that is visible from the exterior of a structure and that is permanently painted on a window, or hung immediately behind a window, or displayed from a window for the specific purpose of identifying the proprietor or name of business to the passerby.

*Smoke.* A visible discharge from a chimney, stack, vent, exhaust or combustion process which is made up of particulate matter.

*Stormwater Control Ordinance.* Chapter 26 of the Downers Grove Municipal Code entitled "Stormwater and Flood Plain Ordinance", as now or hereafter amended.

*Story.* That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof.

*Structure.* Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground. This includes but is not limited to, buildings, freestanding signs, back stops for tennis courts, canopies and awnings, pump islands, at- or above- grade walkways, swimming pools, antennae, and pergolas.

*Structure, accessory.* A structure which:

- (a) is subordinate to and serves a principal structure; and,
- (b) is subordinate in area, extent, and purpose to the principal structure; and,
- (c) contributes to the comfort, convenience, or necessity of occupants of the principal

structure.

*Structural alterations.* Any change in the supporting members of a structure, such as bearing walls or partitions, columns, beams, or girders, excepting such alterations as may be required for the safety of the structure.

*Structure, principal.* A structure, other than an accessory structure, in which is conducted a principal use of the zoning lot on which it is located.

*Subdivision Ordinance.* Chapter 20 of the Downers Grove Municipal Code entitled

"Subdivisions", as now or hereafter amended.

*Telecommunications Tower.* Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

*Telecommunications Tower Height.* The distance measured from the finished grade of the parcel to the highest point on the telecommunications tower or other structure supporting an antenna, including the base pad and any antenna.

*Temporary use.* An activity permitted on a limited basis pursuant to Chapter 8 of the Downers Grove Municipal Code.

*Terrace, open; patio.* A level plane or platform which, for the purpose of this Zoning Ordinance, is located adjacent to one (1) or more faces of the principal structure and which is constructed not more than four (4) feet in height above grade.

*Three-component measuring system.* An instrument or complement of instruments which records earthborn vibrations simultaneously in three (3) mutually perpendicular directions. Such systems shall be subject to the approval of the Director.

*Toxic or noxious matter.* Materials which may be gas, liquid or solid which are capable of causing injury to living organisms by chemical means when present in relatively small amounts.

*Trailer.* A vehicle without motive power used or adaptable for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirting, which does not meet building code requirements and has been or reasonably may be equipped with wheels or other devices for transporting the structure from place to place. A permanent foundation shall not change its character unless the entire structure is erected in accordance with the Village Building Code.

*Trailer House or Mobile Home.* Any trailer as defined herein used for residential purposes, but excluding travel trailers.

*Travel Trailer.* A trailer designed to be used only as a temporary dwelling for travel, recreational and vacation use, and not exceeding 8 feet in width.

*Use, accessory.* A use which is subordinate in its scope, intensity and purpose to a principal use.

*Use, principal.* The purpose for which land or a structure thereon is designed, arranged, or intended, or for which it is occupied, maintained or leased.

*Use, exceptional.* A use which, although not designated as a permitted use or a special use in a particular district, may be established and maintained as authorized by the Village Council as part of a planned development in conformance with the regulations of this Zoning Ordinance.

*Use, permitted.* A use which is designated as a permitted use and may be lawfully established in a particular district, provided it conforms with all requirements, regulations, and use restrictions, if any.

*Use, special.* A use which is designated as special use and may be lawfully established in a particular district in conformance with the regulations of this Zoning Ordinance governing special uses, provided it conforms with all requirements, regulations, and use restrictions, if any.

*Vibration.* A periodic displacement of the earth measured in inches.

*Walkways, At- or Above-grade Covered.* Covered structures for pedestrian access, connecting structures on two (2) adjacent lots.

*Yard.* An open space on the same zoning lot with a principal structure or group of structures which is unoccupied and unobstructed from its lowest level upward except as otherwise permitted in this Zoning Ordinance and which extends along a lot line and at right angles thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located.

*Yard, front.* A yard extending across the full width of the zoning lot and lying between the front lot line and the front line of the structure located on the lot.

*Yard, rear.* A yard extending across the full width of the zoning lot and lying between the rear

line of the structure located on the lot and the rear lot line.

*Yard, side.* A yard extending along the side lot line between the front and rear yard.

*Yard, transitional.* A yard which is required to be provided on certain zoning lots in business or manufacturing districts by reason of the fact that such lots are abutting or adjacent to residential districts.

*Zoning Board of Appeals.* The Downers Grove Zoning Board of Appeals.

*Zoning map.* The map designating the zoning districts in Downers Grove and adopted by reference in this Zoning Ordinance.

**Section 2. That Section 28.1204. is hereby amended to read as follows:**

**28.1204. Nonconforming signs.**

(a) ~~With the exception of advertising signs, a~~ Any sign that has been erected, constructed or placed in its location and that is being used as of July 1, 1985, shall be conclusively presumed to have been so erected, constructed or placed and used in compliance with the codes and ordinances of the Village pertaining to signs that were in effect immediately prior to such date and thus shall be considered lawful nonconforming signs.

(b) Any sign that is non-conforming because it fails to comply with the provisions of this Article may be repaired, restored or reconstructed when required by applicable statute, ordinance or regulation provided that, notwithstanding any provisions of this Zoning Ordinance to the contrary, no such non-conforming sign shall be altered structurally, extended or enlarged, in whole or in part, unless such sign as so altered, extended or enlarged shall conform with the provisions of this Article.

(c) The owner on July 1, 1985, of any sign that is nonconforming because it fails to comply with the provisions of this Article (provided that such owner has registered his ownership of the sign with the Code Services Department on or before January 1, 1986) may alter the colors, letters, words, numbers, objects or symbols appearing thereon, without being required to make the sign comply with the provisions of this Article. No other person shall alter any nonconforming sign (including alterations in the colors, letters, words, numbers, objects or symbols appearing thereon), unless such sign as so altered shall conform with the provisions of this Article. The occurrence of any one or more of the following events shall constitute a change in ownership of a nonconforming sign which shall extinguish the right to alter the face or message on such sign without making the sign comply with the provisions of this Article:

(1) For an owner who is a sole proprietor, the sale, lease, gift, bequest or other transfer of the sign or the business utilizing the sign to another individual, a partnership or a corporation with shareholders in addition to such individual.

(2) For an owner that is a general partnership:

(i) The sale, lease or other transfer of the sign or the business utilizing the sign to an individual, another partnership or a corporation other than a partnership or corporation whose partners or shareholders are the same as the general partners; or

(ii) A change in the pro rata ownership of partnership assets which result in a change in the majority (over 50%) ownership of the partnership assets or creates a majority ownership.

(3) For an owner that is a limited partnership:

(i) The sale, lease or other transfer of the sign or the business utilizing the sign to an individual, a general partnership, or another limited partnership or a corporation, other than a partnership or corporation whose partners or shareholders are the same as in the limited partnership owning the sign or the business utilizing the sign, on July 1, 1985; or

(ii) A change in the pro rate ownership of partnership assets which results in a change in the majority (over 50%) ownership of the partnership assets or creates a majority ownership.

(4) For an owner that is a corporation:

(i) The sale, lease or other transfer of the sign or the business utilizing the sign to an individual, a general or limited partnership or a corporation other than a partnership or corporation whose

partners or shareholders are the same as in the corporation owning the sign on July 1, 1985; or

(ii) A change in the pro rate ownership of corporate assets which results in a change in the majority (over 50%) ownership of the corporate assets or creates a majority ownership.

(e) Any advertising sign ~~off premises or roof sign~~ that has been erected, constructed or placed in its location and that is being used as of ~~June 28, 1982~~ ~~September 1, 2004~~, shall be conclusively presumed to have been so erected, constructed or placed and used in compliance with the codes and ordinances of the Village pertaining to signs that were in effect prior to such date. Any such sign that is nonconforming because it fails to comply with the provision of this Article relating to advertising signs, shall be brought into compliance with all applicable provisions of this Article within a period of ~~three (3) years~~ ~~one (1) year~~ from ~~June 28, 1982~~ ~~September 1, 2004~~; thereafter, all such nonconforming signs shall be deemed unlawful and shall be removed.

**Section 3. That Section 28.1502. is hereby amended to read as follows:**

**28.1502. General requirements.**

All signs shall comply with the following requirements unless otherwise provided:

(a) *Location.*

(1) Signs shall be located within the zoning lot in accordance with the applicable setback and yard provisions of the zoning district in which such lot is located unless otherwise specified in this Ordinance. ~~All signs located on corner lots shall comply with Section 28-1102.~~

(2) When a business or service is denied direct access to a public street, signs directing traffic to such business or service may be located off of the premises at the point of access. Such signs shall be calculated in the total sign area and shall be subject to sign requirements for the zoning district.

(3) No sign shall be attached to any tree, fence, or public utility pole, other than authorized signs installed by public utilities or governmental bodies.

(b) *Electrical requirements.* Electrical components, connections, and installations of all signs shall comply with all applicable ordinances and regulations of the Village. In no case shall electrical wiring be exposed to the view of, or access by, the public.

(c) *Wind pressure and load requirements.* All permanent exterior signs shall be designed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area.

(d) *Gooseneck reflectors and lights.* Gooseneck reflectors and lights shall be permitted on permanent freestanding signs, wall signs, ~~and projecting signs and roof signs.~~ Provided, any such reflectors or lights shall be installed so that the direct rays of the reflectors or lights are concentrated on the sign and are directed, shielded or otherwise constructed so as to avoid any glare on the adjacent street or adjacent properties.

(e) *Illumination and movement.*

(1) The light from every illuminated sign shall be shaded, shielded or directed so that direct or indirect illumination therefrom, measured at any lot line adjacent to a residential district, will not exceed 0.1 foot candles. In no case shall the lighting intensity of any sign exceed two hundred and fifty (250) foot Lamberts measured with a light meter having an accuracy rating determined by regulation of the Director.

(2) Flashing signs, flashing or moving lights or parts on signs, and reflective pennants are prohibited, except that signs that exhibit time, temperature, date or other similar information, ~~and search lights approved by the Director as a temporary sign are permitted.~~

(3) No exposed reflective type bulb, fluorescent or incandescent lamp shall be used in any sign in any sign unless it is 15 watts or less. Provided, this section shall not apply to neon bulbs, lighting or tubing.

(4) ~~Exposed gas tubing, including but not limited to Argon and Neon, visible from the exterior of the building is prohibited.~~ Outlining structures or premises by use of exposed neon tubing, strings

of lights, or by any similar method is prohibited.

(5) Except as otherwise provided in this Article, signs that move or have moving parts are prohibited, whether or not such signs are illuminated.

(f) *Projection.*

(1) No sign that is affixed to a structure shall project more than twelve (12) inches into a required setback or required yard or such further distance as may be approved as a variation by the Plan Commission pursuant to this Zoning Ordinance on the basis of considerations of safety to pedestrian and vehicular traffic.

(2) No sign shall project into the normal line of vision of any motor vehicle in a public street within one hundred and fifty (150) feet of a traffic signal, or at a street or railroad intersection, and no sign visible from the street shall contain the words "danger" or "stop" or otherwise simulate any traffic sign or signal erected by any governmental body.

(g) *Maintenance.* All signs shall be properly maintained which includes but is not limited to; no broken or missing parts, no rust or oxidation, no faded or chipped paint, and no similar conditions of disrepair. Failure to properly maintain any sign in the Village shall constitute a violation of this section. If the Director finds that any sign has not been properly maintained in accordance with this section, he shall give written notice of such violation to the owner or occupant of the premises upon which such sign is located. Such notice shall describe the violation and provide a reasonable period of time within which to remedy the deficiency. Failure to remedy the deficiency shall constitute a continuing violation of this section with each day after the expiration of the time period provided in the written notice constituting a separate offense.

(h) *Area.* Unless specifically excepted in this Ordinance, the surface area of all signs on a zoning lot located within an area classified for business or manufacturing purposes shall be counted in determining the area of signage permitted on such zoning lot.

(i) *Post Event Removal of Temporary Signs.* All temporary signs shall be removed by the person or organization who erected or caused the erection of the same not less than three days after the date of the event to which they relate, or the maximum period for which such sign is allowed, whichever comes first.

**Section 4. That Section 28.1503. is hereby amended to read as follows:**

**28.1503. Advertising off premises signs.**

~~Advertising signs shall be freestanding signs and, except as otherwise expressly provided, shall meet all requirements of this Article which are applicable to freestanding signs. No advertising off premises signs shall be permitted in the Village.~~

**Section 5. That Section 28.1505. is hereby amended to read as follows:**

**28.1505. Developers' temporary signs.**

(a) Developers' temporary signs shall be non-illuminated, on premises, freestanding signs and shall comply with the following requirements:

(1) There shall be no more than one such sign in each subdivision or planned unit development of twenty (20) acres or less. One additional sign may be added for each additional twenty (20) acres in such subdivision or planned unit development in excess of twenty (20) acres, but in no event shall more than a total of five (5) such signs be permitted.

(2) One (1) square foot of sign surface area shall be permitted for each foot of street frontage. The maximum sign surface area of each such sign shall not exceed one hundred and fifty (150) square feet.

(3) In a residential district, no such sign shall be located closer than fifteen (15) feet to any adjacent zoning lot not owned or otherwise controlled and in the possession of the developer.

(4) Such signs may promote and describe only the sale or rental of land or structures in the

subdivision or planned unit development.

~~(b) In residence districts, pennants shall be permitted for the purpose of attracting attention to or promoting a residential subdivision or the residential portion of a planned unit development subject to the following requirements:~~

~~(1) Pennants shall be displayed only on the zoning lot on which the model homes for the subdivision are located.~~

~~(2) The developer shall take all necessary action to assure that pennants are replaced if they are torn down or become weather beaten to protect the environment and physical appearance of the neighborhood. No pennants shall be permitted.~~

(c) No developers' temporary sign may be maintained in a subdivision or planned unit development for a period exceeding three (3) years from the date of recording of the plat of such subdivision or the granting of final approval of such planned unit development. Upon petition, the Director may authorize the continuation of such sign for additional consecutive periods of one (1) year each.

**Section 6. That Section 28.1509. is hereby amended to read as follows:**

**28.1509. Roof signs/Inflatable Signs.**

No roof sign ~~or inflatable signs~~ shall be permitted ~~within the Village~~ unless the Director has received certification from a registered structural engineer or licensed architect that the roof on which a roof sign is to be located is able to support the additional load of such sign.

**Section 7. That Section 28.1510. is hereby amended to read as follows:**

**28.1510. Temporary signs.**

(a) This subsection shall regulate all temporary external signs exclusive of all such signs as are specifically described and regulated in other Sections of this Article. Attention getting devices are prohibited unless allowed as a temporary external sign under this Section. ~~Inflatable signs are prohibited.~~

(b) Temporary external signs may be permitted for promotions of special community activities, special business or commercial events such as grand openings or sales, or extraordinary activities of nonprofit organizations.

(c) A permit shall be obtained from the Director for all temporary external signs. Permits shall be limited to a minimum of three (3) days and a maximum of fourteen (14) days. For any zoning lot, the total number of days for which temporary external sign permits can be issued shall not exceed sixty (60) days per calendar year.

(d) No more than one temporary external sign shall be permitted on a zoning lot at any one time; provided, that zoning lots that front on two (2) or more streets may have one such sign for each street frontage. Such signs shall not be included in computing the total sign surface area of the zoning lot.

(c) Temporary external signs shall comply with all other applicable provisions of this Article unless otherwise specified.

**Section 8. That Section 28.1518. is hereby amended to read as follows:**

**28.1518. Regulations for the B-1 Limited Retail District.**

(a) *Permitted sign types.* In B-1 zoning districts only the following types of signs are permitted:

Awning and canopies

Freestanding signs not exceeding 20 feet

Wall signs

Window signs

Window promotional signs

- Contractors' signs
- Signs accessory to parking areas
- Directional signs within the public right-of-way
- Real estate signs
- Political campaign signs
- Developers' temporary signs
- Window displays
- Temporary external signs
- Projecting signs
- Signs on public utility facilities or public facilities
- Public Hearing Notice Signs

(b) *Number of signs per lot.* There shall be no more than one (1) freestanding sign for each zoning lot, provided that lots that have street frontage on two (2) arterial or collector streets may have one (1) freestanding sign on each street frontage.

(c) *Surface Area.* Total surface area of all signs on a zoning lot shall not exceed one (1) square foot per foot of street frontage on an arterial or collector street.

(d) *Height.* Freestanding signs shall not exceed twenty (20) feet in height.

(e) *Location.* Freestanding signs may be located within the required yard adjacent to a street but not less than eight (8) feet from any lot line.

(f) *Limitation.* Except for signs containing noncommercial copy of any nature, content of signs shall be limited to the business, product, and activity available or conducted on the zoning lot.

**Section 9. That Section 28.1519. is hereby amended to read as follows:**

**28.1519. Regulations for the B-2 General Retail District.**

(a) *Permitted sign types.* In B-2 zoning districts only the following types of signs are permitted:

- Signs permitted in the B-1 district
- Marquees
- Roof signs
- Exterior rate signs

(b) *Surface Area.* Total sign surface area on a zoning lot shall not exceed two (2) square feet per foot of frontage on all adjacent streets, alleys or other public ways.

~~(c) *Height.* Roof signs shall not exceed six (6) feet in height or more than twenty (20) feet above grade, whichever is lower.~~

~~(d) *Location.* Same as for B-1 zoning districts, except there shall be a minimum of one hundred (100) feet of separation between freestanding signs on the same zoning lot as measured along the street frontage.~~

~~(e) *Limitation.* Except for signs containing noncommercial copy of any nature, content of signs shall be limited to the business, product, and activity available or conducted on the zoning lot.~~

**Section 10. That Section 28.1520. is hereby amended to read as follows:**

**28.1520. Regulations for B-3 General Services and Highway Business District.**

(a) *Permitted sign types.* In B-3 zoning districts only the following types of signs are permitted:

- Signs permitted in the B-2 zoning district
- Advertising signs
- Roof signs

(b) *Surface Area.* Same as in B-2 zoning districts except that advertising signs shall not exceed 200 square feet.

~~(c) *Height.* Advertising signs shall not exceed twenty (20) feet in height. Roof signs shall not~~

Sign Ordinance

exceed fifteen (15) feet above the top of the roof.

(d) *Location.* Same as in B-2 zoning districts.

(e) *Limitation.* Except for signs containing noncommercial copy of any nature and advertising signs, content of signs shall be limited to the business, product, and activity available or conducted on the zoning lot.

**Section 11.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 12.** That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk

## ATTACHMENT 2


*Background Material:*

*Staff Packet from June 22 and 28, 2004 Strategic Planning Meetings.*

*Not for Consideration at the July 12, 2004, Planning Commission*

# MEMO

**To:** Members of the Plan Commission and the Strategic Planning Subcommittee of the Economic Development Commission (Joint Committee) and members of the Zoning Board of Appeals

**From:** Joseph Skach, AIA, AICP, NCARB   
Director, Planning & Community Development

**Subject:** Strategic Land Use Planning; Potential Amendments to Chapter 28, Zoning Ordinance; Article XV, Signs

**Date:** June 28, 2004

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The Strategic Planning Committee met on June 22, 2004, to discuss the proposed amendments to the sign regulations in the zoning code. At their meeting there was discussion regarding the need for an additional meeting to further discuss immediate refinements to the existing regulations while considering more broad revisions in the future.

Based upon Tuesday's meeting discussions, the signage team has drafted potential updates to the existing sign regulations for your consideration. These include updates to prohibited type signs, such as roof, and neon signs that could be sent to Council in the near term.

Also, attached is the original packet from the June 22, 2004, meeting containing a separate draft proposed ordinance for consideration. Staff will recap the presentation made last Tuesday. Highlighted areas in the draft require additional clarification and refinement based on further discussion. As previously noted, items II through V are considered meeting objectives but in particular, the issue of limitations on or possible elimination of freestanding signs in favor of monument signs is a central issue.

Please feel free to call me or Lori Sommers with any questions.

#### Attachments

c: Rick Ginex, Village Manager  
Dave Van Vooren, Deputy Village Manager  
Enza Petrarca, Village Attorney  
Beth Clark, Village Prosecutor  
Don Rosenthal, Director, Code Services  
Don Scheidler, Code Services  
Lori Sommers, Strategic Planner  
File

AN ORDINANCE AMENDING 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 ~~XXXXXX~~underline; deletions by ~~strikeout~~):

Section 1. That Section 28.1502. is hereby amended to read as follows:**28.1502. General requirements.**

All signs shall comply with the following requirements unless otherwise provided:

**(a) Location.**

(1) Signs shall be located within the zoning lot in accordance with the applicable setback and yard provisions of the zoning district in which such lot is located unless otherwise specified in this Ordinance.

(2) When a business or service is denied direct access to a public street, signs directing traffic to such business or service may be located off of the premises at the point of access. Such signs shall be calculated in the total sign area and shall be subject to sign requirements for the zoning district.

(3) No sign shall be attached to any tree, fence, or public utility pole, other than authorized signs installed by public utilities or governmental bodies.

**(b) Electrical requirements.** Electrical components, connections, and installations of all signs shall comply with all applicable ordinances and regulations of the Village. In no case shall electrical wiring be exposed to the view of, or access by, the public.

**(c) Wind pressure and load requirements.** All permanent exterior signs shall be designed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area.

**(d) Gooseneck reflectors and lights.** Gooseneck reflectors and lights shall be permitted on permanent freestanding signs, wall signs, ~~and~~ projecting signs ~~and roof signs~~. Provided, any such reflectors or lights shall be installed so that the direct rays of the reflectors or lights are concentrated on the sign and are directed, shielded or otherwise constructed so as to avoid any glare on the adjacent street or adjacent properties.

**(e) Illumination and movement.**

(1) The light from every illuminated sign shall be shaded, shielded or directed so that direct or indirect illumination therefrom, measured at any lot line adjacent to a residential district, will not exceed 0.1 foot candles. In no case shall the lighting intensity of any sign exceed two hundred and fifty (250) foot Lamberts measured with a light meter having an accuracy rating determined by regulation of the Director.

(2) Flashing signs, flashing or moving lights or parts on signs, and reflective pennants are prohibited, except that signs that exhibit time, temperature, date or other similar information, ~~and search lights approved by the Director as a temporary sign are permitted.~~

(3) No exposed reflective type bulb, fluorescent or incandescent lamp shall be used in any sign in any sign unless it is 15 watts or less. Provided, this section shall not apply to neon bulbs, lighting or tubing.

(4) ~~Exposed neon tubing, including but not limited to, Arson and Neon, and outlining of buildings inside or outside, including but not limited to windows, is prohibited. Outlining structures or premises by use of exposed neon tubing, strings of lights, or by any similar method is prohibited.~~

(5) Except as otherwise provided in this Article, signs that move or have moving parts are prohibited, whether or not such signs are illuminated.

**(f) Projection.**

(1) No sign that is affixed to a structure shall project more than twelve (12) inches into a required setback or required yard or such further distance as may be approved as a variation by the Plan Commission pursuant to this Zoning Ordinance on the basis of considerations of safety to pedestrian and vehicular traffic.

(2) No sign shall project into the normal line of vision of any motor vehicle in a public street within one hundred and fifty (150) feet of a traffic signal, or at a street or railroad intersection, and no sign visible from the street shall contain the words "danger" or "stop" or otherwise simulate any traffic sign or signal erected by any governmental body.

(g) *Maintenance.* All signs shall be properly maintained which includes but is not limited to; no broken or missing parts, no rust or oxidation, no faded or chipped paint, and no similar conditions of disrepair. Failure to properly maintain any sign in the Village shall constitute a violation of this section. If the Director finds that any sign has not been properly maintained in accordance with this section, he shall give written notice of such violation to the owner or occupant of the premises upon which such sign is located. Such notice shall describe the violation and provide a reasonable period of time within which to remedy the deficiency. Failure to remedy the deficiency shall constitute a continuing violation of this section with each day after the expiration of the time period provided in the written notice constituting a separate offense.

(h) *Area.* Unless specifically excepted in this Ordinance, the surface area of all signs on a zoning lot located within an area classified for business or manufacturing purposes shall be counted in determining the area of signage permitted on such zoning lot.

(i) *Post Event Removal of Temporary Signs.* All temporary signs shall be removed by the person or organization who erected or caused the erection of the same not less than three days after the date of the event to which they relate, or the maximum period for which such sign is allowed, whichever comes first.

**Section 2. That Section 28.1505. is hereby amended to read as follows:**

**28.1505. Developers' temporary signs.**

(a) Developers' temporary signs shall be non-illuminated, on premises, freestanding signs and shall comply with the following requirements:

(1) There shall be no more than one such sign in each subdivision or planned unit development of twenty (20) acres or less. One additional sign may be added for each additional twenty (20) acres in such subdivision or planned unit development in excess of twenty (20) acres, but in no event shall more than a total of five (5) such signs be permitted.

(2) One (1) square foot of sign surface area shall be permitted for each foot of street frontage. The maximum sign surface area of each such sign shall not exceed one hundred and fifty (150) square feet.

(3) In a residential district, no such sign shall be located closer than fifteen (15) feet to any adjacent zoning lot not owned or otherwise controlled and in the possession of the developer.

(4) Such signs may promote and describe only the sale or rental of land or structures in the subdivision or planned unit development.

(b) ~~In residence districts, pennants shall be permitted for the purpose of attracting attention to or promoting a residential subdivision or the residential portion of a planned unit development subject to the following requirements:~~

~~(1) Pennants shall be displayed only on the zoning lot on which the model homes for the subdivision are located.~~

~~(2) The developer shall take all necessary action to assure that pennants are replaced if they are torn down or become weather beaten to protect the environment and physical appearance of the neighborhood. No pennants shall be permitted.~~

(c) No developers' temporary sign may be maintained in a subdivision or planned unit development for a period exceeding three (3) years from the date of recording of the plat of such subdivision or the

granting of final approval of such planned unit development. Upon petition, the Director may authorize the continuation of such sign for additional consecutive periods of one (1) year each.

**Section 3. That Section 28.1509. is hereby amended to read as follows:**

**28.1509. Roof signs.**

No roof sign shall be permitted ~~within the Village~~ unless the Director has received certification from a registered structural engineer or licensed architect that the roof on which a roof sign is to be located is able to support the additional load of such sign.

**Section 4. That Section 28.1510. is hereby amended to read as follows:**

**28.1510. Temporary external signs.**

(a) This subsection shall regulate all temporary external signs exclusive of all such signs as are specifically described and regulated in other Sections of this Article. Attention getting devices are prohibited ~~unless allowed as a temporary external sign under this Section.~~

(b) Temporary external signs may be permitted for promotions of special community activities, special business or commercial events such as grand openings or sales, or extraordinary activities of nonprofit organizations.

(c) A permit shall be obtained from the Director for all temporary external signs. Permits shall be limited to a minimum of three (3) days and a maximum of fourteen (14) days. For any zoning lot, the total number of days for which temporary external sign permits can be issued shall not exceed sixty (60) days per calendar year.

(d) No more than one temporary external sign shall be permitted on a zoning lot at any one time; provided, that zoning lots that front on two (2) or more streets may have one such sign for each street frontage. Such signs shall not be included in computing the total sign surface area of the zoning lot.

(e) Temporary external signs shall comply with all other applicable provisions of this Article unless otherwise specified.

**Section 5. That Section 28.1519. is hereby amended to read as follows:**

**28.1519. Regulations for the B-2 General Retail District.**

(a) *Permitted sign types.* In B-2 zoning districts only the following types of signs are permitted:

Signs permitted in the B-1 district

Marquees

Roof signs

Exterior rate signs

(b) *Surface Area.* Total sign surface area on a zoning lot shall not exceed two (2) square feet per foot of frontage on all adjacent streets, alleys or other public ways.

~~(c) *Height.* Roof signs shall not exceed six (6) feet in height or more than twenty (20) feet above grade, whichever is lower.~~

~~(d) *Location.* Same as for B-1 zoning districts, except there shall be a minimum of one hundred (100) feet of separation between freestanding signs on the same zoning lot as measured along the street frontage.~~

~~(e) *Limitation.* Except for signs containing noncommercial copy of any nature, content of signs shall be limited to the business, product, and activity available or conducted on the zoning lot.~~

**Section 6. That Section 28.1520. is hereby amended to read as follows:**

**28.1520. Regulations for B-3 General Services and Highway Business District.**

(a) *Permitted sign types.* In B-3 zoning districts only the following types of signs are permitted:

Signs permitted in the B-2 zoning district

Advertising signs

Roof signs

(b) *Surface Area.* Same as in B-2 zoning districts except that advertising signs shall not exceed 200 square feet.

(c) *Height.* Advertising signs shall not exceed twenty (20) feet in height. ~~Roof signs shall not exceed fifteen (15) feet above the top of the roof.~~

(d) *Location.* Same as in B-2 zoning districts.

(e) *Limitation.* Except for signs containing noncommercial copy of any nature and advertising signs, content of signs shall be limited to the business, product, and activity available or conducted on the zoning lot.

**Section 7.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 8.** That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk



# DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT MEMO

**To:** Members of the Plan Commission and the Strategic Planning Subcommittee of the Economic Development Commission (Joint Committee) and members of the Zoning Board of Appeals

**From:** Lori Sommers, Strategic Planner, Enza Petrarca, Village Attorney, Beth Clark, Village Prosecutor, Don Rosenthal, Director, Code Services, Don Scheidler, Code Services

**Subject:** Strategic Land Use Planning; Potential Amendments to Chapter 28, Zoning Ordinance; Article XV, Signs

**Date:** June 22, 2004

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## Purpose

The purpose of the attached is to facilitate further discussions regarding potential amendments to Chapter 28, Zoning Ordinance, Article XV, Signs.

## Background

The Village Council established a moratorium on signage at their meeting on May 18, 2004. The moratorium was set to last for a period of three (3) months to enable staff to review and refine the existing sign code while balancing the goals of the Village and the business community. Staff has reviewed sign ordinances from nine (9) other northeastern Illinois municipalities. Based upon our review we have drafted a proposed ordinance for your consideration. The attached proposed ordinance contains specific highlighted areas that may require additional clarification and refinement based on further discussion with the various committees.

## Discussion

### *Monument v. Freestanding:*

The Village Council specifically requested that staff evaluate the potential for allowing only monument type signs in lieu of freestanding signs. Staff has noted that without proper setbacks and sizes, monument signs on Ogden Avenue may create safety issues for both automobiles and pedestrians. It should also be kept in mind that allowing only monuments signs on Ogden Avenue may result in the creation of additional parking non-conformities or the loss of valuable parking space. Visual aids are attached to depict various signs types and sizes for your review and comment.

Under the existing code, limitations on sign surface area is based on per lineal foot of frontage on adjacent streets thus arriving at a maximum total sign area including both wall and ground signs. In an effort to better balance the area of signage allowed, the attached proposed ordinance limits signage by sign type rather than as a total sign area allocation for a property. Consequently, the calculation could be based on tenant or building frontage instead of street frontage. In addition, location and placement of signs is proposed to be based on the physical configuration of the site.

### *Additional Considerations:*


Staff noted that signage environments for Ogden Avenue verses the Downtown area could be vastly different. Similarly, physical conditions on Ogden Avenue are different from those along Butterfield or 75<sup>th</sup> Street. The possible creation of two sign districts, Ogden Avenue and the Downtown Concentrated Central Area, will allow the Village to impose sign requirements believed to be appropriate for each area.

An amortization schedule imposing a time from and which all signs must come into compliance has been considered. The amortization schedule will apply to all existing signs.

**Preliminary Conclusions**

Staff has reviewed and evaluated the current sign ordinance and is proposing a more user friendly format along with some additional changes to the ordinance. Considerations include: elimination or severely reducing freestanding signs, the possible creation of different sign districts (i.e. Ogden Ave., Downtown); the reduction of the height of signs; reducing the area and number of signs including a reduction in wall signage allowed; a sign/site specific method of calculating allowed signs verses a site allocation method based on frontage; and creating an amortization schedule in which all signs must come into compliance.

In order to easily review the major components of the proposed sign ordinance, a draft matrix has been attached identifying the existing sign code requirements along with the proposed requirements for each proposed sign district.

: Joseph Skach, AIA, AICP, NCARB  
Director, Planning and Community Development

Attachment

C: Rick Ginex, Village Manager  
Dave VanVooren, Deputy Village Manager  
File

## AGENDA

**NOTE:** Items II – VI are also considered meeting objectives to provide additional guidance to staff

- I. Introduction;**
  - a. Background
  
- II. Reduce height of signs: Possibly only allow monument signs (Pros/Cons)**
  - a. Visibility Concerns: setbacks, vision safety triangle
  - b. Non-Conformities: Parking and impact of landscaping requirements
  
- III. Reduce area/size of signs: site and building dimension dependence**
  - a. Change from allocation to fixed method
  - b. Calculation: Frontage; Tenant/Building/Street
  
- IV. Limit number and/or type of signs per business: Site dimension dependence**
  - a. Freestanding or monument depending on property size
  - b. Limit number based on size of site
  
- V. Possible need for sign districts: Recognition of differing environments**
  - a. Ogden Avenue
  - b. Downtown Concentrated Central Area
  - c. Other?
  
- VI. Create an amortization schedule –whereby a date certain all signs must come into compliance**
  - a. 5 years, 2010
  
- VII. Other as Required**

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## CHAPTER 28.15 SIGN CONTROL

### STATEMENT OF PURPOSE:

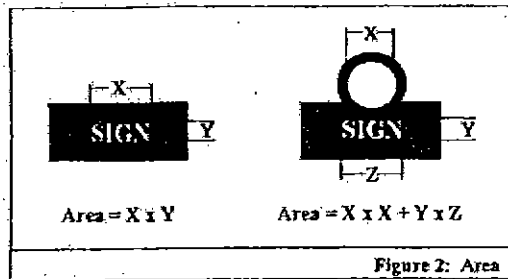
The purpose of this chapter is to create the legal framework for a comprehensive but balanced system of signs to promote communication between people and their environment and to avoid placement of signs that are potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. This chapter is adopted for the following purposes:

1. To preserve, protect, and promote public health, safety, and welfare.
2. To preserve the value of private property by assuring the compatibility of signs with surrounding land uses.
3. To protect the physical and mental well being of the general public by recognizing and encouraging a sense of aesthetic appreciation for the visual environment.
4. To enhance the physical appearance of the Village.
5. To enhance the Village's economy, business and industry by promoting the reasonable, orderly and effective display of signs, and encouraging better communication between an activity and the public it seeks with its message.
6. To protect the general public from damage and injury, which may be caused by the faulty and uncontrolled construction and use of signs within the Village.
7. To protect pedestrians and motorists within the Village from injury caused by distractions, obstructions, and hazards created by certain street signs.
8. To protect the public investment in streets and highways by reducing distraction which may increase the number and severity of traffic accidents.
9. To encourage sound practices and lessen the objectionable effects of competition with respect to size and placement of street signs.
10. To authorize the use of signs which specifically:
  - a. Are compatible with their surroundings.
  - b. Are appropriate for the activity of displaying the graphic.
  - c. Express the identity of individual activities and the community as a whole.
  - d. Are legible in the circumstances in which they are seen.

### DEFINITIONS:

#### AREA:

The area of any sign or graphic shall be determined by drawing an imaginary square or rectangular envelope so as to completely enclose the copy on the sign face excluding the support and architectural features. In the case of a sign with more than one exterior surface containing items of information, the area shall be the sum total of the display surface as determined by drawing an imaginary square or rectangular envelope so as to completely enclose the copy on each sign face excluding the support structure and architectural features. (Figure 2)

**AREA OF SPECIAL CONTROL:**

An area of the Village for which specific regulations are set forth in this chapter, including the Downtown Concentrated Central Area, and Ogden Avenue.

**ATTENTION GETTING DEVICE:**

A device such as a pennant, flag, valance, banner, propeller, spinner, streamer, search light, balloon, inflatable shapes, or similar device used to draw someone's attention to a particular place.

**CONCENTRATED CENTRAL AREA:**

An area defined as commencing at southeast corner of the intersection of Gilbert Avenue and Carpenter Street and running thence southeasterly along the east line of Carpenter Street to the north line of Maple Avenue; thence easterly along the north line of Maple Avenue to the southeast corner of Lot 44 of Assessor's Subdivision of Sections 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, to the point of beginning; thence southerly on a straight line to the northwest corner of Lot 2 of Blanchard Subdivision in the southwest quarter of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, also being the northeast corner of Lot 1 of Meadowcroft Resubdivision; thence continuing southerly along the easterly boundary of the aforementioned Blanchard Subdivision to the southwest corner of Lot 4 of said Blanchard Subdivision; thence easterly along the southerly line of said Lot 4 to the southeast corner of said Lot 4; thence northeasterly on a straight line to the southwest corner of Lot 36 of the aforementioned Assessor's Subdivision; thence east along the south line of said Lot 36 a distance of 165 feet to the southeast corner of said Lot 36; thence northerly along the east line of said Lot 36 and the east line of Lot 6 in Curtiss Subdivision (Recorded as Document 29341) to the northwest corner of the Park District property; thence easterly along the most northerly line of the Park District property and its easterly prolongation to a point in the southerly prolongation of the west line of Lot 32 in said Curtiss Subdivision; thence southerly along said prolongation to a point being 150 feet northerly of the westerly prolongation of the south line of Lot 26 in said Curtiss Subdivision as measured along the said southerly prolongation of the west line of said Lot 32; thence easterly along the said line being 150 feet northerly of the westerly prolongation of the south line of Lot 26 to a point in the east line of the west 92 feet of said Lot 26, said point being 150 feet northerly of the south line of Lot 26 as measured along the said east line of the west 92 feet of Lot 26; thence northerly along the said east line of the west 92 feet of Lot 26 to a point in the northerly line of Maple Avenue right-of-way; thence easterly along the north line of Maple Avenue to the west line of Washington Street; thence northerly along the west line of Washington Street to the center line of the St. Joseph Creek easement; thence easterly along the center line of St. Joseph Creek easement to the west line of Belden Place; thence northerly along the west line of Belden Place to the north line of Curtiss Street; thence easterly along the north line of Curtiss Street to its intersection with the east line of Mackie Place; thence northerly along the extension of the east line of Mackie Place to the intersection of said line with the south line of the Chicago, Burlington and Quincy Railroad right-of-way; thence westerly along the south line of said right-of-way to the west line of Washington Street; thence northerly along the west line of Washington Street to the south line of Rogers Street; thence westerly along the south line of Rogers Street to the west line of Highland Avenue; thence northerly along the west line of Highland Avenue to the south line of Franklin Street; thence westerly along the south line of Franklin Street to the east line of East Parkway; thence south along the east line of East Parkway to the north line of Lot 23 in Block 3 E. H. Prince and Company's Addition; thence westerly along the north line of said Lot 23 to the northwest corner thereof; thence southerly along the east lines of Lots 22 and 17, and the southerly extension of said Lot 17 (in said Block 3) to the south line of Warren Avenue; thence easterly along the south line of Warren Avenue to the northeast corner of Lot 13 in Block 1 of said E. H. Prince and Company's Addition; thence southerly along the east line of said Lot 13, and the southerly extension of said

line to the south line of Gilbert Avenue; thence westerly along the south line of Gilbert Avenue to the place of beginning.

**COPY:**

Written material, printed text, numbers, symbols or pictures located on the copy surface for the purpose of delivering a message.

**COPY SURFACE:**

The face area of any sign/graphic intended or used to display copy.

**FRONTAGE:**

All the property fronting on one side of a street between the nearest intersecting streets, or between a street and right-of-way, waterway, or other similar barrier.

**BUILDING**

The linear length of the outside building wall facing the public right of way or the linear length of the outside building wall facing a parking area, which serves as the primary access for the subject use.

**TENANT:** The width of a tenant space measured from one (1) side wall to the other along the front exterior wall or other drivable accessible routes

**HEIGHT:**

The vertical distance from the established average grade at the front of a structure to the highest point of the structure.

**HOME OCCUPATION:**

An occupation carried on in a dwelling by a resident thereof which is incidental to the principal use as a residence.

**LEGAL NONCONFORMING:**

Any sign, which is not in conformance with this Chapter but was lawfully existing at the time of the adoption of this Chapter.

**LIGHTING/BARE BULB ILLUMINATION:**

Exposed or uncovered lighting elements found on a sign, for example, light bulbs without cover.

**LIGHTING/FESTOON:**

A group of two or more bulbs hung or strung overhead on a building or structure, which are exposed to persons on a public right-of-way, or which are not shaded or hooded to prevent the direct rays of light from being visible at the property line.

**OUT LOT/OUTBUILDING:**

A lot that is secondary to the principal use of the shopping center.

**RACEWAY:**

The structural support for letters and symbols of a wall mounted sign.

**SETBACK:**

A minimum required front yard within which no structure or parts of structures shall be erected, altered or maintained except as authorized herein.

**SHOPPING CENTER:**

A series of retail establishments with individual entrances, sharing a common wall and common off street parking.

**SIGN:**

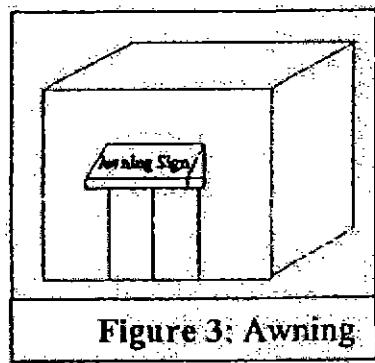
Any object, device, display or structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images. The term "sign" includes, but is not limited to, every projecting sign, monument sign, pole sign, window sign, vehicle sign, awning, canopy, marquee, changeable copy sign, illuminated sign, flashing sign, animated sign, temporary sign, portable sign, pennants, banners, streamers or any other attention getting device, or other display whether affixed to a building or separate from any building.

**ABANDONED/OBSOLETE:**

A sign which no longer identifies or advertises a bona fide person, business, lessee, owner, product, activity, place, idea, institution or service, and/or for which no legal owner can be found.

**AWNING/CANOPY:**

A sign that is mounted, painted, or attached to an awning, canopy, or marquee. (Figure 3)



**Figure 3: Awning.**

**BANNER:**

A temporary sign composed of lightweight material enclosed or not enclosed in a rigid frame, secured, or mounted to a permanent structure.

**BILLBOARD:**

A sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which said sign is located.

**BOX:**

A sign that principally consists of a metal or other type enclosure, typically rectangular or regular in geometric form, that houses internal sign illumination and provides a supporting structure for an interchangeable sign face on one or both sides of the sign that is painted, screen printed, or otherwise applied on a Plexiglas or other transparent or translucent material.

**CHANGEABLE COPY/MESSAGE BOARD:**

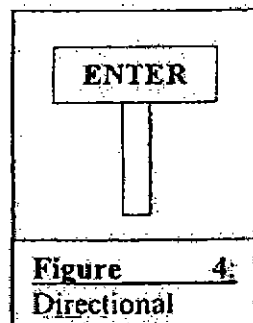
A sign whereon provision is made for letters or characters to be placed in or upon the copy surface manually to provide a message.

**COMMERCIAL:**

A sign which identifies, advertises, or directs attention to a commercial or institutional structure or business, or is intended to induce the purchase of goods, property, or service; including, without limitation, a sign naming a brand of goods or service.

**DIRECTIONAL:**

Signs limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way", "entrance", "drive-thru", and "exit", but does not identify the establishment itself or other goods or services available at the establishment and does not contain other advertising messages. (Figure 4)



**Figure 4:  
Directional**

**GASOLINE SERVICE STATION READER BOARD:**

A changeable copy sign indicating fuel prices as mandated by applicable federal or state laws.

**GOVERNMENTAL:**

A sign erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance, or governmental regulation. Governmental Signs are permitted in all Districts.

**INDIVIDUAL LETTER:**

A wall sign made of self-contained letters that are affixed to the face of a building, which does not project above the top of the parapet wall, does not project above any portion of the roofline.

**MARQUEE:**

A permanent roof like structure made of durable, rigid material extending from the entrance of the building over a pedestrian or vehicular thoroughfare. A marquee is supported by the exterior wall of the building and contains a signboard or changeable copy sign. Marquee signs are only allowed in the Downtown Business District.

**PUBLIC SERVICE SIGN:**

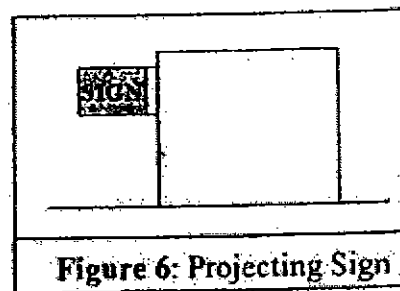
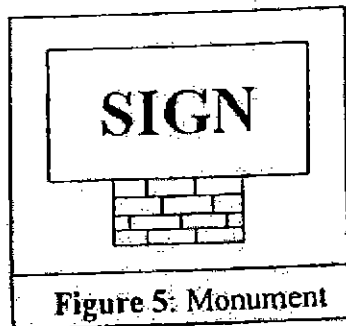
A sign posted on public property or quasi-public property, the function of which is to promote items of general interest to the community.

**ROOF:**

A sign that is permanently attached to the roof of a structure and supported on one or more poles.

**MONUMENT:**

A sign that is completely supported by a short wall constructed of masonry material which has an aggregate width of at least eighty percent (80%) of the width of the sign face, and is not attached to the principal building on the property, and is anchored in or upon the ground. (Figure 5)

**PROJECTING/BLADE:**

Any sign that is attached to a wall in a perpendicular manner. (Figure 6)

**TEMPORARY:**

A sign designed and intended for a temporary period of posting; typically constructed from nondurable materials such as paper, cardboard, cloth, plastic and/or wallboard; and does not constitute a structure subject to the Village's building or zoning codes.

**NONCOMMERCIAL:**

A sign not directed at promoting commercial activity and includes, but is not limited to, political campaign and advocacy signs.

**OFF PREMISES:**

Any advertising device, billboard, poster, notice or display which directs attention to an object, product, place, activity, person, institution, organization or business that is not located on the property where the sign is located or is intended to attract attention including any structure and all lighting or

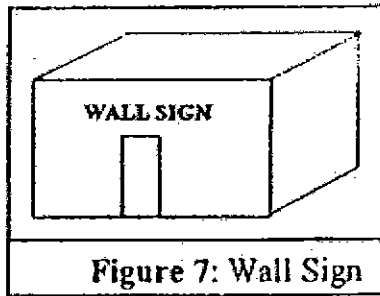
other attachments used in connection therewith, but not including a temporary sign or a sign advertising the activity being conducted upon the property upon which it is located.

**VEHICLE:**

The vehicle must be licensed, insured, and operational. The vehicle must be used for the operation of the business and not used solely to display signage for the business.

**WALL:**

A sign attached or erected against a wall of a building or structure with the exposed face of the sign or plane parallel to the plane of the wall. (Figure 7)

**WINDOW:**

A sign that is installed inside, painted upon, or placed against a window for purposes of viewing from outside the premises, not including merchandise located in a window display.

**SUPPORT STRUCTURE:**

The parts or portion of any sign/graphic specifically used to house, contain, frame, or display the surface of a sign and its copy surface.

**GENERAL REGULATIONS:**

Except as otherwise expressly provided herein, the following shall apply to all signs within the Village:

1. Except for noncommercial signs, the content of signs shall be limited to the business, service, and activity available or conducted on the property.
2. No sign shall be designed, constructed or maintained in a manner, which presents a danger to the public health, safety or welfare as determined by the Village of Downers Grove.

**Vision Clearance – corner lots/service drives:** in addition to the provisions contained herein on corner lots, all signs shall comply with Sec. 28.1102. ~~Signs must be visible from minimum distance~~

**Prohibited Signs:**

Any sign not expressly permitted in this chapter is prohibited. No person or activity shall display any of the following signs within the Village of Downers Grove:

1. Any sign or structure, which constitutes a hazard to public health or safety.
2. Any street signs attached to utility, traffic signal poles, light poles, or standards.
3. Signs, which by color, location, or design resemble or conflict with traffic control signs or signals.
4. Signs on public property prohibited: Except for governmental signs erected by, or on behalf of, the unit of government having jurisdiction, no sign shall be located on the public right of way, or affixed to, upon property, or extend into or over any public property or public right-of-way. This prohibition includes, but is not limited to, any sidewalk, crosswalk, curb, curbstone, street lamppost, hydrant, tree, shrub, tree stake or guard, electric light or power, CATV, telephone or telegraph system, fire alarm, lighting system, public bridge, drinking fountain, trash receptacle, street sign or traffic sign.

5. Portable signs.
6. Signs on vehicles that are not licensed, insured, nor operational for purpose of attracting attention to a business or activity.
7. Off premises signs.
8. Any signs that rotate, revolve or have any visible moving part. Any sign that gives the appearance of movement or that move mechanically.
9. Flashing signs.
10. Bare bulb illumination.
11. Attention getting devices, including searchlights, festoon lighting, pennants, banners, spinners, streamers, balloons, inflatables and other similar devices, or ornamentation designed for purposes of attracting attention, promotion or advertising (except as permitted in this chapter) including but not limited to outlining structures or premises by use of internal or external lighting techniques.
12. Projecting signs, except within areas of special control.
13. Signs containing exposed gas tubing such as but not limited to Argon and Neon, no outlining of buildings inside or outside, including but not limited to windows.
14. Roof Signs.
15. Box-type Signs in the Downtown Concentrated Central Area.
16. Real estate "Sold By" signs.
17. Any sign that advertises, identifies, or pertains to a business no longer conducted, or a product no longer sold, on the premises where such sign is located. Such signs shall be removed within 30 days following cessation of the relevant activity.
18. Any sign painted directly on a wall, roof, or fence, except where permitted in an area of special control.
19. Any sign placed or attached to a telecommunications tower, pole, or antenna.
20. Any sign displaying the price of any goods or services, market data, interest rate, telephone number, or any other information not time date and temperature, other than a temporary window sign.
21. Any 3D type signs in the shape of any object, product, or service.
22. Changeable copy/message board sign except, gasoline service station reader boards and marquee signs.

**Exempt Signs:**

The following signs shall be exempt from the regulation of this chapter and are not required to obtain a permit:

1. Governmental signs such as traffic control signs and legal notices. 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, nonilluminated or directly illuminated, located on the lot to which the sign is apparent and not exceeding four (4) square feet in area.
4. Signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings, which signs are designated and located to be viewed exclusively by patrons located within the interior of a building housing such use or uses.

5. Decorations temporarily displayed in connection with a local festivity approved by the Village or a national holiday. Such decorations may not be used for advertising purposes.
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. Flags of any country, state, or unit of local government. No more than three (3) flags, displayed properly per federal guidelines.
8. Real Estate Signs in residential zoning districts, real estate signs shall not exceed four (4) square feet in sign surface.
9. Real Estate Signs in business and manufacturing zoning districts, real estate signs shall not exceed thirty-six (36) square feet in sign surface area, except a maximum of twenty (20) square feet shall be allowed in the Downtown Business District. 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. No more than one real estate sign per lot except on a corner lot that may have one such real estate sign per street front.
  - Every such sign shall be removed within five days following the execution of a sales contract or rental lease of the property or, for multi-unit developments or structures, the first to occur of either (i) 14 days following the date upon which such development or structure is 90 percent sold or leased or (ii) six months after the sign was erected. Signs displayed for longer than six months shall obtain a sign permit pursuant to applicable District regulations. The name, address, and telephone number of the person responsible for such removal shall be clearly marked on the sign. Real estate "sold by" signs shall not be permitted pursuant to this Paragraph.
10. Construction signs, identifying the architects, engineers, contractors and other individuals or firms involved with the construction, but not including the advertisement of any product. The sign may announce the character of the building enterprise, or the purpose for which the building is intended, up to a maximum area of thirty six (36) square feet. The sign shall be confined to the site of the construction, and shall be removed within three (3) days after the beginning of the intended use of the project.
11. Political Signs shall contain a total area of all sign together a maximum area of twelve (12) square feet per zoning lot and may only be posted during the sixty (60) day period preceding the event, and must be removed within three (3) days following the event. Political signs shall not be placed in the public right-of-way.
12. Garage/Rummage Sale Signs shall not exceed five (5) square feet in sign surface area, must be posted on the first day of the sale and removed on the last day of the sale. No Garage/Rummage Sale Signs shall be placed or erected on the public right-of-way.
13. 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.
14. 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 may only be used if the business is actively hiring. Help wanted signs shall only be located in a window or door.
15. Contractor's signs. No more than one contractor's sign shall be allowed for each street frontage of the property for which such sign is proposed. Each such sign shall be no more than 36 square feet in surface area. The content of such sign shall be limited to naming the contractors engaged in the construction on the property where the sign is located or to the name and business of the company which shall occupy the site. Signs shall be removed at the time of issuance of an occupancy permit, and shall not be erected until a building permit is issued for the property. The maximum height of such sign shall be ten (10) feet.
16. 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 on proposed rezonings, planned developments, and subdivisions for such property. 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. The sign shall be posted at least fifteen (15) days prior to the public hearing or meeting affecting the property and shall be removed no later than three (3) days after such hearing or meeting.

17. Nameplate sign. One nameplate sign shall be permitted for each building or building unit if the building contains more than one use. The maximum permitted sign surface area shall be one square foot.
18. Village Public Service Signs.

### **Temporary Signs:**

Certain temporary signs and attention getting devices as defined in this chapter may be permitted for promoting special community activities, special events, grand openings for businesses, or the activities of nonprofit organizations, subject to the following provisions:

1. No more than four (4) 1-week (7 day) periods during any calendar year, a special permit for temporary signs may be issued for any nonprofit entity or business by the Village of Downers Grove after approval of a completed application and payment of the fees required by this section.
2. A permit fee for each display shall be paid to the Village.
3. A temporary sign displayed for less than seven (7) days constitutes a one week period.
4. All temporary signs must be properly maintained while displayed to be able to withstand all weather elements.
5. Temporary signs must not contain changeable copy.
6. All temporary signs are limited to events outside the normal routine of the business activities and are used to promote the special event itself.
7. Banners are restricted to thirty two (32) square feet, except within the downtown business district the maximum size shall be limited to twenty (20) square feet.
8. All temporary signs must be placed as not to conflict with the sight distance requirements of the Downers Grove zoning code, or create a potentially dangerous situation.
9. No more than one (1) temporary sign shall be permitted on a zoning lot at any one time, except if a zoning lot fronts an intersection then may have one (1) temporary sign for each street frontage.

### **GENERAL COMMERCIAL SIGNS:**

Commercial signs are permitted for lawfully established and maintained businesses, including retail, services, office, and manufacturing locations as provided herein or less otherwise regulated in an area of special control. Commercial signs shall be limited to the business, product and/or service available or conducted on the property. Whereas the sum of the area of all monument, [REDACTED] and wall signs facing the public right-of-way shall not exceed a maximum of [REDACTED]. In particular, and without limitation to the foregoing, off premises advertising signs, sometimes referred to as billboards, are expressly prohibited. Provided, these provisions shall not apply to home occupations.

### **Monument Signs:**

1. Each zoning lot with a minimum of [REDACTED] of lot frontage is allowed one monument sign per frontage, which meets setbacks and vision safety requirements.

[REDACTED] Monument signs must comply with the maximum area of [REDACTED] except in an area of special control, [REDACTED]

- 3. The height of a monument sign cannot exceed [redacted] in height, except in an area of special control.
- 4. Any monument sign fronting a street may be no closer than [redacted] off the property line measured from the edge of the sign.
- 5. A monument sign may not be located closer than [redacted] from a side lot line.
- 6. A monument sign shall be a minimum of one hundred (100) feet of separation between monument signs on the same zoning lot as measured from the street frontage.

**Shopping Center Signs:** Monument signs for shopping centers with multi-tenants and a minimum of five hundred (500) linear feet along the roadway may have [redacted] monument signs placed no closer together than [redacted] of the same size and setback requirements as indicated in this section except for those located within an area of special control.

**Out lots and outbuildings:** Located adjacent to a public roadway, within a shopping center, are permitted a separate monument sign not to exceed the limits established in this section. Such sign must be displayed in front of the building and in accordance with the setback provisions established by this section.

**Freestanding Signs**

[redacted] Each zoning lot with a minimum of one hundred (100) feet of frontage is allowed one freestanding sign per frontage, which means setbacks and vision safety requirements.

[redacted] Freestanding signs must comply with the maximum area of 20 x 60 square feet for multiple unit building with three or more units and their sign area shall not exceed [redacted] square feet.

[redacted] The height of a freestanding sign cannot exceed 10 - 15 feet high and must conform to high vision clearance vision.

[redacted] Any freestanding sign fronting a street may be no closer than ten feet (10') off the property line measured from the edge of the sign.

[redacted] A freestanding sign may not be located closer than 10 - 15 feet (10 - 15') from a side lot line.

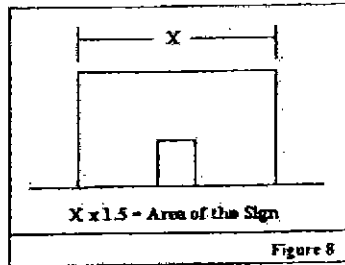
[redacted] A freestanding sign shall be a minimum of one hundred (100) feet of separation between freestanding signs on the same zoning lot as measured from the street frontage.

**Shopping Center Signs:** Freestanding signs for shopping centers with multi-tenants and a minimum of five hundred (500) linear feet along the roadway may have [redacted] freestanding signs placed no closer together than [redacted] of the same size and setback requirements as indicated in this section except for those located within an area of special control.

**Out lots and outbuildings:** Located adjacent to a public roadway, within a shopping center, are permitted a separate freestanding sign not to exceed the limits established in this section. Such sign must be displayed in front of the building and in accordance with the setback provisions established by this section.

**Wall Signs:**

- 1. Each commercial business is allowed to display one wall sign per each tenant frontage along a public roadway or drivable right-of-way. Wall signs may also be displayed adjacent to an off street parking area provided customer access is also available.
- 2. For every linear foot of tenant frontage, [redacted] of signage is allowed. (Figure 8)



3. The area of a wall sign shall be determined by enclosing the elements of the graphic in an imaginary box(es). The sum total area of the sign within the box(es) is deducted from the permitted wall signage available.
4. An exterior raceway is highly discouraged however; if visible then the raceway shall match the color of the exterior of the building.
5. No wall sign shall cover wholly or partially any wall opening, nor extend beyond the perimeter of the wall to which it is affixed.
6. All tenants shall proportionally split allowable signage.

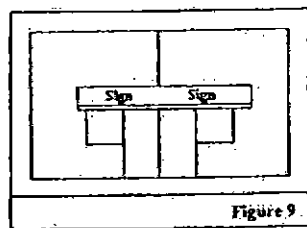
### Window Signs:

Window signs are allowed up to twenty five percent (25%) of each window. Temporary window signs are exempt from permit. Each sign shall be limited to a maximum exposure time of one (1) month. Content of such sign shall be limited to advertising of special sales or events.

### Awning Signs:

No awning or canopy containing a sign shall be permitted unless the awning or canopy complies with the following requirements:

1. All such awnings or canopies shall be constructed and erected so that the lowest portion thereof shall be not less than eight (8) feet above the ground and shall not extend above the first floor of the structure to which it is attached.
2. Advertising: No advertising shall be placed on any awning or canopy sign except that the name and address of the business, industry, or profession conducted within the premises. Logos are exempt from this provision. Lettering may be painted or otherwise permanently placed on the front and side of the awning or canopy in letters not exceeding ten (10) inches in height.
3. Awning signs are allowed to a maximum of twelve (12) square feet of text size per frontage facing a public or private roadway.
4. When an awning covers multiple storefronts, each store is allowed up to twelve (12) square feet of copy space. (Figure 9)



5. Canopies and awnings are limited to two (2) colors. Logos are exempt from this provision. For purposes of this Paragraph, black and white shall be considered to be colors except when either is used only as the background of a sign. Striping may only be vertical.

**Under Canopy Signs:**

Under canopy signs that are attached to the underside of the soffit or ceiling of any arcade or covered sidewalk are permitted in addition to signs permitted under any other provision of this Article. The face of any such sign shall not exceed twelve (12) inches in height or four (4) feet in length and shall be mounted at right angles to the nearest face of the structure. Such signs shall be not less than eight (8) feet above grade. (4069, Enacted, 10/05/1998)

**Illumination:**

Internally or externally illuminated signs shall be permitted, per the regulations of this chapter, provided they meet the following requirements:

1. Signs shall be illuminated only by steady, stationary, shielded or shaded light sources directed solely at the sign, or internal to it so that the light intensity or brightness does not create either a nuisance to adjacent property or a traffic hazard for motorists or pedestrians.
2. Individual letters or logos may be internally illuminated. All other portions of the sign shall be opaque. Sign placard material shall be thick enough not to see lighting elements.
3. No exposed reflective type bulb, fluorescent, incandescent lamp, or strobe lights shall be used.
4. Gooseneck reflectors and lights shall be permitted on permanent, wall signs, and projecting signs. Provided, any such reflectors or lights shall be installed so that the direct rays of the reflectors or lights are concentrated on the sign and are directed, shielded or otherwise constructed so as to avoid any glare on the adjacent street or adjacent properties.
5. No illuminated white background.

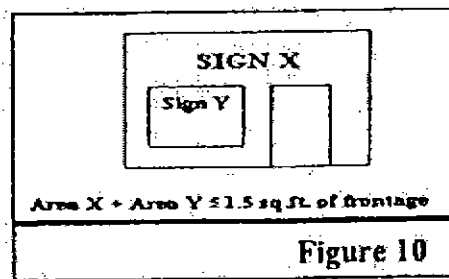
**Landscaping Requirements:**

Every permit application for a monument sign shall be accompanied by a landscape plan meeting the standards hereinafter specified:

1. For every monument sign, there shall be provided a not less than two and a half (2.5') feet from base a landscape area surrounding the perimeter of the sign base.
2. Sodded or seeded areas shall not qualify as such a landscaped area.
3. This required landscaping shall be comprised of shrubs. Evergreens, perennial and annual flowers, ornamental grasses, and ground cover may be planted in the required landscape area.
4. Landscaping shall be a permitted obstruction in the front yard.
5. It shall be the duty of each person owning any lot or parcel improved or to be improved with the landscaping required herein to maintain said landscaping including, but not by way of limitation, the replacement of any dead or diseased vegetation, the trimming of any overgrown vegetation and the maintenance of any monument cover or protection provided in accordance with the terms hereof.

**Concentrated Central Area (CCA):**

In the Concentrated Central Area (CCA) the sum of the area of all monument, freestanding, wall, and permanent window signs facing the public right of way shall not exceed an area equal to ~~one-half (1/2) of the lot area~~ per building frontage per side with a ~~maximum of 200 square feet~~ (Figure 10)

**Monument Signs:**

Each zoning lot is allowed one (1) monument sign with a maximum of ~~200 square feet~~. The maximum height of a monument sign shall be ~~10 feet~~. ~~Properties with a minimum lot area of 10,000 sq. ft. may display a monument sign. The sign may be no greater in any dimension than 10 feet by 10 feet. Monument signs within the Concentrated Central Area (CCA) are not allowed.~~ All monument signs within the Concentrated Central Area (CCA) shall comply with all setback and vision safety regulations provided in subsection (28-1102).

~~No freestanding signs shall be allowed in the Concentrated Central Area (CCA) District.~~

**Wall Signs:**

Wall signs for first floor businesses must be located over the leased space. Wall signs for businesses located above the first floor may be displayed on the portion of the building that the business occupies in such a fashion as to complement the architectural integrity of the building.

Menu boards for restaurants are permitted to be displayed on the wall of the business. Such signs may not exceed four (4) square feet in area. The sign may include menus or notice of special events including community events. All such signs must be enclosed in a glassed frame.

1. Each commercial business is allowed to display one wall sign per each tenant frontage along a public roadway or drivable right-of-way. Wall signs may also be displayed adjacent to an off street parking area provided customer access is also available.
2. An exterior raceway is highly discouraged however; if visible then the raceway shall match the color of the exterior of the building.
3. No wall sign shall cover wholly or partially any wall opening, nor extend beyond the perimeter of the wall to which it is affixed.
4. All tenants shall proportionally split allowable signage.
5. Painted identification signs shall be allowed on the wall.

**Window Signs:**

Window signs are allowed up to twenty five percent (25%) of each window. Temporary window signs are exempt from permit. Each sign shall be limited to a maximum exposure time of one (1) month. Content of such sign shall be limited to advertising of special sales or events.

**Projecting Signs:**

One projecting sign for each main (first) floor establishment is permitted. It may not extend more than thirty-six inches (36") from the vertical plane of the facade. It shall not exceed five (5) square feet in area and shall not be lower than eight feet (8') from the sidewalk. Such projecting signs shall not be internally illuminated. External lighting is permitted. Only the name of the business owner, business and/or logo may be displayed. [Redacted]

**OGDEN AVENUE:**

Commercial developments fronting Ogden Avenue within the Village of Downers Grove are subject to the regulations in this Chapter, whereas the sum of the area of all monument, [Redacted] and wall signs facing the public right-of-way shall not exceed an area equal to one and one-half (1.5) square feet of surface area per building frontage per side with a maximum of 300 square feet (Figure 10)

**Monument Signs:**

- 1. Each zoning lot with a minimum of one hundred (100) feet of lot frontage is allowed one monument sign per frontage, which meets setbacks and vision safety requirements.

[Redacted] Monument signs must comply with the maximum area of 40-60 square feet.

[Redacted] The height of a monument sign cannot exceed 4-8' in height, or for a multiple unit building with three or more units then the sign area shall not exceed 75 square feet.

- 4. Any monument sign fronting a street may be no closer than ten feet (10') off the property line measured from the edge of the sign.

- 5. A monument sign may not be located closer than 10-15 feet (10-15') from a side lot line.

[Redacted] monument sign shall be a minimum of one hundred (100) feet separation between monument signs of the same size along the street frontage.

**Shopping Center Signs:** Monument signs for shopping centers with multi-tenants and a minimum of one hundred (100) linear feet along the roadway may have two (2) monument signs placed no closer together than one hundred feet (100') of the same size and setback requirements as indicated in this section except for those located within an area of special control.

**Out lots and outbuildings:** Located adjacent to a public roadway, within a shopping center, are permitted a separate monument sign not to exceed the limits established in this section. Such sign must be displayed in front of the building and in accordance with the setback provisions established by this section.

**Freestanding Signs**

[Redacted] Each zoning lot with a minimum of one hundred (100) feet of lot frontage is allowed one freestanding sign per frontage, which meets setback and vision safety requirements.

[Redacted] Freestanding signs must comply with the maximum area of 40-60 square feet and shall not exceed 10-15 feet in height and the sign area shall not exceed 75 square feet.

[Redacted] The height of the freestanding sign cannot exceed 10-15 feet in height and must be placed on a concrete foundation.

[Redacted] Freestanding signs shall be located no closer than ten feet (10') to the property line measured from the edge of the sign.

[Redacted] Freestanding signs shall be a minimum of 10-15 feet from a side lot line.

[Redacted] Freestanding signs shall be a minimum of one hundred (100) feet separation between freestanding signs of the same size along the street frontage.

Shopping Center Signs. The standard signs for shopping centers shall include brand name, maximum height shall be limited to the maximum height established in this section. Signs shall not be placed on the ground, on utility poles, on the same size and shall be maintained as indicated in this section. Signs shall be placed within an area of 100 square feet.

Outlets and Outbuildings. Signs shall be placed on the exterior walls of shopping centers and outbuildings. The maximum height shall be limited to the maximum height established in this section. Signs shall not be placed on the ground, on utility poles, on the same size and shall be maintained as indicated in this section. Signs shall be placed within an area of 100 square feet.

**Wall Signs:**

1. Each commercial business is allowed to display one wall sign per each building frontage along a public roadway public roadway or drivable right-of-way. Wall signs may also be displayed adjacent to an off street parking area provided customer access is also available.
7. For every linear foot of tenant frontage, 5 square feet of signage is allowed.
2. An exterior raceway is highly discouraged however; if visible then the raceway shall match the color of the exterior of the building.
3. No wall sign shall cover wholly or partially any wall opening, nor extend beyond the perimeter of the wall to which it is affixed.
4. All tenants shall proportionally split allowable signage.

**NONCOMMERCIAL SIGNS:**

Such signs shall meet the following regulations:

1. The area shall be determined by drawing an imaginary square or rectangle envelope so as to completely enclose the copy surface of the sign(s) or graphic, including the support structure and any attention getting borders.
2. Noncommercial signs shall not be posted in a manner that creates a danger to the public, either as a result of dangerous construction, sight obstruction or any other cause.
3. Permits shall be required for a noncommercial sign, excluding exempt and temporary signs.
4. There shall be no more than one (1) permanent sign for each zoning lot.

**Directional Signs (Not-for-profit Organizations Signs):**

Upon written request of a not-for-profit organization (i.e. YMCA, church, hospitals, American Legions, VFW's, Moose, etc.) the Village will furnish and install up to two (2) eighteen by thirty (18" x 30") double-faced directional signs on Village owned arterial streets directing traffic to that non-profit organization upon payment of \$175.00 per double-faced sign, to the Village of Downers Grove.

**Institutional Signs:**

Exterior identification signs or bulletin boards not over twenty (20) square feet in area with a maximum height of six feet (6') shall be permitted for public charitable or religious institutions where such signs or bulletin boards are located on the premises of the institution. A permit without fee shall be required for this type of sign. No more than one such sign shall be permitted for each street side of the premises and is located in such a manner so as not to interfere with the vision of motorists.

**College and University Signage:**

Any educational campus (i.e., Midwestern University) with a minimum of forty (40) or more acres is subject to the regulations of this chapter unless otherwise stated below:

1. Entry monuments are permitted within the perimeter of the campus and all such structures shall be on private property.

2. The monument sign may not exceed six feet (6') in height including ornamentation.
3. The monument sign may not exceed fifty (50) square feet in surface area.
4. The minimum setback of forty feet (40') from a curb line shall be maintained. Exterior building identification may consist of one monument mounted sign on each side of the primary entrance.

**Residential Signs:**

**Entrance Signs:**

1. Entrance signs are to display only the name of the subdivision and logo.
2. Entrance signs shall not exceed a height of eight feet (8').
3. Maximum size shall not exceed twenty-five (25') square feet of copy area.
4. One (1) such sign may be located on each side of the point of ingress to the development, but not in the public right-of-way.
5. Such signs shall conform to the vision clearance requirements in this Code.
6. All entrance signs/gates must be on private property. If the above conditions are adhered to, no setback is required.
7. Indirect illumination will be permitted.
8. Content shall be limited to only the name of the subdivision or development.
9. Any entrance sign in existence in the public right of way or parkway or otherwise does not conform to the requirements of this chapter at the time of the enactment of this section is exempted from conformance. Homeowners' associations will have the option to repair a sign without conforming to the requirements of this section as long as the sign was in existence prior to the enactment of this section.

**Home Occupation Signs:**

1. The area of a home occupation sign shall not exceed four (4) square feet, as determined by drawing an imaginary square or rectangular envelope so as to enclose the entire surface of the sign.
2. The sign shall be either flat mounted, not perpendicular, against the principal building, and located parallel to, and all parts thereof within twelve inches of, a wall of the principal building.
3. The sign content shall be limited to the name(s), address, phone number(s), occupation, or any combination thereof, of the resident(s).
4. The sign shall not be illuminated other than those lights incidental to the residential use of the premises.

**ADMINISTRATION:**

**Enforcement:**

The Code Services Department is hereby authorized and directed to enforce all of the provisions of this Chapter. Upon presentation of proper credentials, the Department of Code Services may enter, at reasonable times, any building, structure or premises in the Village to perform any duty imposed upon him/her by this chapter.

All signs shall be properly maintained which includes but is not limited to; no broken or missing parts, no rust or oxidation, no faded or chipped paint, and no similar conditions of disrepair. If a sign is illuminated, the source of such illumination shall be kept in a state of safe working order at all times. Failure to properly maintain any sign in the Village shall constitute a violation of this section.

1. **Notice of Violation:** If the Department of Code Services finds that any sign has been erected in violation of the provisions of this Article, or is unsafe or insecure, the Director shall cause such citation to be issued with fines from \$75 dollars to \$750 dollars and/or cause the sign to be removed by the Village upon 10 day written notice provided that the Department of Code Services may cause any sign, which poses an immediate threat of harm to persons or property to be removed summarily and without notice. The cost of such removal shall be collected from the owner and/or occupant of the property by an action at law or assessed as a lien against the property where such sign is located after notice to the property owner. The owner and occupant of the property shall be jointly responsible for the cost of such removal, which may be recovered by the Village in an action at law or by filing a lien against the property after notice to the property owner.
2. **Immediate Removal: Interpretation:** Where there is any ambiguity or dispute concerning the interpretation of this chapter, the decision of the Director of Planning and Community Development, or his/her designee, shall prevail, subject to appeal as provided herein.

**Appeal:**

Any person aggrieved by a decision or order of the Director of Planning and Community Development, or his/her designee, may appeal to the Downers Grove Zoning Board of Appeals by serving written notice on the Village manager. The Director of Planning and Community Development, or his/her designee, shall take no further action on the matter pending the Zoning Board of Appeals' decision, except for unsafe signs which present an immediate and serious danger to the public. This appeal shall be heard by the Zoning Board Appeals in accordance with the board's rules, regulations and bylaws adopted for this purpose.

**Permit Process:**

Unless exempted from the requirements of this chapter, no person shall erect or display any sign unless issued a permit.

1. **Application:** Any person or activity proposing to erect or display a sign shall file an application on a form provided by the Village of Downers Grove.
2. **Granting Of Permit:** After review, a permit for the sign shall be granted if it complies with this chapter.
3. All applicable permit fees have been paid in full as required.
4. **Conformance With The National Electrical Code:** All signs in which electrical wiring and connections are required shall conform to the applicable provisions of the national electrical code.
5. **Wind Pressure And Dead Load Requirements:** Signs shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of net surface area and to receive dead loads as required in the building code.
6. **Completion Of Authorized Work:** If the work authorized under the permit has not been completed within six (6) months after the date of issuance, the said permit shall become null and void.

**Amortization Period of Nonconforming Signs:**

Any nonconforming sign or previously registered signs lawfully in existence at the time of the adoption of this Chapter and which remains nonconforming, and any such sign which shall become nonconforming upon the adoption of this Chapter, or any subsequent amendment hereto, may be continued in accordance with the provisions of this section.

**Legal Signs:** All signs existing within the corporate limits of the Village as of the effective date of this sign code or which shall become subject to the terms of this sign code by reason of annexation and which shall be in compliance with the regulations set forth herein, shall be considered to be legal signs and shall hereafter be owned, operated and maintained in conformance with the regulations contained herein.

**Legal Nonconforming Signs:** Any sign which existed lawfully on the effective date of this sign code including previously approved Planned Developments (PD) and which remains or becomes nonconforming

by reason of adoption of this sign code or because of subsequent amendments thereto, or which shall become nonconforming by reason of the annexation to the Village of the lot or parcel on which said sign is located, shall be considered a legal nonconforming sign and the continuance of such use shall be only as hereinafter permitted:

**Amortization Period:** On or prior to 2010, all legal nonconforming signs shall be removed and eliminated. Said period shall for all purposes be deemed an appropriate amortization period for each and every legal nonconforming sign presently located within the corporate limits of the Village or hereinafter located within the Village by reason of the annexation into the Village of the lot or parcel on which the sign is located.

1. A nonconforming sign, prior to the exhaustion of the amortization period set forth is subject to the following restrictions:
2. Ordinary repairs and maintenance, including the removing and replacing of the outer panels shall be permitted, provided, that no structural alterations or other work shall appreciably extend the normal life of the legal nonconforming sign.
3. No repair or alteration which increases the size of the legal nonconforming sign shall be permitted. No substitution, through repair or alteration, of any elements of the sign, which causes such sign to be classified as nonconforming, for another such element, shall be permitted.
4. No legal nonconforming sign shall be moved in whole or in part to any other location on the same or any other premises unless every portion of such sign is made to conform to all of the regulations of this sign code.
5. If a legal nonconforming sign is located on property, which is sold, and when the full ownership is transferred by deed, the legal nonconforming sign shall be discontinued at the time of the deed transfer. If the ownership of a business changes, which does not affect the ownership of the property in which the business is located; the legal nonconforming sign shall be discontinued.
6. If a legal nonconforming sign is abandoned or discontinued for a continuous period of ninety (90) days, it shall not be renewed, and any subsequent sign shall conform to all of the requirements of this sign code.

**Variation:**

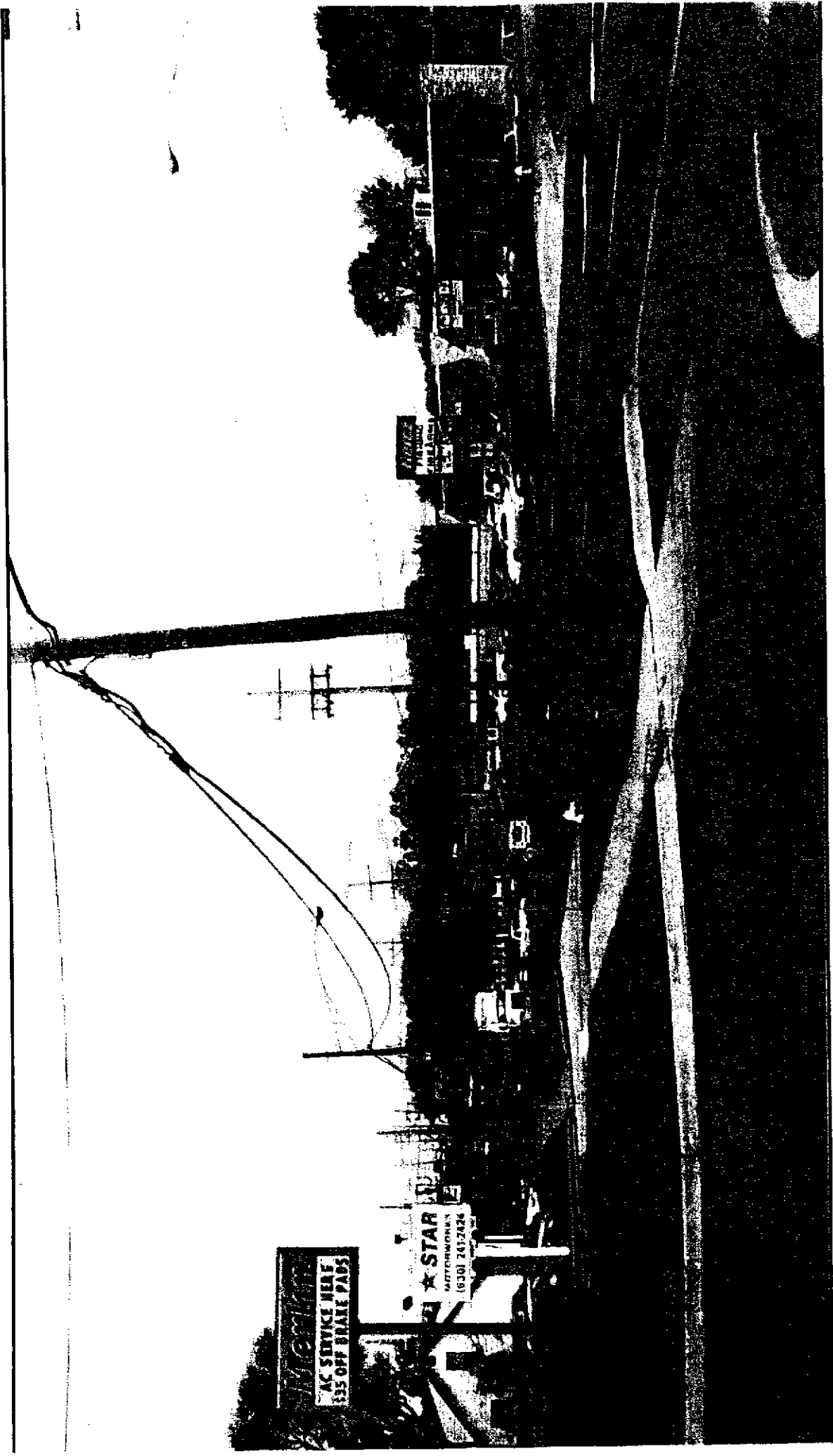
Pursuant to Section 28:Article 18, Variations.

**Insurance and Bond Requirements:**

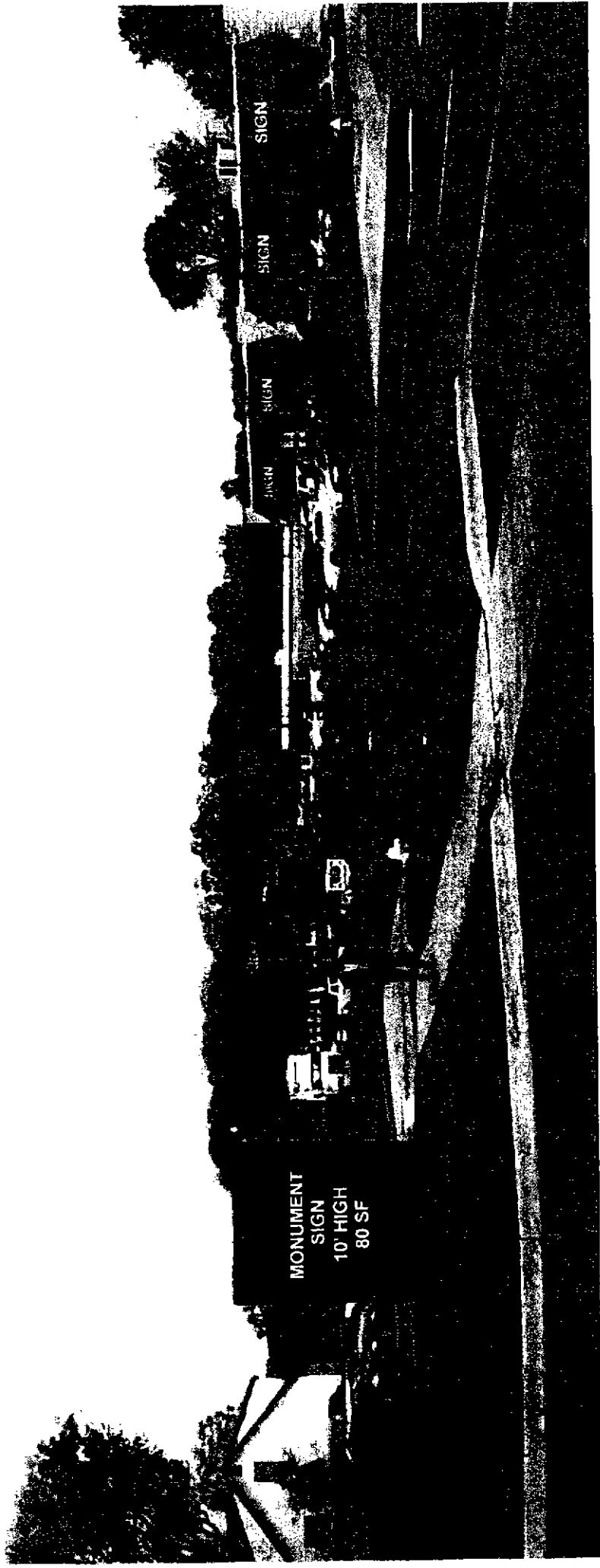
Every applicant for a permit for a sign which will extend over a public right of way or which is so located that it may fall upon the same, shall file with the Department of Code Services before the permit is granted, a liability insurance policy covering all damage or injury that might be caused by each of said signs, or certificate of insurance therefore, issued by an insurance company authorized to do business in the state of Illinois and satisfactory to the Department of Code Services, with limits of liability of not less than fifty thousand dollars (\$50,000.00) for property damage and five hundred thousand dollars (\$500,000.00) for personal injuries. The Village, its officers, agents and employees shall be named as additional parties insured. Such liability insurance policy shall be maintained in force throughout the life of the permit, and if at any time it shall not be in full force, the Department of Code Services shall revoke the permit.

Regulations	EXISTING CODE	PROPOSED - Ogden	PROPOSED - Downtown (CCA)	PROPOSED - General Commercial
<b>Monument Signs</b>		<b>Total Signage Max. 300sf</b>	<b>Total Signage Max. 200sf</b>	<b>Total Signage Max. 300sf</b>
Height	20'	4' - 8'	4'	4' - 8'
Max. Area	2 sf of surface area per lineal foot of frontage on all adjacent streets (one face counted toward surface area)	40 - 60sf	20sf	40 - 60sf
Max. # on Lot	Limited by total sign area allowed	1 - Min. 100' of lot frontage.	1 - Min. 50' of lot frontage.	1 - Min. 100' of lot frontage.
Min. Setback	8 ft from lot line abutting a street. 25 ft from side lot line abutting a lot.	10' from the property line, 5 ft from side lot line	15' from the property line, 15 ft from side lot line	10' from the property line, 5 ft from side lot line
Min. Separation	100 ft	100 ft	-	100 ft
<b>Freestanding Signs</b>				
Height	20'	10' - 15'	Not allowed	10' - 15'
Max. Area	2 sf of surface area per lineal foot of frontage on all adjacent streets (one face counted toward surface area)	40 - 60sf	NA	40 - 60sf
Max. # on Lot	Limited by total sign area allowed	1 - Min. 100' of lot frontage.	NA	1 - Min. 100' of lot frontage.
Min. Setback	8 ft from lot line abutting a street. 25 ft from side lot line abutting a lot.	10' from the property line, 10-25 ft from side lot line	NA	10' from the property line, 10-25 ft from side lot line
Min. Separation	100 ft	100 ft	NA	100 ft
<b>Billboard Signs</b>				
Max. Area	Limited by total sign area allowed	1.5sf of surface area per tenant frontage on all public roadways or driveable ROW.	1 - 1.5sf of surface area per tenant frontage on all public roadways or driveable ROW.	1.5sf of surface area per tenant frontage on all public roadways or driveable ROW.
<b>Window Signs</b>				
Max. Area	Max. 50% of each window	Max. 25% of each window	Max. 25% of each window	Max. 25% of each window
<b>Projecting Signs</b>				
Height		NA	Min. 8' from sidewalk	NA
Max. Area	Limited by total sign area allowed	NA	5sf	NA
Multi-Tenant		NA	1 uniform sign each	NA
<b>Awning Signs</b>				
Height	Min. 8' from sidewalk, Letters Max. 10"	Min. 8' from sidewalk, Letters Max. 10"	Min. 8' from sidewalk, Letters Max. 10"	Min. 8' from sidewalk, Letters Max. 10"
Max. Area	Limited by total sign area allowed	12sf	12sf	12sf
Multi-Tenant	Max. 10" Letters	Max. 12sf of copy space, Max. 10" Letters - Front	Max. 12sf of copy space, Max. 10" Letters - Front	Max. 12sf of copy space, Max. 10" Letters - Front
<b>Under Canopy Signs</b>				
Height	12"	12"	12"	12"
Max. Area	4'	4'	4'	4'
<b>Illumination</b>				
Neon	Allowed (but no outline of building)	No exposed Neon	Except marquee type signs	No exposed Neon
<b>Landscaping</b>				
	None	2.5' landscaping buffer	2.5' landscaping buffer	2.5' landscaping buffer
<b>Political Signs</b>				
Max. Area	12sf	12sf	12sf	12sf
<b>Real Estate Signs</b>				
Height	10'	10'	10'	10'
Max. Area	4sf (res.) 36sf (comm)	4sf (res.) 36sf (comm)	4sf (res.) 36sf (comm)	4sf (res.) 36sf (comm)

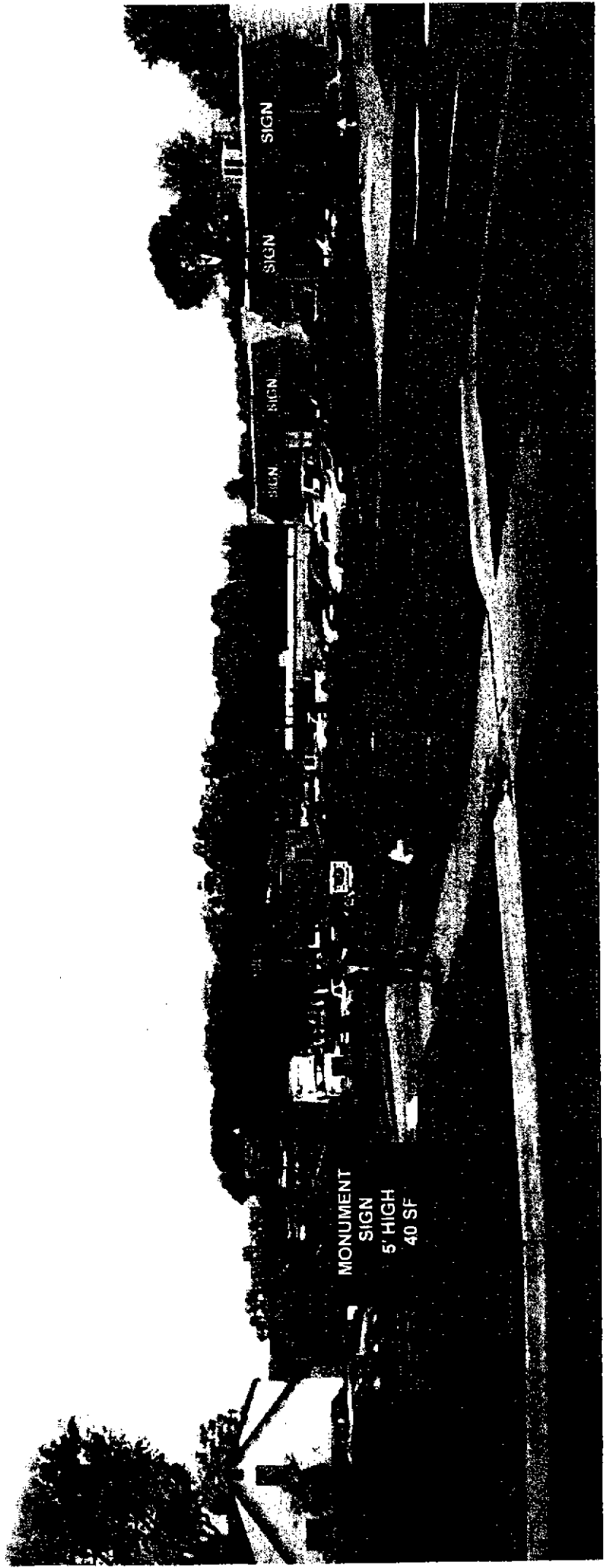
# Ogden Avenue - Existing Conditions



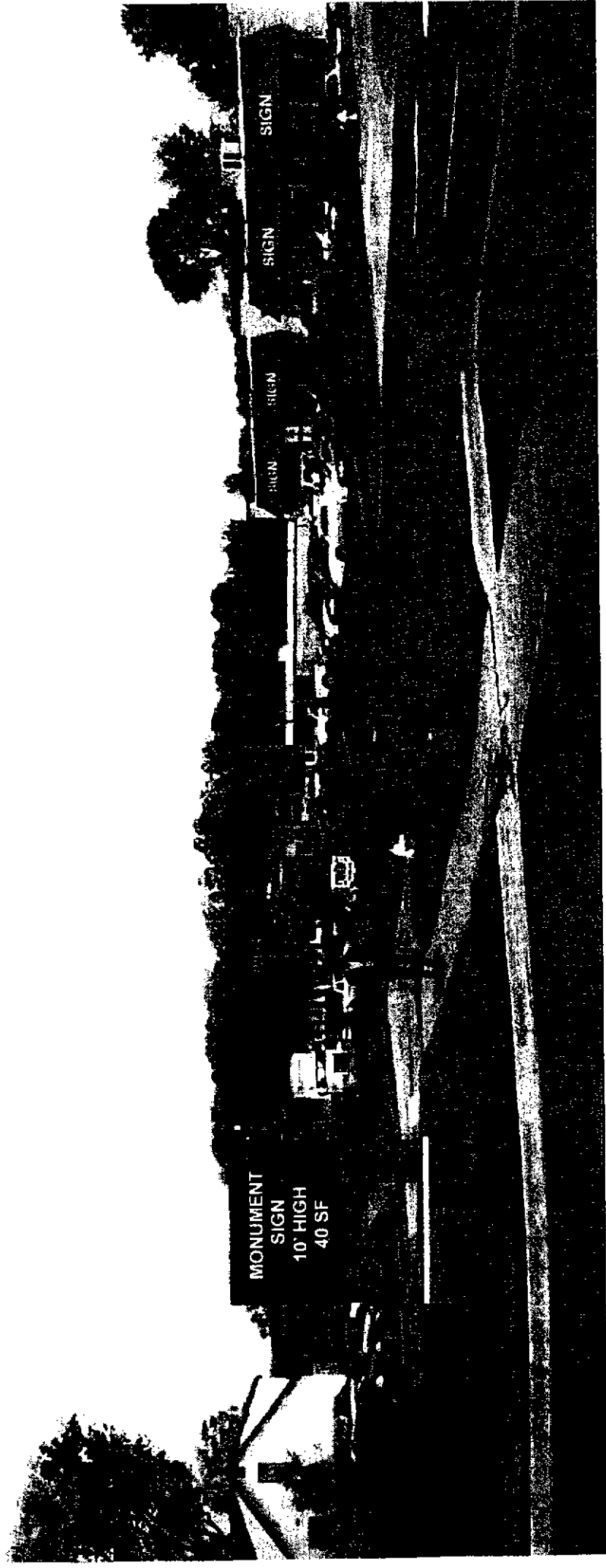
# Ogden Avenue – 10' Monument Sign



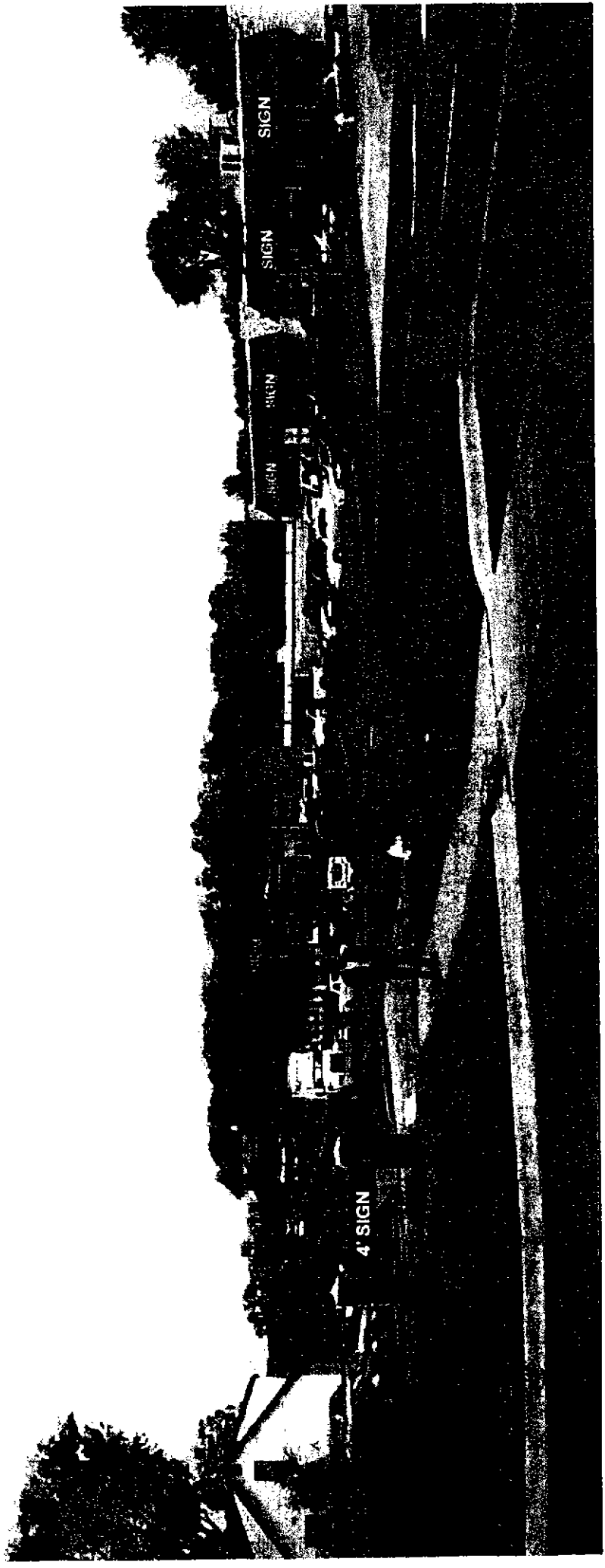
# Ogden Avenue – 5' Monument Sign



# Ogden Avenue – 10' Monument Sign



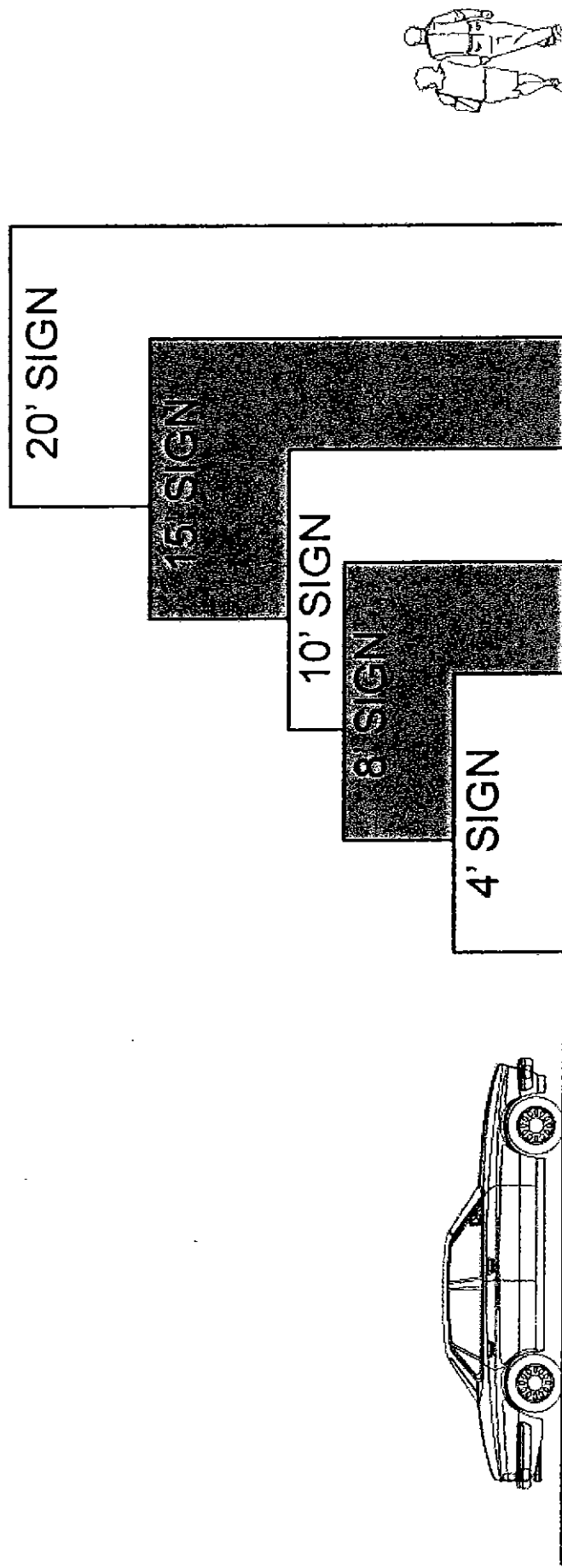
# Ogden Avenue – 4' Sign



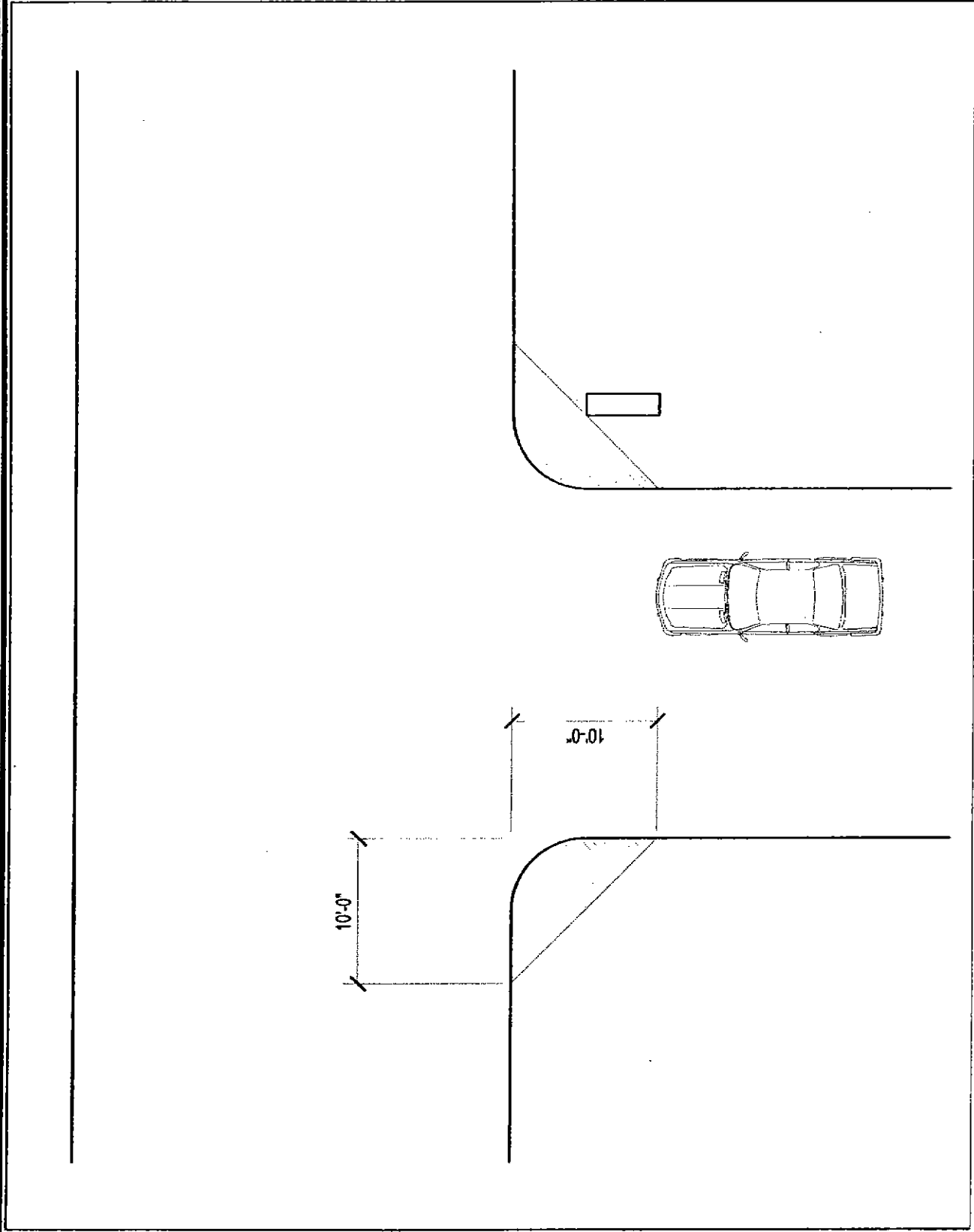
# Ogden Avenue – 8' Sign



# Various Sign Elevations



# Vision Sight Triangle



# DRAFT UNAPPROVED MINUTES

MINUTES  
OF A WORKSHOP DISCUSSION  
WITH THE STRATEGIC PLANNING COMMITTEE  
OF THE ECONOMIC DEVELOPMENT COMMISSION AND  
MEMBERS OF THE PLAN COMMISSION  
ON  
JUNE 28, 2004  
AT THE VILLAGE HALL, COMMITTEE ROOM  
IN THE VILLAGE OF DOWNERS GROVE

On behalf of the members of the Plan Commission and on behalf of the Economic Development Commission [EDC] Strategic Planning Committee [Committee], EDC Chair Riordan began the discussions at 7:10p.m.

**ROLL CALL:** As this meeting was a workshop discussion, attendance was voluntary.

**PRESENT:** Members of the Plan Commission: PC Chair Jirik, Commissioner Griesbaum, Commissioner Matejczyk, Commissioner McCormick, Commissioner Nicholaou, Commissioner Waechter

Members of the EDC Strategic Planning Committee: EDC Chair Riordan, Commissioner Randall, Commissioner Ryan

**STAFF**

**PRESENT:** Joseph Skach, Director, Planning and Community Development Commission  
Beth Janicki-Clark, Prosecuting Attorney, Legal Department  
Keith Sbiral, Planner, Planning and Community Development Commission  
Lori Sommers, Planner, Planning and Community Development Commission  
Ginny Mindo, Admin. Assistant, (EDC Staff) Planning and Community Dev.

**GUESTS:** Chuck Lukas  
George Swimmer, George Swimmer, CPA  
Carrie Swimmer, George Swimmer, CPA  
Joseph Domijan, Zoning Board of Appeals  
Dick Benes, Zoning Board of Appeals  
Linda Kunze, Downtown Management Corporation

**APPROVAL OF MINUTES FROM APRIL 4, 2004**

EDC Chair Riordan asked if there was concurrence on the minutes from the workshop held April 4, 2004. The members of both Commissions concurred.

**SIGNAGE – ORDINANCE REVISIONS**

PC Chair Jirik asked Mr. Skach if he could do a short recap of the meeting on June 22, 2004.

Mr. Skach said the meeting was helpful as it helped to make those who were previously less informed, aware of the moratorium and sign discussion details. Ms. Sommers recapped the agenda issues. She reviewed the packet, focusing mainly on Ogden Avenue, citing the multiple colors, sizes, set backs, lengths of Ogden, design guidelines and site issues. Setback and non-proforming landscaping issues and reduce area for limiting number or type of sign for business amortization. Commissioner Matejczyk asked why the overhead utilities were taken out of the pictures. Ms. Sommers said to make them more clear and easier to see. Commissioner Matejczyk noted that they are a substantial part of the problem and should be recognized. Commissioner Ryan asked if there were any thoughts of pursuing that. Mr. Skach noted that the Village does not have direct authority over Ogden Avenue utilities, but there is a definite visual impact in addition sign clutter. PC Chair Jirik noted that

## DRAFT UNAPPROVED MINUTES

they are out of the process of signs and to move on and review the packet at hand if possible. Mr. Lukas commented that the utilities have a visual impact and that burying utilities are a high priority. He suggested making that a separate topic though. Commissioner Nicholaou agreed, suggesting improving the current Zoning Ordinance regarding signs. PC Chair Jirik asked if there was consensus. Mr. Skach clarified that the discussion this evening was regarding the draft revised sign regulations in the packet in response to Council request and more specifically, more immediate refinements to the existing code as it was noted in the last [June 22, 2004] meeting that additional, more focused time was needed that originally envisioned.

Commissioner Matejczyk asked what probation does the draft ordinance make for churches in residential areas. Ms. Sommers replied that they have it underneath their current zoning, so it is still the same and this one is just to improve what the existing one has.

Commissioner Nicholaou requested clarification if this ordinance was revised, that would mean going forward, including with those business owners who already have neon. PC Chair Jirik asked if a public hearing had been scheduled. Ms. Janicki-Clark replied that they would have to put it in if we want to get the ordinance done. PC Chair Jirik noted that some businesses may become non-conforming. Commissioner Nicholaou replied that it would depend on how much of a change they would want to make. He added that would support "grandfathering" what is already there and no one could bring anymore in.

Commissioner Griesbaum asked how many businesses would be affected by an ordinance change in regards to neon. Commissioner Nicholaou and Commissioner McCormick named several. ZBA Commissioner Domijan mentioned the neon signs that depict the status that the business is open. Commissioner Nicholaou suggested adding a specific verbiage that would allow for business status type signage. ZBA Commissioner Domijan added that it should be within the existing framework of the signage. Commission Chair Jirik brought up what the size issue would entail. Commissioner Nicholaou said he could see a dimension that might be separate from the total signage calculation method, although, you are going to see how the total signage calculation really becomes a problem about how things feel that we have gotten around in town. ZBA Commissioner Benes asked about signs that are inside the windows. Commissioner Randall noted that there is an abundance of neon use, and it could be problematic to discriminate one type against another. Commissioner Nicholaou agreed, noting a conversation on this specific neon topic would be suited for another time where it can be the main focus. ZBA Commissioner Benes noted it was supposed to be part of the discussion. Commissioner Ryan stated that according to the documents, the signs have been reduced 25% with a window space of 50%. ZBA Commissioner Domijan noted that was the case only with an exception if you refer to business status signage. Commissioner Waechtler requested clarification that the restriction on the number of signs they will have, with the exception of open and closed business signs, could be addressed. ZBA Commissioner Domijan noted that the ordinance says they are permissible but must be limited by size. Mr. Lukas asked if he could put a Budweiser sign on his new roof on a high traffic street.

Ms. Janicki-Clark replied that roof signs be prohibited. Commissioner Matejczyk asked what was wrong with argon/neon. PC Chair Jirik replied that it is a problem when it is bare and exposed.

Mr. Randall added that he felt, from a staff standpoint, it would be a good idea to prohibit buildings from being "grandfathered" in as it causes confusion other businesses under different circumstances. Commissioner Nicholaou asked what the date certain was for the existing ones to be done. Commissioner Griesbaum replied that it was 18 months to get it out of the Village. Commissioner Randall added that he could not agree more that we have to be careful, as we are trying to attract new, bigger, broader, tax businesses, and the necessity of treating them with respect.

Mr. Swimmer noted that these are political-type decisions, and if they would probably be rejected by the Village Council. PC Chair Jirik clarified that tonight's assembly is not the deciding factor, that there's a whole adoption process for what ever comes out of this. He added that this is a non-binding, advisory group that will put together thoughts and ideas, and if the Council goes forward, then there is a process of public hearing and drafting of the amendments. Commissioner Nicholaou agreed, restating that he suggests there should still be a date certain on it and if the Council so deems to make the moratorium less or longer, let them do it. PC Chair Jirik noted the problem he saw was that there was no determining factor, hardship or impact, but that there is some recognition that if the rules change, the Village has to give business owners some time to adjust. He added

## DRAFT UNAPPROVED MINUTES

that in some cases, new signs could pose a financial burden to a small business owner. He added that he thought it may also lead to the simple adoption process, from this day forward, here's what they are going to do and are on notice that the Village is looking at a moratorium.

Mr. Skach added that there could be two types of signs to consider. The first being an exterior, outside the building type, and the second being behind glass and inside the store. So there is a distinction between the two and potential room for accommodation. Commissioner Matejczyk mentioned that there would be people who will try to find ways around this. Mr. Sbiral added that neon is also used internally to illuminate letters, which means the illumination would also have to be considered. Commissioner Matejczyk expressed that this group might be trying to over regulate. Commissioner Nicholaou brought up Hinsdale's ordinance stating that it said in one simple line that gas tube signs such as exposing neon and other gas tube signs are prohibited. Mr. Skach asked if that included if the neon is covered by an enclosure. Commissioner Nicholaou said that it used the word "exposed". He also read "Location design of light source, when ever an external artificial light source is used, said source shall be located, shielded and directed so as to not directly visible from any public street or private resident, no receptacle device, housing a permanent light should for a sign shall protrude or low band 18 inches the face of the sign, this is only the neon category or glass tube category". PC Chair Jirik asked if going forward with prohibition on neon was acceptable. Commissioner Randall said that it would be a good idea to move on. Commissioner Nicholaou agreed. Ms. Janicki-Clark stated if the desire is to do a quick fix, you do not want to make more sweeping changes.

Mr. Skach noted the issue of the previously established "registered signs" category noting that if a business proposed not to change the area or the height of the physical characteristics of it, they were allowed keep that sign in perpetuity as far as staff can tell. In addition, this specific non-conforming status may be one that we may potentially want to add in there as prohibited from this point forward. Commissioner Nicholaou agreed. PC Chair Jirik added that ties into "Attention Getting and Pennants." Ms. Janicki-Clark stated that they are similar to the issue of neon. She added that they took out "Searchlights".

PC Chair Jirik asked if anyone had issues with any of the others. Commissioner Nicholaou said that in the current ordinance, a business is only allowed three United States flags on their property. He also added that icon type displays should also be eliminated.

PC Chair Jirik noted that the last item identified was the rooftops; and if it is just going forward, we're not going to make any new ones, and if they are designated legal nonconforming, it doesn't give them any special status that exists. Ms. Janicki-Clark noted that it is already in the ordinance and she did not think there was anything in need of change.

PC Chair Jirik brought up tightening the ordinance and that if any sign does not meet code, it must be replaced; this includes registered signs. Commissioner Nicholaou agreed. Commissioner Nicholaou introduced a slide of a former mortgage company's sign stating under this current ordinance, if a business is hands, a sign like this, that is not up to code's standards, should be removed. Ms. Janicki-Clark replied that would unfortunately require permission.

Ms. Swimmer said she heard, from meeting on the June 22, 2004, that if signs currently put in did not meet the Village's new criteria, they would have to be redone. Ms. Janicki-Clark replied that was only the proposed complete rewriting of the sign code that this discussion pertained to the existing sign code, which would leave the nonconforming section in our sign code that we have right now affective. However, under the new proposed rewrite, there was an amortization schedule that did say all signs had to be done on a certain date. Ms. Swimmer stated that the Village is having enough trouble now enforcing the existing sign regulations, how can all of these other issues be added. Commissioner Ryan noted that this is in the businesses due diligence when they are purchasing a building. PC Chair Jirik explained that what this evening's goal is to identify the legal concepts and identify if we want to go forward with the more immediate revisions. Commissioner Nicholaou cited that there is just too much to do in the new ordinance with talking about monument signs and size, etc; but there can be many positive changes just by improving the current ordinance.

## DRAFT UNAPPROVED MINUTES

A discussion then ensued regarding particular properties that has not only several undesirable signs on its premises, but some of the signs are advertisements for other businesses. Mr. Skach stated that this pertains to "off site signage". Ms. Janicki-Clark clarified that it is not permitted in the ordinance to have signs one business on another's property and that those signs should come down. PC Chair Jirik requested clarification that an advertising sign, as an entity, would go away/strike advertising. Commissioner Nicholaou read from the current code, Section G regarding maintenance of signs, which read "All signs should be properly maintained which includes, but limited to, broken or missing parts, no rust, oxidation, no faded or similar conditions or district there faded or property maintains a sign the Village Constitute of the Section, if the Code Services Director finds that any sign has not been properly maintained, in accordance with this section, he shall give written notice of such violation of the owner, occupier on the premise where the sign is located. Such certification should be described as a violation and provided a reasonable period of time, the reasonable period of time means they have a time frame". PC Chair Jirik noted the definition of maintenance has to preclude alteration, that it is has to be replaced in time, otherwise, they are going to use maintenance to get around the moratorium. He noted that the definition needs to be refined. Commissioner Nicholaou stated that it does not give a date and time of completion. Ms. Sommers noted that it does in the rewritten ordinance.

The discussion then moved to the issue of temporary signs with Commissioner Nicholaou displaying some examples via slides. He read from the code. All temporary signs will be removed by the person or organization who caused the erection of the sign. He noted undesirable vinyl signs were displayed and PC Chair Jirik asked if this was an enforcement issue. Commissioner Nicholaou said yes, noting the ordinance also states that 50% of your window cannot be covered material. He then displayed businesses in violation of that particular ordinance. Commissioner Ryan asked if this was addressed in the rewrite. Ms. Sommers replied that it is covered under Tennant frontage. Mr. Skach noted that they do not want the temporary signs already displayed to become permanent signs. Ms. Janicki-Clark suggested defining temporary signage as not being final signage. PC Chair Jirik asked if a permit is required for converting signs. Ms. Janicki-Clark said yes, that the total number of days that an external temporary sign permit can be issued would not exceed 60 days for calendar year. PC Chair Jirik asked if the Village had the ability to say a sign is a temporary signs from other signs. Ms. Kunze brought up the issue of business promotions, and signage that is posted on a seasonal or special basis. PC Chair Jirik said that the definition must address vinyl signage.

Commissioner Nicholaou then showed an example of a business with two signs on the property, suggesting that only one sign is necessary, and that the ordinance that allows 100-foot spacing between signs be eliminated. Commissioner Waechtler agreed. Mr. Sbiral said that if the property owner cannot have several signs, they would probably just make a larger sign. PC Chair Jirik noted that the 100-foot allowance was probably enforced for the protection of other business' signs not being blocked. He also asked about the signs that would be inside of the businesses, and the need to allow some flexibility between wall and monument signs. Mr. Skach replied that this is currently done through the allocation method based on lineal feet of site frontage method we now use.

Commissioner Nicholaou commented on how complex the issue is, and suggested recommending to the Council an increase, by at least two people, on the code enforcement staff, because this work cannot be done without them. He added that if this is done in the next 60-90 days, there would be a dramatic improvement to what the town looks like just by enforcing the existing code. Commissioner Nicholaou also suggested having the color-coding allow for no more than three colors that include black and white as colors.

Commissioner Ryan returned to the issue of enforcement suggesting that instead of recommending a number of people to be hired, we should suggest enforcement of the rules on our books. PC Chair Jirik suggested inclusion of an observation that there seems to be opportunities for enforcement. He noted that there are a number of mechanisms as opposed to increasing headcount, especially at budgetary times, when the message might get lost.

Commissioner Nicholaou proposed that signs that are put up would not be allowed to infringe on another business's sign that is currently in place. Commissioner Ryan added that sight-lines would need to be considered for any new signage. PC Chair Jirik asked for the definition of a sight-line. Mr. Skach noted that currently the guidelines to address this are setbacks. Commissioner Nicholaou added that the current ordinance could be modified to all new signs would have to be eight feet high. ZBA Commissioner Benes reminded

## DRAFT UNAPPROVED MINUTES

everyone that some of the businesses, such as CVS, that are now in, with all the disruptive signage, were encouraged to come in, and their signs were approved. Mr. Lukas asked, under the rewritten ordinance, would the store's sign be conforming? Commissioner Nicholaou said they would not. Mr. Sbiral noted that the CVS business received a special use through the Plan Commission.

Mr. Randall asked about the parking of inoperable vehicles for advertising purposes. Commissioner Nicholaou replied that is against code. Ms. Janicki-Clark added that if it is a licensed and operable vehicle, it was allowed to be on the premises. Commissioner Waechtler said that it did not seem right that a vehicle could be a sign. Mr. Nicholaou said it was a loophole that would need to change. Ms. Sommers asked about delivery trucks. PC Chair Jirik clarified that there are the vehicles that are in use, and then there are the "sham" vehicles, are those temporary signs on the inoperable vehicles, or should they now be allowed to do it. The group concurred that inoperable vehicles should not be allowed on the businesses properties.

The discussion returned to the line of sight with Commissioner Matejczyk noting it is also a safety issue. Mr. Skach noted that from a safety standpoint, the line of site is controlled for safety purposes. One strategy is the site triangle, which we probably need to strengthen it in the sign regulation. The other is the issue of setbacks. Talking about "lines of sight" presumes a common reference point for that line of sight that may not be able to be a one-size-fits all. PC Chair Jirik noted if we incorporate the site triangle; make sure that is highly captured as a first step. He added that they could discuss the line of sight in the future. Commissioner Nicholaou agreed. Mr. Skach noted that what may need attention is that no signage shall obstruct views from possibly an area from 3 feet to 6 feet, that you need to be able to see potentially through a sign in that window for safety concerns. ZBA Commissioner Domijan recommended that the height should be 12 ½ feet. Ms. Sommers informed him that it is currently at 10 feet. Commissioner Matejczyk stated that 10 feet is not adequate due to the road speed.

### PERMITTED SIGN TYPES

PC Chair Jirik noted that the Village needs to give businesses some flexibility between whether they want to have a freestanding or a wall sign or a monument. Mr. Skach said that if there is concurrence to recommend that free standing signs are removed, which was a part of the context of discussions the Council, that leaves a set of issues that need to be addressed with respect to monument signs as noted in the draft revision of the whole ordinance. He added if free standing signs stay, there is the issue of maximum height that is a central issue. In addition, the question whether all areas in Downers Grove be under the same regulation. Commission Chair Riordan suggested investigating what other communities have done. Commissioner Nicholaou said that they have, and one thing they clearly saw was that if you strictly drive through Downers Grove, we have 10 foot, 5 foot, 12 foot signs all over the place; but when you get to Hinsdale, there are four sets of monument signs on each corner. He also noted that many business that have free standing signs that are blocked by trees, and would be better off with a lower monument sign. Commissioner Nicholaou also noted the shopping centers that have all of their stores listed on a pole, which, when you are driving by, you would not have time to read them. He then used the example of Market Meadows in Naperville, which is a shopping center that contains approximately 20 stores and the fact that it only lists "Market Meadows" on its pole sign along with their anchor tenant. Commissioner Nicholaou suggested enforcing a height restriction on monument and pole signs. He added that they should also enforce the two-acre rule, which had been discussed in the past, to eliminate some of the undesirable car dealers. Commissioner Waechtler asked how many freestanding signs were on Ogden Avenue. Commissioner Nicholaou replied that they counted 170 that they photographed. He added that there were approximately 30 abandoned signs that code enforcement should remove. Commissioner McCormick expressed the surprise he felt when he was reviewing all the signs on Ogden Avenue, and that he had never noticed the abundance that was out there. EDC Chair Riordan asked if they thought the signs should be free standing. Commissioner Nicholaou said that he did not think they should be free standing, but would recommend that the height ought to be eight feet. PC Chair Jirik agreed they should be shorter, but the specific height number is more complex because you do not want to change it now then change it again in a couple of months. Commissioner Matejczyk noted that Butterfield would be different from Ogden anyway. PC Chair Jirik added that 75<sup>th</sup> Street would also differ. He added if we going make changes on our side of the street and Woodridge is not making changes on their side of the street, could they use it as some kind of business attraction.

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Mr. Skach noted that Ogden Avenue has been the focus of discussion for a long time, and that we could use that as the starting point, if you could come to some conclusion there, it will help shed some light on some of the other corridors. Commissioner Matejczyk stated that the basic problem is the small parcels. Mr. Skach added there were some discussions along those lines of multitenant buildings or single tenant buildings and a discussion about what the proper signage should be and whether their individual tenant sign would be on the building and not out on Ogden. Commissioner Waechtler asked if the business has a monument sign or panel, does that preclude them from having any kind of wall sign. Mr. Skach noted that those are discussion issues that just came up. Mr. Skach also mentioned should speed limits be a possible determining factor of sign size. Ms. Janicki-Clark said they could be.

PC Chair Jirik asked Ms. Sommers what the draft they received was modeled after. She replied that it was modeled after Naperville and Hinsdale and taken from a couple others. PC Chair Jirik asked if they were validated in use ordinances. Ms. Sommers replied that they were. PC Chair Jirik commended the staff on the work they did preparing the document in a short amount of time with complex issues. Mr. Skach said there was definitely an attempt to try to pin down as much as possible and there was recognition that unilateral decisions could not be made without committee and public input.

PC Chair Jirik noted that there are two ways this could be handled, first, we might go in with a series of redrafts and adjustments, or as an alternative, report to the Council that this is a lot more work, and we can give them what we already have, and potentially develop the signage project here or it could be taken into the hearing process with the understanding that there would be several hearings with a smaller work committee with time to address issues made by the constituents to work out the nuts and bolts and then get it out to the Council. So it is a question of do you workshop it, or do you begin the adoption process. Ms. Janicki-Clark did not think the proposed complete draft ordinance was ready to go to the Council yet. She said that they need more discussion at this level. Mr. Skach suggested the possibility of taking this more immediate fix document to the Plan Commission. He added if we are now taking the existing code and coming up with something completely new with these potential gray areas the Plan Commission may be a workshop session, which is a public hearing at that point to try to work it all out. Commissioner Nicholaou said that is beyond the normal work that the Plan Commission does. He added that they need to find some way in the current ordinance to stop Enterprise from ever occurring again. Ms. Janicki-Clark noted that would require the complete rewriting of the ordinance. Commissioner Nicholaou cited that this was a 650 square foot building that now has 2,000 square feet of signage. Ms. Janicki-Clark said that is all addressed in the complete rewrite. Mr. Skach said one potential way to go is removal of the allocation method of determining sign area altogether. He noted that may take more discussion to come to concurrence to what the method should be. Ms. Janicki-Clark stated before this group goes any further as far as what we've changed in the existing ordinance, that we would then go to the new ordinance. She added that there is really no way to start throwing it all into the old ordinance. She added that this group could give the Council and the community something that takes away many of the offensive things. Commissioner Griesbaum suggested going through and finding out what is really offensive and what is against code. Commissioner Nicholaou suggested all the Commission members to drive Ogden Avenue and really take a look at all the current signage so that the next we meet and sit down and put a CD Rom together and make a decision.

PC Chair Jirik noted that the height issue is very dependent on districts. He asked the assembly if they felt there was an ability to address the height or should the conclusion be that it is too interdependent and this group is not ready to make a decision yet. Commissioner Matejczyk said that it is very interdependent, on the size, and the thoroughfare, and the size of the frontage; there needs to be a formula or some method. Commissioner Randall added it is a very comprehensive and complex issue.

Commissioner Ryan came up with the idea of having a direction aide on each corner that lists the businesses instead of the signs actually being on the business's property. Ms. Sommers noted that there's actually in the draft ordinance that says if you don't have "X" amount of sq footage, for a lot, you won't get a monument or freestanding sign because it's too small and Ogden has very small lots. Commissioner Ryan added that the business owners would save money for all they signs they would not have to put up. Commissioner Nicholaou noted that this topic would merit another detailed discussion. Mr. Skach noted, that the Council asked this group's input, and given the amount of time that we have to look at this issue, we can go and inform of the issues of concern in the current code. Commissioner Waechtler asked if Mr. Skach was familiar with any other shopping centers that did something similar to what Commission Ryan mentioned. Mr. Skach said he had not,

## DRAFT UNAPPROVED MINUTES

but they could potentially be located somewhere and adapt it to what we want to do if that is the consensus. Commissioner Ryan said it would be on public property and each business would have to pitch in according to the size of their building to help maintain it. He added that the Village would not need to have an additional cost. Ms. Swimmer said she could sell her building if she could not put her own business sign up. She said it would cause an "uproar" among the business owners. EDC Chair Riordan noted that lawn signs are what you see mostly on Main Street. Ms. Swimmer said nowhere in the existing code is notation of monument signage. She added that freestanding signs need to be clarified. Ms. Janicki-Clark said it is not in the existing code. Commissioner Nicholaou mentioned to Ms. Swimmer that these are not finality conversations.

PC Chair Jirik noted that this group has worked very hard on all the interrelated aspects of the sign ordinance and we have the beginnings of a very good working document that this group found was connected to all the other aspects of signs. He noted that he got the sense that there was concurrence regarding going shorter in height, but we can not specify until we have addressed things like monuments, speed, different traffic corridors, and different areas. So, we agreed with the Council, shorter, but because of the uniqueness of areas. He added that this has to be done as a package so it works. Commissioner Matejczyk added that lack of enforcement is a major issue. Ms. Janicki-Clark noted that the adjunct issue is the moratorium, and if it is going to be lifted. PC Chair Jirik that they could either extend the moratorium, which would have it's own set of negatives, or turn the moratorium off, but be sure to make the business owners aware there is this fairly substantive change that's in order. Ms. Janicki-Clark added that the business owners need to be reminded, in regards to signage, to do everything at your own risk because their sign might need to come down in five years. Commissioner Waechtler said that he thought Ms. Petrarca had already begun the process. PC Chair Jirik noted the moratorium comes out with the instant fixes, and the work product is the advice, so to anyone doing a sign, good changes are coming. Mr. Skach added that this packet discussed tonight would be attached to a petition that goes forward at this point. Commissioner Waechtler asked if the moratorium was in affect. Commission McCormick said that it would be up to the Council. PC Chair Jirik added if they let it lapse, his caution would be some method to clearly signal that change is coming.

ALAN JIRIK, COMMISSION CHAIR, PLAN COMMISSION  
AND  
MICHAEL RIORDAN, ECONOMIC DEVELOPMENT COMMISSION