Village of Hanover Park
Administration

Municipal Building
2121 Lake Street
Hanover Park, IL 60133-4398

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www.hpil.org

PRESIDENT
RODNEY S. CRAIG

VILLAGE CLERK
EIRA CORRAL

TRUSTEES
WILLIAM CANNON
JAMES KEMPER
JENNI KONSTANZER
JON KUNKEL
RICK ROBERTS
EDWARD J. ZIMEL, JR.

VILLAGE MANAGER
JULIANA A. MALLER

VILLAGE OF HANOVER PARK
DEVELOPMENT COMMISSION
REGULAR MEETING

Municipal Building, Room 214
Hanover Park, IL
Thursday, October 11, 2012
7:00 p.m.

AGENDA

1. CALL TO ORDER: ROLL CALL

2. PLEDGE OF ALLIEGENCE:

3. ACCEPTANCE OF AGENDA:

4. PRESENTATIONS/REPORTS:

4. APPROVAL OF MINUTES:
- **4-a.** August 30, 2012
- **4-b.** September 13, 2012

5. ACTION ITEMS:
- **5-a.** Consider changes to the regulation of automatic changeable copy signs (electronic signs) and make a recommendation to the Village Board.
- **5-b.** Consider rescheduling of the November 8, 2012 and January 10, 2013 meeting dates. (No Paperwork Attached.)

6. TOWNHALL SESSION:
Persons wishing to address the public body must register prior to Call to Order. Please note that public comment is limited to 5 minutes per speaker.

7. OLD BUSINESS (NON-ACTION ITEMS):

8. NEW BUSINESS (NON-ACTION ITEMS):
- **8.a.** Opening Meetings Act Training Requirements
- **8-b.** Community Development Update – Village Planner Katie Bowman (No Paperwork Attached.)

9. ADJOURNMENT:

Village of Hanover Park

Municipal Building
2121 Lake Street
Hanover Park, Illinois
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Rodney S. Craig
Village President

Eira L. Corral
Village Clerk

Juliana Maller
Village Manage

Agenda Item 4a

VILLAGE OF HANOVER PARK

DEVELOPMENT COMMISSION MEETING

Municipal Building, Village Board Room 214
2121 W. Lake Street
Hanover Park, IL 60133

Thursday, August 30, 2012

7:00 p.m.

MINUTES

1. CALL TO ORDER: ROLL CALL

Chairperson Wachsmuth called the meeting to order at 7:02 p.m. and appointed Auxiliary Member James Aird as a full voting member of the Commission for this meeting.

PRESENT:	Commissioners:	Jim Aird, Arthur Berthelot, Mark Mercier, Scot Neil, Chuck Plaia, Gary Rasmussen, Chairperson Virginia Wachsmuth
ABSENT:	Commissioners:	Patrick Watkins
ALSO PRESENT:		Auxiliary Member Robert Hain, Village Planner Katie Bowman, Inspectional Services Chief Ann Marie Hess, Secretary Regina Mullen; Planning Intern Brian Hacker, Petitioner Todd Mosher of Atwell, LLC, Residents/Petitioners Delmer and Yvonne Neel

2. PLEDGE OF ALLIEGENCE:

3. ACCEPTANCE OF AGENDA:
Motion by Commissioner Mercier to accept the Agenda as presented, seconded by Commissioner Berthelot.

Voice Vote:
All AYES.
Motion Carried: Agenda Accepted.

4. **PRESENTATIONS/REPORTS:** None.

5. **APPROVAL OF MINUTES:** None.

6. **ACTION ITEMS:**

6-a. **Public Hearing**: Consider a request by Todd Mosher of Atwell LLC (applicant) on behalf of Menard, Inc., (property owner) for the following approval of a Special Use from the Village of Hanover Park Zoning Ordinance to allow a Motor Vehicle Service Shop in a B-2 Zoning District; a Variation from the Village of Hanover Park Zoning Ordinance for a fifteen foot (15') reduction of the required twenty five foot (25') front yard setback; and a Variation from the Village of Hanover Park zoning Ordinance to increase the maximum permitted lot coverage of 75% to 78% to permit the construction of a one-story commercial building on Lot 5 of the Menard's Subdivision on Irving Park Road, Hanover Park, Illinois.

Chairperson Wachsmuth entertained a Motion to Open the Public Hearing. Motion by Commissioner Mercier to Open the Public Hearing, seconded by Commissioner Berthelot.

Voice Votes:
All AYES.
Motion Carried: Public Hearing Opened.

Village Planner Bowman stated a Notice of the Public Hearing was posted in the Daily Herald on, August 10, 2012 and Return Receipt Requests were received from the applicant. A summary of the case was presented along with site photos. This area encompasses many auto uses (approximately 10), and reference was given to the recent Irving Park Road Corridor Study which recommended a need for more diverse uses in this area to expand the economic base.

Chairperson Wachsmuth – Requested Petitioner Todd Mosher of Atwell LLC, 1245 East Diehl Road, Naperville, IL step up to the podium to be sworn in.

Petitioner Mosher– Summarized a request from Atwell LLC for a Special Use and Zoning Variation to construct a Discount Tire retail and service outlot. This business is privately owned with well over 800 stores across the United States. They are devoted solely to the sale of wheels and tires. There is no service work performed on any vehicles such as oil changes, alignments, mufflers, body repairs. Vehicle service is limited strictly to installing and servicing wheels and tires. Hours of operation are 8:00 a.m. – 6:00 p.m. six days a week. They are closed on Sundays. The building is approximately 7,000 sq. ft. with six installation bays and a front showroom area. This building is approximately 26 sq. ft. in height and constructed of all masonry.

There is no exterior storage. Their policy does not allow overnight parking of vehicles. Mr. Mosher referred to the unusual lot line configuration of this outlot that includes a portion of common entry drives and this it puts them slightly over 78% of lot coverage.

Mr. Mosher stated their request for 40 spacing spaces is due to the need of adequate employee parking (7 full time employees and roughly 8-10 part time employees there at one time). With approximately 15 spaces for employee parking, 25 spaces remain for customer parking. If they are doing a good business, they can turn cars every 15-17 minutes within those six bays, and that doesn't include the customers who come by to get an estimate, tire check, etc.

Chairperson Wachsmuth requested members of the audience who would like to speak on this topic step up to the podium. (None.)

The meeting is turned over to Commissioners for questions.

Commissioner Rasmussen – No questions.

Commissioner Neil – Questioned the storage of tires inside the building.

Petitioner Mosher – New tires will be stored in the mezzanine and old tires are stored in a designated room. Discount Tires has a separate recycling and delivery company. Deliveries are arrive once a week.

Commissioner Berthelot – Referred to the Irving Park Road Corridor Study's indication that the area has too much retail and not enough of something else. Noted that Irving Park is a hodge podge of too much retail and questioned the amount of research done by Discount Tire and their choice of location. He questioned the designated storage of tires within the building.

Petitioner Mosher – Stated Discount Tire has never closed a store. The company has a strong history of site location designation. Discount Tire stated the diameter of the water line they require for their fire suppression system is an 8" diameter. They will build in line with the Village Building Codes.

Commissioner Plaia – No questions.

Commissioner Mercier – Questioned Discount Tire building configurations. Would it be financially viable to put in a smaller configuration in Hanover Park? Commissioner Mercier felt the piece of land is too small for the size of the building, and he is sensitive to the diversity of the businesses in the area and further stated that Just Tires is exactly across the street.

Petitioner Mosher – Stated their primary footprint and the majority of their stores are a six bay. Just Tires does full service including oil changes, transmissions, etc. Discount Tire would be the only business in Hanover Park that really does "just tires."

Chairperson Wachsmuth – Questioned the need for this type of auto related business in this area with most of them selling tires. Referred to the Village Comprehensive Plan calling for diversity. Concerned about the impact on existing businesses and the Irving Park Road Corridor study findings of too many auto related retail businesses in this specific area and flooding concerns.

Chairperson Wachsmuth entertained a motion to close the Public Hearing.
Motion by Commissioner Mercier to close the Public Hearing, seconded by Commissioner Neil.

Voice Votes:
All AYES.
Motion Carried: Public Hearing Closed.

Chairperson Wachsmuth - requested Planner Bowman present the Draft Findings of Fact and questioned the Commission on the need for amendments which included retail diversity, financial impact of current businesses and Irving Park Road Corridor Study findings.

Village Planner Bowman presented the Draft Findings of Fact for the Special Use and stated how the Commission votes on the Special Use will impact the Variance.

Stated that this Commission should consider the required standards of review for a special use when making their findings of fact and determining their recommendation. The standards of review generally address:

1. Whether the use is appropriate at a particular location
2. Whether the use has an undue impact upon neighboring properties and the Village as a whole and whether those impacts may be mitigated
3. Whether the use supports the goals and policies of the Comprehensive and other plans of the Village

Based upon these considerations, the Commission recommended several changes to the Draft Findings of Fact related to B. Surrounding Use and Property Value, C. Conformance with Comprehensive Plan, and D. Development and Improvement of Surrounding Property. Planner Bowman summarized their recommended changes, which were then incorporated into the Findings of Fact.

Chairperson Wachsmuth entertained a motion to Approve the Draft Findings of Fact. Motion by Commissioner Mercier to approve the Draft Findings of Fact, seconded by Commissioner Berthelot.

Roll Call Vote:

AYES:	Commissioners:	Aird, Berthelot, Mercier, Neil, Plaia, Rasmussen, Chairperson Wachsmuth
NAYS:	Commissioner:	None
ABSENT:	Commissioners:	Watkins

Motion Carried: Approved the Draft Findings of Fact – Special Use and requests this item be presented to the Village Board for consideration.

Commissioner Berthelot – Has a concern over the findings of the Irving Park Road Corridor regarding too much retail.

Commissioner Aird – If the Petitioner's request is approved, what is the impact on existing auto related businesses in this area?

Chairperson Wachsmuth – Referred to our Comprehensive Plan on diversity and stated that this is a recommending Commission with the final approval coming from our Village Board. Stated she is not in favor of a variation for the impervious section, however she can go with the setback.

Commissioner Berthelot – Is concerned over creating a drainage problem.

Petitioner Mosher - The stormwater management is already in place for this area, and Discount Tire will be held to that standard.

Chairperson Wachsmuth - entertained a motion to consider the Petitioner's request subject to the proposed conditions. It would be used as depicted on the site plan and landscape plan; any vehicles stored on the premises overnight will be stored inside the building, no outdoor displays, sales or storage of materials is permitted on site; and no auto repair work is to be performed outside of the closed repair bays.

Village Planner Bowman – If this Commission is concerned with the impact of this business to existing auto retail businesses, it should consider limiting Discount Tire being only for sales and installation of tires and wheels. Any deviation from this in the future would require a variance to the existing Special Use. The Development Commission may include a condition of approval which states that the approved use is limited to sales and installation of tires and wheels.

Commissioner Berthelot – Request this business be limited to only the sale and installation of tires and wheels.

Motion by Commissioner Mercier to recommend approval of the Petitioner's request subject to the Special Use as amended and the conditions as amended, seconded by Commissioner Plaia.

Roll Call Vote:

AYES:	Commissioners:	Aird, Berthelot, Neil, Plaia, Rasmussen,
NAYS:	Commissioner:	Mercier, Chairperson Wachsmuth
ABSENT:	Commissioners:	Watkins

Motion Carried: Approved the Special Use as amended and the conditions as amended and requests this item be presented to the Village Board for their consideration.

Village Planner Katie Bowman – Presented the Draft Findings of Fact – Variations.

Chairperson Wachsmuth – entertained a Motion to consider the Draft Findings of Fact.
Motion by Commissioner Mercier to approve the Draft Findings of Fact, seconded by Commissioner Berthelot.

Roll Call Vote:

AYES:	Commissioners:	Aird, Berthelot, Mercier, Neil, Plaia, Rasmussen, Chairperson Wachsmuth
NAYS:	Commissioner:	None.
ABSENT:	Commissioners:	Watkins

Motion Carried: Approved the Draft Findings of Fact.

Chairperson Wachsmuth – entertained a Motion to recommend approval of the Variations.
Motion by Commissioner Mercier to approve the Variations, seconded by Commissioner Berthelot.

Roll Call Vote:

AYES:	Commissioners:	Aird, Berthelot, Neil, Plaia, Rasmussen
NAYS:	Commissioner:	Mercier, Chairperson Wachsmuth
ABSENT:	Commissioners:	Watkins

Motion Carried: Approved the Variations and requests this item be presented to the Village Board for their consideration.

6-b. Public Hearing: Consider a request by Delmer and Yvonne Neel for a Variation from the Hanover Park Zoning Ordinance for a six (6) foot reduction in the required 30 foot rear yard setback to permit the construction of a room addition to an existing, single-family detached residence at 1500 Ramblewood Drive.

Chairperson Wachsmuth entertained a Motion to Open the Public Hearing. Motion by Commissioner Mercier to Open the Public Hearing, seconded by Commissioner Berthelot.

Voice Votes:
All AYES.
Motion Carried: Public Hearing Opened.

Village Planner Bowman stated a Notice of the Public Hearing was posted in the *Daily Herald* on, August 10, 2012 and Return Receipt Requests were received from the applicant. A summary of the case was presented along with site photos.

Chairperson Wachsmuth – Requested Petitioners Delmer & Yvonne Neel of 1500 Ramblewood Drive, Hanover Park, IL step up to the podium to be sworn in.

Petitioner Delmer Neel – Thanked the Commission for their consideration in this matter.

Chairperson Wachsmuth opened up questions from the audience. With no one present to speak on this topic, Chairperson Wachsmuth requested questions from the Commission.

Commissioner Berthelot – As long as there is no existing swale he is in favor of this request. Staff clarified that the proposed building will not be within a drainage easement.

Commissioner Rasmussen –No Questions.
Commissioner Neil – No Questions.
Commissioner Plaia – No Questions.
Commissioner Aird – No Questions.
Commissioner Mercier – How far will the addition come out?

Petitioner Neel indicated the addition would not go beyond the existing concrete patio.

Chairman Wachsmuth entertained a motion to close the public hearing.
Motion by Commissioner Berthelot to close the Public Hearing, seconded by Commissioner Plaia.

Voice Votes:
All AYES.
Motion Carried: Public Hearing Closed.

Village Planner Bowman – Presented the Draft of Findings for the construction of a room addition to an existing single-family, detached residence.

Chairperson Wachsmuth – entertained a motion to approve the Draft Findings of Fact.
Motion by Commissioner Mercier to approve the Draft Findings of Fact, seconded by Commissioner Berthelot.

Roll Call Vote:

AYES:	Commissioners:	Aird, Berthelot, Mercier, Neil, Plaia, Rasmussen, Chairperson Wachsmuth
NAYS:	Commissioner:	None.
ABSENT:	Commissioners:	Watkins

Motion Carried: Approved Draft Findings of Fact.

Chairperson Wachsmuth – entertained a motion to approve the Petitioners request based on the Draft Findings of Fact.
Motion by Commissioner Mercier to approve a six foot reduction in the required 30 foot rear yard setback for the construction of a room addition, seconded by Commissioner Berthelot.

Roll Call Vote:

AYES:	Commissioners:	Aird, Berthelot, Mercier, Neil, Plaia, Rasmussen, Chairperson Wachsmuth
NAYS:	Commissioner:	None.
ABSENT:	Commissioners:	Watkins

Motion Carried: Approved the Variation to the Hanover Park Zoning Ordinance and request this be presented to the Village Board for consideration.

7. TOWNHALL SESSION: None.
Persons wishing to address the public body must register prior to Call to Order. Please note that public comment is limited to 5 minutes per speaker.

8. OLD BUSINESS (NON-ACTION ITEMS):
Development Commission Training Update - Village Planner Bowman
A Customized training workshop will be held on September 13, 2012. Representatives from The Chaddick Institute/DePaul University will present topics relating to planning official responsibilities, challenges, ethics, meeting procedures, conflicts of interest and topics tailored to specifics of Hanover Park. Training will last 2-3 hours.

9. NEW BUSINESS (NON-ACTION ITEMS):

9-a. Discussion of Regulations of Automatic Changeable Copy Signs.
The Village Board requests this Commission discuss existing regulations relating to automatic changeable copy signs. A summary of this discussion will be forwarded to the Village Board for direction.

Village Planner Bowman – Based on changes to technology and business desires relating to electronic signs (also referred to as automatic changeable copy signs), staff recommends our current regulations be reviewed to ensure they meet the needs of businesses wishing to display electronic messages.

The Village is displaying a new electronic entryway sign along Barrington Road in the Westview Shopping Center. Staff is currently formulating standards for display on this sign, which are expected to go beyond that permitted for private businesses. As a governmental sign, this sign is not subject to standard regulations. However, for consistency, staff recommends that regulations for private businesses be updated to be more in line with what the Village will be displaying.

Our current code permits one color and the background must be black, no movement is allowed, copy is not to change more than once every 90 seconds, and the copy shall not advertise products or services not available on the lot where the sign is located. Also, the location of automatic changeable copy signs is restricted. Freestanding signs, not located in shopping centers, are currently permitted up to 64 sq.ft. of electronic signage. Businesses in shopping centers with over 300 ft. of frontage are permitted 25% of that being an electronic sign.

Under our current regulations, churches or anything in residential districts are not permitted to have electronic signage.

There were several changes to the existing automatic changeable copy sign regulations recommended in our Unified Development Ordinance (UDO) that was drafted following the completion of the Comprehensive Plan. When the UDO is adopted, any changes to automatic changeable copy signs may be incorporated.

Commissioner Mercier – Questioned what prompted the interest in looking at this.

Village Planner Bowman – This request came from staff based upon requests that we are receiving from businesses and from us looking at other Village regulations. We have found that our regulations are not up to date.

Typically Villages permit electronic signs with various considerations and typically, around us, they do not permit a video sign.

Staff is looking at direction from this Commission in relation to colors, do we want to permit multiple colors or one color, do we want to permit pictures, do we want to permit video? What the duration of changing of copy would be. Our current 90 seconds between messages is too long. We found on average of 3-7 seconds. What we have been doing with the Village sign is it takes about one second to read each line of copy. Typically, the signs will have 2-4 lines of copy. Another consideration is to look at what zoning districts these signs are permitted. Our regulations permit them in business districts of B1 & B2 districts. One consideration would be whether to permit them in what currently is the Historic District and planned for the Village Center area and more pedestrian-oriented districts. Do we want to talk about where the signs can be located in relation to an intersection

Chairperson Wachsmuth – Questions whether our current sign standards have parameters already set. Would placement of electronic sign be different? Chairperson Wachsmuth provided the Commission with a handout on the brightness/illumination of the sign.

Village Planner Bowman – No. Signs are permitted at schools and churches in residential districts and illumination of signage will be regulated as well. Illumination is more technical and more difficult to measure and enforce.

Our sign regulations are not within the Zoning Code, they are in Chapter 6 of the Municipal Code under Advertising.

Would we require or permit these signs to have public service announcements? Should we design the code where if the applicant met all the regulations on electronic signage staff would be permitted to approve, or is this something to bring

before the Commission for a variance or special use? These are some of our considerations.

Planning Intern Hacker – Presented photos of existing electronic signage of Village of Carol Stream, Bartlett High School, Addison, and other surrounding communities.

Also shared were existing Regulations of Electronic Changeable Signage in Addison, Bartlett, Bloomindale, Carol Street, Roselle, Schaumburg and Streamwood.

Does this Commission feel our electronic sign regulations should be updated and would you be open to exploring this amended type of signage?

Chairperson Wachsmuth and Commissioner Mercier – Are in favor of working on updating these regulations.

According to a handout provided by Chairperson Wachsmuth we should consider the malfunction of electronic signage. Meaning the sign may freeze or go blank if there is a malfunction to prevent flashing and other movement. That is a safety issue. Also, the maximum brightness allowed day and night should be determined. Also, the sign may be equipped with a program to dim and brighten automatically in response to changes in ambient light.

Commissioner Rasmussen – Commented on the Irving Park Road Corridor and the monument style signage that was not covered, was how many would be allowed allow within a certain distance of streets. Do we limit the amount of signs along the road in a designated area?

If you are down in the Addison area along Lake Street, take a look at the amount of electronic signage in a designated area.

Commissioner Berthelot – What is an electronic sign, as he had just noticed three different types today – old black with red letters that are a series of little lights that can travel and blink; along 294 there were huge electronic billboard signs; and, a changeable type? He is in favor of updating our regulations.

Commissioner Mercier – Will there a change in height requirements?

Village Planner Bowman – The Commission has brought up many good areas to consider when, and if, the Board directs this Commission to update our current electronic sign regulations.

A summary of this discussion will be provided to the Village Board for their consideration and direction.

Community Development Update:
Village Planner Bowman – Introduced Inspectional Service Chief Ann Marie Hess who will be attending our future meetings and will assist this Commission to provide technical comments we need relating to building and fire codes.

Irving Park Road Corridor Study – Recommendations regarding this study will be brought to this Commission at a future meeting.

TIF 5 District – Notices were sent out to all residential units within 750 ft. of the designated TIF area.

10. ADJOURNMENT:
Motion by Commissioner Mercier, seconded by Commissioner Neil.

Voice Vote:
All AYES.
Motion Carried. Meeting adjourned at 9:06 p.m.

Recorded and Transcribed by:

Regina Mullen, Secretary	**Virginia Wachsmuth, Chairperson**
this 30 day of August, 2012	

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Administration

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VILLAGE MANAGER
JULIANA A. MALLER

Agenda Item 4b

VILLAGE OF HANOVER PARK

DEVELOPMENT COMMISSION MEETING

Municipal Building, Village Board Room 214
2121 W. Lake Street
Hanover Park, IL 60133

Thursday, September 13, 2012

6:00 p.m.

MINUTES

1. CALL TO ORDER: ROLL CALL

Chairperson Wachsmuth called the meeting to order at 6:07 p.m.

PRESENT:	Commissioners:	Jim Aird, Arthur Berthelot, Mark Mercier, Scot Neil, Chuck Plaia, Gary Rasmussen, Chairperson Virginia Wachsmuth
ABSENT:	Commissioners:	Patrick Watkins
ALSO PRESENT:		Village Planner Katie Bowman, Secretary Regina Mullen, Village Manager Juliana Maller (present at beginning of meeting), Mayor Craig (present for a few minutes) Trustee Bill Cannon (arrived at 7:17 p.m. and stayed for about one hour)

2. PLEDGE OF ALLIEGENCE:

3. ACCEPTANCE OF AGENDA:
Motion by Commissioner Mercier to accept the Agenda as presented, seconded by Commissioner Berthelot.

Voice Vote:
All AYES.
Motion Carried: Agenda Accepted.

4. PRESENTATIONS/REPORTS: None.

5. APPROVAL OF MINUTES:

5a. Request to approve the Minutes of July 12, 2012.

Motion by Commissioner Mercier to approve the Minutes of July 12, 2012, seconded by Commissioner Berthelot.

Voice Votes:
All AYES.
Motion Carried: Approved July 12, 2012 Minutes.

6. ACTION ITEMS: None.

7. TOWNHALL SESSION: None.

Persons wishing to address the public body must register prior to Call to Order. Please note that public comment is limited to 5 minutes per speaker.

8. OLD BUSINESS (NON-ACTION ITEMS): None.

9. NEW BUSINESS (NON-ACTION ITEMS):

9-a. Development Commission Training Session

Laurie Marston, AICP and Robert Sullivan, AICP presented a training workshop supported by: APA Illinois, the Chaddick Institute at DePaul University, and Lambda Alpha International – Ely Chapter.

This workshop focused on the Role of the Development Commission, Tools of the Trade, Planning & Development 101, Roles of others in the Process, Tricks of the Trade, Findings of Fact, Special Uses, Ex Parte Contacts, Open Meetings Act, Closed Sessions, Media Relations, Conflict of Interest, Ethics, Economic Development and Resources.

10. ADJOURNMENT:

Motion by Commissioner Plaia, seconded by Commissioner Aird.

Voice Vote:
All AYES.
Motion Carried. Meeting adjourned at 9:03 p.m.

Recorded and Transcribed by:

Regina Mullen, Secretary	**Virginia Wachsmuth, Chairperson**
this 13 day of September, 2012	

Village of Hanover Park
Community Development Department

INTEROFFICE MEMORANDUM

TO: Chairman Wachsmuth and members of the Development Commission

FROM: Katie Bowman, Village Planner

SUBJECT: **Proposed changes to the regulation of automatic changeable copy signs**

ACTION REQUESTED: ☒ Approval ☐ Disapproval ☐ Information

MEETING DATE: **October 11, 2012**

REQUEST SUMMARY:

The following topic is scheduled for Development Commission discussion at 7:00 p.m. on October 11, 2012 in Room 214 of the Municipal Building, 2121 Lake Street:

Regulation of automatic changeable copy signs, as outlined in:

- Chapter 6, Article I of the Municipal Code – *Advertising, In General*

BACKGROUND:

At their meeting of August 30, 2012, the Development Commission reviewed the existing regulations related to automatic changeable copy signs, as well as current research on the topic and regulations in surrounding communities. They recommended that such regulations be amended to better address current technology and business practices.

At their workshop of September 20, 2012, the Village Board reviewed the Development Commission's recommended changes to the regulation of automatic changeable copy signs. They directed Staff to draft an amendment to the Municipal Code incorporating these changes, which would then be reviewed by the Development Commission and Village Board. See Exhibit 1 for additional background.

DISCUSSION:

The recommended changes to the regulation of automatic changeable copy signs have been incorporated into a draft Ordinance, which amends the Municipal Code, Chapter 6 – Advertising, 'Sign Ordinance'. See Exhibits 2 and 3 for the current Sign Ordinance and draft amendments.

Recommended Changes:

An update of the definition of automatic changeable copy signs to include all of the recommended specifications on sign text, graphics, illumination, and size, including:

- Definition: a sign in which the copy changes automatically through illumination by electric lights, luminous tubes, or any other means of illumination or through mechanical or electrical means.
- Location:
  - Permitted only in B-1 & B-2 commercial zoning districts
  - Permitted only along arterial streets
  - The sign shall be set back not less than ten (10) feet from the right-of-way and not located within seventy-five (75) feet of another such sign
    - *Staff recommends these provisions to meet the Development Commission's desire to provide proper setback and lessen clutter. With the narrowest commercial lots in the Village being around 100 feet in width, this would require that the signs not be directly adjacent to each other. Additionally, the high cost of electronic signs is expected to limit the overall number of signs, as it has done to this time.*
- Such signs shall adhere to the following conditions and restrictions:
  - Allowed only when all signs on the zoning lot are in total compliance with the sign ordinance
  - Sign Area:
    - The sign area shall be counted in the overall area of the free-standing sign and shall not be permitted as a wall sign or as part of a wall sign
    - The area of the sign shall not exceed fifty (50%) percent of the maximum permitted sign area of the sign
  - Sign Copy, Background, and Graphics:
    - Sign copy changes shall occur no more frequently than seven (7) second intervals and limited to changeable messages and not chasing messages
    - No scrolling , flashing, crawling, or other movements between text messages
    - Messages may dissolve or go blank and may either reappear in full display or solidify
    - Graphics shall be allowed as fixed displays but with no moving graphics
    - Background colors or displays shall be allowed to change only when the message changes
    - No other special effects are allowed
  - Illumination:
    - The sign shall be equipped with automatic dimming devices, sun screens, and no external illumination
    - *As automatic night dimming is standard, Staff finds that this will achieve the goal of having the signs dim at night.*

- Sign Content:
  - Copy shall not advertise products or services not available on the zoning lot on which the automatic signage is located.

After further consideration and discussion with the Village Attorney, Staff would like to note that the permitting of automatic changeable copy signs in residential districts through a special use or variance is not recommended at this time. In general, the intent of the Sign Ordinance is to limit the impact of signage in residential districts. Currently, public buildings and places of religious worship are permitted standard 35 square foot freestanding signs and subdivisions are permitted a 50 square foot identification sign that is to specifically be noninternally-illuminated (Section 6-7.a). An alternative means of addressing the topic may be to permit automatic changeable copy signs for schools and religious institutions when located along an arterial street. Such a provision would lessen the impact of such signs in residential areas and limit them to more major roads where the impact will be less.

In addition, the specifications for automatic changeable copy signs within each type of business signage category (whether located within a shopping center or in a small or large center) have been updated to permit automatic changeable copy signs that meet these requirements.

RECOMMENDATION

Staff requests that the Development Commission review the proposed changes to the regulation of automatic changeable copy signs and make a recommendation to the Village Board as to whether such amended regulations should be adopted.

ATTACHMENTS

Exhibit 1 – Village Board Memo re: Automatic Changeable Copy Signs, September 20, 2012
Exhibit 2 – Proposed Ordinance Amending Sign Ordinance, Municipal Code Chapter 6
Exhibit 3 – Sign Ordinance, Municipal Code, Chapter 6 (attached electronically)

Village of Hanover Park **AGENDA MEMORANDUM**

TO: **Village President and Board of Trustees** **Exhibit 1**

FROM: Juliana Maller, Village Manager
Katie Bowman, Village Planner

SUBJECT: **Update on the regulation of automatic changeable copy signs**

ACTION REQUESTED: ☐ Approval ☐ Concurrence ☐ Discussion ☒ Information

MEETING DATE: **September 20, 2012**

Executive Summary

Update on regulations for automatic changeable copy signs (electronic signs), including review of Development Commission's recommendation of potential changes.

Background

Current Regulations

Electronic signs that are capable of displaying multiple messages are referred to as *automatic changeable copy signs* in Chapter 6 of the Municipal Code, which regulates advertising and signage.

Automatic changeable copy signs are defined as:

A sign on which the copy changes automatically through illumination by electric lights, luminous tubes, or any other means of illumination or through mechanical means. Such signs shall adhere to the following conditions and restrictions: only one color for the changeable copy is permitted on a black background with no scrolling, flashing, or other movements between text messages; sign copy changes shall occur no more than once every 90 seconds; and copy shall not advertise products or services not available on the lot on which the automatic signage is located.

Further regulations regarding automatic changeable copy signs include:

- Only permitted in Business Districts, including B-1 and B-2
- On freestanding signs for businesses not located in shopping centers, the automatic changeable copy sign may comprise the entire sign area (up to 64 square feet)
- On freestanding signs businesses located in shopping centers with more than 300 feet of frontage on an arterial street, the area of the automatic changeable copy sign may not exceed 25 percent of the maximum permitted sign area for the freestanding sign (pemitted area depends upon size of building frontage)
- Illumination level may not exceed 75 footcandles when measured with a standard light meter perpendicular to the face of the sign at a distance equal to the narrowest dimension of the sign (common measure of illumination/brightness

Regulation Survey

The municipal codes of surrounding communities reflect a variety of approaches for regulating electronic changeable signs. A review of regulations in various municipalities revealed that while all generally permit electronic message centers which display text and images, most do not permit full digital video displays. A summary of regulations from six surrounding communities is summarized in Exhibit 1.

In regard to best management practices on this topic, an April 2008 article from the American Planning Association's *Zoning Practice* titled "Practice Smart Sign Codes" offers some references for how municipalities are regulating the different forms of digital signs, and recommendations for what to consider when writing regulations for them. These recommendations are included in the Considerations section below.

Considerations

It is recommended that when a jurisdiction is considering updating its sign ordinance, it should consider elements such as:

- Detailed definition of digital display signage with guidelines for design and aesthetics, including colors, pictures, and videos
- Message duration and transition
- A list of the zoning districts in which such signs are allowed and prohibited
- Restrictions on the placement of signs, such as their orientation to residential districts
- Limits on the percentage of a sign's area that can be devoted to a digital display
- Restrictions on illumination levels during the day and after dark
- Public service announcements: some municipalities require that digital signage be used to display emergency information and amber alerts
- Process by which signs will be approved, whether it be by standard sign plan review or additional special use review

Discussion

The Development Commission discussed existing regulations of automatic changeable copy signs at their meeting of August 30, 2012. Upon review of current regulations in Hanover Park and in surrounding communities, they made comments and recommended several changes to the regulations:

- Types of signs:
  - Maintain the current definition of automatic changeable copy signs (see p. 1)
  - Prohibit 'digital video displays' that show full video
- Location and Approval:
  - Permit automatic changeable copy signs business districts by right (following outlined regulations)
  - Permit automatic changeable copy signs in residential districts for school and churches, with special use approval
    - Special use approval allows for these signs to be subject to additional limitations, such as lower lighting level and orientation or distance away from closest residence

- Display:
  - Permit multiple colors of sign text and background
  - Permit copy changes to occur once every 5 - 7 seconds
- Movement:
  - Limit movement, shaking, scrolling, or flashing of text
  - Recommend language found in the Village of Addison's regulations.
- Area: Up to 50% of the total permitted freestanding sign area may be utilized by automatic changeable copy
- Illumination: The illumination level of signs must be reduced by 50% after 10 or 11 p.m.
- Public Service Announcements: Do not recommend that automatic changeable copy signs be required to display public service announcements

The Development Commission also recommended that considerations be made to ensure that the automatic changeable copy signs do not become too numerous or cluttered as to have a negative aesthetic impact or to become a significant distraction. This may be addressed through the requirement that automatic changeable copy signs be located at least 75 feet from each other. With the narrowest commercial lots in the Village being around 100 feet in width, this would require that the signs not be directly adjacent to each other. Additionally, the high cost of electronic signs is expected to limit the overall number of signs, as it has done to this time.

Recommended Action

Staff requests that the Village President and Board of Trustees review the recommended changes to regulation of automatic changeable copy signs. Next, Staff will draft language for an amendment to the Municipal Code for review by the Development Commission and Village Board.

Attachments

Exhibit 1 – Regulation of automatic changeable copy signs in surrounding communities
Exhibit 2 – Photos of automatic changeable copy signs
Exhibit 3 – Draft Development Commission Minutes, August 30, 2012

Budgeted Item:	____ Yes	__X__ No
Budgeted Amount:	$ N/A	
Actual Cost:	$ N/A	
Account Number:	N/A	

Exhibit 1 – Regulation of Electronic Changeable Signs

Municipality	Allowed	Permitted Locations	Size Restrictions	Copy Change Restrictions	Other
Addison	Yes	Districts: Business/ Professional, B1, B2, B3, B4, B5 on properties located on a major street.	Shall not exceed 40% of the total permitted sign area	Copy can change in no less than two second intervals.	Messages may dissolve or go blank and may either reappear in full display or solidify, no other special effects are allowed. Crawling messages are not allowed. Moving graphics are not allowed. Background colors or displays shall be allowed to change only when the message changes.
Bartlett	Yes	Only as time-temperature signs in business districts, utilized on government signs	No larger than 2' in one dimension and 4' in the largest dimension	Alternating time and temp signs shall change no more than once every seven seconds.	
Carol Stream	Yes	On any types of sign considered "permanent" in residential, business, office and industrial districts	Up to two-thirds of allowable sign area may be changeable	Messages cannot be changed more than every three seconds	Signs may not flash, blink or display images that might distract traffic
Roselle	Yes	Business, office and industrial districts - on plaza or directory signs	There is no restriction on the amount of a sign that can be devoted to an electonic sign. Permitted area is according to business district size restrictions.	For signs within 275' of an intersection with a traffic signal, messages may change no more than once every five seconds.	For signs within 275' of an intersection with a traffic signal, the color of the message shall not be red, yellow or green.
Schaumburg	Yes	Gas station pricing signs and properties with direct frontage on expressways.	450 square feet are permitted for each face of the sign, and must not exceed an aggregate gross surface area of 900 square feet.	Gas station electronic signs may not move or flash. No restrictions on properties fronting expressways.	Design limited to monument ground signs. Must not be located within 15' of any point of vehicular access.
Streamwood	Yes	Permitted by special use process, sign package is typically reviewed as part of approval process for new business	32 square feet	Messages must be static and change no more than once every 30 seconds.	No restrictions on multiple colors.

Exhibit 2

ORDINANCE NO. O-12-

AN ORDINANCE AMENDING SECTIONS 6-3 AND 6-8 OF CHAPTER 6 OF THE MUNICIPAL CODE OF THE VILLAGE OF HANOVER PARK BY REDEFINING CHANGEABLE COPY SIGN AUTOMATIC, and AMENDING OTHER PORTIONS OF THE SIGN ORDINANCE CONCERNING CHANGEABLE COPY SIGNS

WHEREAS, the Village of Hanover Park is a home rule unit by virtue of the provisions of the 1970 Constitution of the State of Illinois and may exercise and perform any function pertaining to its government and affairs including adoption of this Ordinance; now, therefore,

BE IT ORDAINED by the President and Board of Trustees of the Village of Hanover Park, Cook and DuPage Counties, Illinois, as follows:

SECTION 1: That the Municipal Code of Hanover Park, be amended by: (i) deleting therefrom the definition of *Changeable Copy Sign Automatic* from Section 6-3 of Chapter 6; and (ii) deleting 7. of a., 7. of b., 7. of c., and 4. of d. all of subparagraph (7) of paragraph (b) of Section 6-8 of Chapter 6 of said code.

SECTION 2: That Section 6-3 of Chapter 6 of the Municipal Code of Hanover Park be amended by adding to said section, and in place of the deletion provided in SECTION 1 of this Ordinance, the following definition:

Sec. 6-3. Definitions.

* * * * *

Changeable copy sign, automatic. A sign allowed only in the B-1 and B-2 Zoning Districts on a zoning lot located on an arterial street as defined in Section 90-33, on which the copy changes automatically through illumination by electric lights, luminous tubes, or any other means of illumination or through mechanical or electrical means. Such signs shall adhere to all of the following conditions and restrictions:

(1) allowed only when all signs on the zoning lot are in total compliance with the sign ordinance;

(2) the sign surface area shall be counted in the overall surface area of the free-standing sign and shall not be permitted as a wall sign or as part of a wall sign;

(3) no scrolling , flashing, or other movements between text messages;

(4) sign copy changes shall occur no more than in seven (7) second intervals and limited to changeable messages and not chasing messages or crawling messages;

(5) illumination level may not exceed seventy-five (75) foot-candles when measured with a standard light meter perpendicular to the face of the sign at a distance equal to the narrowest dimension of the sign;

(6) shall be equipped with automatic dimming devices, sun screens, and no external illumination and shall be set back not less than ten (10) feet from the right-of-way and not located within seventy-five (75) feet of another such sign;

(7) not exceed fifty (50%) percent of the maximum permitted sign area of the sign of which the changeable copy sign is a part, except on freestanding signs for businesses not located in shopping centers, the sign may comprise the entire sign area in accordance with this chapter (but not to exceed sixty-four (64) square feet);

(8) messages may dissolve or go blank and may either reappear in full display or solidify;

(9) no other special effects are allowed;

(10) graphics shall be allowed as fixed displays but with no moving graphics;

(11) background colors or displays shall be allowed to change only when the message changes; and

(12) copy shall not advertise products or services not available on the zoning lot on which the automatic signage is located.

* * * * *

SECTION 3: That Chapter 6 of the Municipal Code of Hanover Park, be amended by adding in place of the deletion provided for in SECTION 1 of this Ordinance, 7. of a., 7. of b., 7. of c., and 4. of d. all of subparagraph (7) of paragraph (b) of Section 6-8 of said code, the following:

Sec. 6-8. Permitted signs in business districts.

* * * * *

(b) *Permitted permanent signs for businesses located within shopping centers.*

* * * * *

(7) Permanent freestanding signs shall comply with the approved

shopping center sign-plan and the following requirements for:

a. Shopping centers with less than 300 feet of street frontage on arterial streets as defined in Section 90-33

* * * * *

7. The freestanding sign may include a manual or automatic changeable copy sign as defined in this chapter.

b. Shopping centers with 300 to 500 feet of street frontage on arterial streets as defined in Section 90-33

* * * * *

7. The freestanding sign may include an automatic changeable copy sign as defined in this chapter.

* * * * *

c. Shopping centers with more than 500 feet of street frontage on arterial streets as defined in Section 90-33

* * * * *

7. One freestanding sign may include an automatic changeable copy sign as defined in this chapter.

* * * * *

d. Permanent freestanding signs for theaters. Movie theaters within shopping centers shall be allowed one freestanding sign complying with the following requirements:

* * * * *

4. The freestanding sign may include an automatic or manual changeable copy sign as defined in this chapter.

* * * * *

SECTION 4: Any person, firm or corporation violating any provision of this ordinance

shall be fined not less than one hundred ($100.00) dollars nor more than seven hundred fifty ($750.00) dollars, and each day a violation continues shall be considered a separate violation.

SECTION 5: That each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof, other than the part affected by such decision.

SECTION 6: That except as to the amendments heretofore mentioned, all chapters and sections of the Municipal Code of Hanover Park shall remain in full force and effect.

SECTION 7: That this Ordinance shall, by authority of the Village Board of the Village of Hanover Park, be published in pamphlet form. From and after ten days after said publication, this Ordinance shall be in full force and effect.

ADOPTED this day of , 2012, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

ABSTENTION:

Approved:_____
Rodney S. Craig
Village President

ATTESTED, filed in my office, and
published in pamphlet form this
day of _____, 2012.

_____
Eira Corral, Village Clerk

ARTICLE I. IN GENERAL

Sec. 6-1. Short title.

This article shall hereafter be known as the "Hanover Park Sign Code."

(Code 1975, § 3-1; Ord. No. O-94-42, § 1, 8-4-1994)

Sec. 6-2. Legislative objectives.

This article is established to create standards for the regulation of signs within the Village of Hanover Park.

The purpose of this article is to:

(a) Facilitate communication between people and their environment by authorizing the use of signs which are:

(1) Compatible with their surroundings.

(2) Appropriate to the type of activity to which they pertain.

(3) Expressive of the identity of individual proprietors as well as of the community as a whole.

(4) Legible in the circumstances in which they are seen.

(5) Respectful of the reasonable rights of other property owners.

(b) Preserve, protect and promote the public health, safety, and welfare.

(c) Promote local commercial and industrial activity by allowing the reasonable, orderly, and effective display of signs.

(d) Improve the streetscape by regulating the type, size, and location of signs.

(e) Ensure signs are designed as integral architectural elements of the building and site to which they principally relate.

(f) Preserve the value of private property by assuring the compatibility of signs with surrounding land uses.

(Code 1975, § 3-2; Ord. No. O-94-42, § 1, 8-4-1994)

Sec. 6-3. Definitions.

In the construction of this article, the rules and definitions contained in this section and section 110-2.1 shall be observed and applied, except when the context clearly indicates otherwise.

Abandoned sign. A sign that no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, or for which no legal owner can be found.

Animated signs. A sign where any portion, or part of the sign moves by mechanical, electrical, solar, wind or other power, in any direction, at any speed, excluding automatic

changeable copy signs.

Area of sign.

(1) For individual, cutout letters, emblems, or insignia, the entire area within the smallest geometric figure completely enclosing the extreme limits of the letters, emblem, or other display.

(2) For awning signs, the entire area within a single, continuous, geometric figure completely enclosing the extreme limits of writing, emblem, or other display.

(3) For wall signs other than individual cutout letters or awning signs, the entire area within the frame of the sign.

(4) For freestanding signs, the entire area within the frame of the sign, excluding structural supports, columns, or pylons, unless advertising is attached thereto.

Arterial street. A street designated as either a minor or principal arterial in section 90-33 of this Code.

Awning. A structure constructed of rigid or nonrigid materials on a supporting framework that projects from and is supported by the exterior wall of a building.

Awning sign. A sign painted or printed on the surface of an awning.

Banner. A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind excluding flags, emblems, and insignia of political, professional, religious, educational, or corporate organizations when such flags, emblems, or insignia are displayed for noncommercial purposes.

Banner, light pole. A nonrigid sign attached at the top and bottom to permanent structural members on a light pole or similar pole erected for another purpose.

Billboard. See *Off-premises sign*.

Building memorial signs or tablets. A sign identifying the building or structure, name and/or date of construction either as a part of the structure or located on a separate tablet.

Canopy. A horizontal sheltering structure constructed of rigid or nonrigid material on a supporting framework not attached to a building.

Changeable copy sign, automatic. A sign on which the copy changes automatically on a lamp bank or through mechanical means.

Changeable copy sign, manual. A sign on which the copy is changed manually in the field, including reader boards with changeable letters.

Church sign. Identification signs, religious symbols or emblems of religious orders displayed for the purpose of identification and to indicate the services and activities conducted on the premises.

Civic event sign. A temporary sign identifying or advertising events of civic, philanthropic, educational or religious organizations.

Commercial districts. Property designated as B-1, B-2 on the official zoning map of the Village of Hanover Park.

Construction sign. A temporary sign identifying individuals or companies involved in design, construction, wrecking, financing, or development of a construction site.

Corporate flag. A sign made of fabric identifying the name and logo of the business located on the premises.

Directional sign. An on-premises freestanding sign giving directions, instructions, or facility information to guide vehicle traffic toward a business or activity including, but not limited to parking lots, drive-through lanes, entrances, and exits.

Driveway. A driveway is a pathway for motor vehicles providing access from a street to a parking space, garage, dwelling, or other structure.

Entrance monument. Signage located at the entrance to a business or industrial park for the purpose of identification.

Erect. To build, construct, attach, hang, re-hang, refurbish, paint, place, affix, relocate, or alter any sign in any manner which is not in the due course of general maintenance.

Facade frieze panel. A noninternally illuminated wall sign placed within the horizontal band of material (usually masonry) directly above the storefront windows.

Flashing sign. An illuminated sign in which, during its period of operation, such illumination is intermittent or sequential, but excluding automatic changeable copy signs.

Freestanding sign. A sign supported by masonry monument structures or supports permanently affixed to the ground and independent of support from any building and having a minimum base width equal or exceeding 80 percent of the sign width.

Frontage, building. The length of an outside building wall parallel to a public right-of-way or for a building on a zoning lot at the corner of a public right-of-way and an entrance to a shopping center, the length of the outside building wall parallel to the driveway entrance to the shopping center.

Frontage, street. The length of the property line adjoining a public right-of-way.

Garage sale sign. A temporary sign advertising a residential garage sale.

Going out of business sign. A temporary sign advertising the termination of a business, service or activity.

Government sign. Any temporary or permanent sign erected and maintained by a government agency including the village, county, state, or federal government, units of local government and school districts.

Grand opening. The commencement of operations for a new business involving a change in the principal use and/or ownership of the property.

Height, building. The vertical distance from grade to the highest point of a building.

Height, sign. The vertical distance from grade to the highest element of the sign.

Help wanted sign. A temporary, nonilluminated sign advertising employment opportunities available on the premises.

Historic district. Property designated as H on the official zoning map of the Village of Hanover Park.

Historical signs. A sign or commemorative plaque of a recognized historical agency indicating the historical significance and/or date of construction of the structure.

Home occupation signs. A sign advertising a home occupation as authorized by the Hanover Park Comprehensive Zoning Ordinance.

Illuminated sign, external. A sign with an artificial, external light source for the purpose of illuminating the sign.

Illuminated sign, internal. A sign with an artificial, internal light source for the purpose of illuminating the sign.

Industrial districts. Property designated as L-1, BP, or HC on the official zoning map of the Village of Hanover Park.

Inflatable sign. Any inflatable shape or sign of any size displayed for the purpose of attracting attention to a product, service, place, activity, person, institution or business.

Limited office district. Property designated as L-O on the official zoning map of the Village of Hanover Park.

Mansard. A sloped roof or roof-like facade architecturally comparable to a building wall.

Marquee. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign. Any sign attached in any manner to or made part of a marquee.

Menu board. A freestanding or wall sign displaying items or services available at a drive-through facility.

Model sign. A nonilluminated temporary sign displaying information on the prices and types of model homes but not limited to the name and location of the subdivision and the prices and types of model homes available.

Model subdivision sign. A nonilluminated temporary sign advertising information including types of model homes but not limited to the name and location of the subdivision and the prices and types of model homes available.

Moving sign. A sign that has an external or visible part or parts that move, rotate, or spin.

Nonconforming sign. Any sign that does not comply with the provisions of this article.

Off-premises sign. A sign that advertises a business, profession, product, or service that is not available on the premises where the sign is located.

Organizational flags or emblems. Flags or emblems displayed by any governmental, political, civic, philanthropic, educational, or religious organizations intended for identification purposes only.

Painted wall sign. Any sign which is applied with paint or similar substance on the face of a wall, parapet, mansard, fence, or similar surfaces, excluding windows and doors.

Parapet. The extension of a false front or wall above a roofline.

Pennants. Sections of sign secured to a string, rope, or other similar material so as to allow movement of the sign by movement of the atmosphere.

Pedestrian information sign. Signs using a generic description which direct or guide pedestrians to facilities intended to serve the public including but not limited to: signs identifying restrooms, public telephones, walkways, and similar facilities.

Plaque sign. A noninternally illuminated panel mounted flat to the building face.

Political sign. A temporary sign identifying a political candidate, party, or issue.

Portable sign. Any sign designed to be easily moved and not permanently affixed to the ground, structure, or building.

Premises. A lot, parcel, tract, or plot of land together with the buildings and structures thereon.

Projecting sign. A sign which is attached to and projects more than 12 inches from a building wall, excluding an awning sign or canopy.

Public building identification sign. A sign identifying places of public assembly, including, but not limited to schools, recreational centers, churches, synagogues, and parks.

Real estate sign. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

Residential districts. Property designated as R, R-1, R-2, R-3, or R-4 on the official zoning map of the Village of Hanover Park.

Roof sign. A sign erected or maintained in whole or in part upon, against, or directly above the roof or parapet line of a building except that portion of a mansard roof below the deck line shall not be considered a roof for the purposes of this article.

Searchlight. A device for throwing a strong beam of light in any direction.

Seasonal commercial establishment. A commercial establishment that obtains a business license from the village for less than a license year often associated with a specific period of time, season, or holiday.

Shopping center. A commercial development under unified control containing three or more businesses sharing a common building, entrance way and/or parking area.

Shopping center outbuilding. A freestanding building within a shopping center.

Sign. Any identification, description, illustration, or device illuminated or nonilluminated which is visible to the general public and directs attention to a product, service, place, activity, person, institution, business, or solicitation, including emblem, painting, flag, banner, pennant, or placard designed to advertise, identify, or convey information.

Special promotion sign. A temporary sign including, but not limited to banners, pennants, and portable or wheeled signs, identifying a limited or unique activity, service, product or sale of limited duration or a special community activity sponsored by a not-for-profit organization.

Spotlight. A strong, focused beam of light thrown upon a particular spot to call attention to a specific object.

Street. A portion of right-of-way that affords a primary means of access to abutting property excepting driveways to buildings.

Subdivision identification sign. A freestanding sign identifying a recorded subdivision or multifamily development.

Temporary sign. A sign intended for a limited period of display and constructed and maintained as a permanent sign except as otherwise provided in this chapter.

Time-temperature sign. A sign intended to digitally or manually display current and accurate temperature and/or time readings.

Under-canopy sign. A sign attached to the underside of a structural canopy of a walkway within a shopping center, and placed perpendicular to the building.

Valance sign. A long, narrow band hung beneath the porch roof fascia, between the porch columns.

Vehicle sign. A sign painted or placed on a vehicle or trailer that is parked or located for the primary purpose of displaying the sign.

Village. The Village of Hanover Park, Illinois.

Wall sign. A sign attached parallel to the building wall, including painted, individual letters, cabinet signs, and signs on a mansard, but excluding awning signs.

Window area. The entire area of the subject window, within the frame, mullions, or other supporting features of the glass.

Window sign. Any advertising affixed to an exterior window or door, or placed within 12 inches inside the window or door.

Zoning administrator. The zoning administrator is the community development director unless otherwise designated by the village manager.

Zoning lot. A single tract of land which is under single ownership or control.

(Code 1975, § 3-3; Ord. No. O-94-42, § 1, 8-4-1994; Ord. No. O-94-61, § 4, 11-3-1994; Ord. No. O-98-25, § 1, 5-7-1998; Ord. No. O-02-22, § 3, 5-16-2002; Ord. No. O-04-07, § 1, 2-19-2004; Ord. No. O-06-04, § 1, 1-19-2006; Ord. No. O-07-07, § 3, 4-19-2007; Ord. No. O-07-35, § 1, 11-15-2007)

Cross references: Definitions generally, § 1-2.

Sec. 6-4. Prohibited signs.

(a) *Prohibited types of signs.*

(1) Abandoned signs.

(2) Banners, except as permitted in section 6-5(b).

(3) Flashing signs.

(4) Marquee signs.

(5) Moving, rotating, or animated signs.

(6) Off-premise signs.

(7) Painted wall signs.

(8) Portable signs, except as permitted in section 6-5(b).

(9) Projecting signs.

(10) Roof signs.

(11) Signs displaying obscene or other unlawful matter.

(12) Signs imitating or resembling official traffic or governmental signs or signals.

(13) Vehicle signs.

(14) Inflatable signs.

(15) Searchlights or portable spotlights.

(16) Signs with more than two sign faces.

(17) Pole mounted signs.

(18) Box signs.

(19) Pennants.

(b) *Prohibited placement of signs.*

(1) Signs affixed to or painted on parkway trees, utility poles, streetlights, or traffic signals.

(2) Signs affixed to fences, except "No Trespassing" and "Beware of Dog" signs in accordance with all other applicable sections of this article.

(3) Signs affixed to the rear wall of a building, except as permitted in section 6-8(a)(1)e.

(4) Signs on, or overhanging, public property or a public right-of-way.

(5) Signs within ten horizontal feet of a conductor or public utility guy wire.

(6) Signs on railroad property.

(7) Signs that interfere with clear vision at or near the intersection of two public streets or the intersection of any driveway and street in an area enclosed by a triangle, each leg of which is a distance of 25 feet, measured along each right-of-way of the intersecting streets and from the point where said curblines or extensions thereto intersect unless the base of the sign face is ten feet or higher or the top of the sign is three feet or lower as measured from grade.

(8) Signs on easements unless specifically designated for a sign.

(9) Signs affixed to a building wall facing a residential district.

(Code 1975, § 3-4; Ord. No. O-94-42, § 1, 8-4-1994; Ord. No. O-94-61, § 6, 11-3-1994; Ord. No. O-04-07, § 2, 2-19-2004; Ord. No. O-06-04, § 2, 1-19-2006)

Sec. 6-5. Temporary signs.

(a) *Temporary signs not requiring permits.* The following types of temporary signs do not require permits, but must conform with all other requirements of this article. These signs are permitted in districts where specified.

(1) *Government signs.* Of any type, number area, height, location, or illumination as specified by law or statute.

(2) *Political signs.* Shall not exceed six square feet per side of each sign and 36 square feet per lot, posted on private property, provided that said signs are removed no more than seven days after the election or activity to which they pertain.

(3) *Real estate signs and construction signs.* Not exceeding one double-faced sign per street on which the property fronts. Such signs shall not be illuminated, must be removed seven days following the closing of the sale or lease or the completion of construction, and shall not exceed the following size restrictions:

a. For residential, historic, and limited office districts: Six square feet per side.

b. For commercial districts: 24 square feet per side.

c. For industrial districts: 48 square feet per side.

d. For vacant land, zoned R single-family residence district, greater than five acres in size: 48 square feet per side.

(4) *Civic event signs.* Shall not exceed six square feet in area per side and a maximum of one double-faced sign per street on which the property fronts. Civic event signs shall be posted no earlier than 30 days prior to the event and shall be removed no more than seven days following the event.

(5) *Garage sale signs.* Not exceeding six square feet in area per side and four feet in height. One garage sale sign is permitted per frontage at the garage sale location. The sign must be displayed on private residential property and must identify the address and dates of the sale. Off-site signs shall only be permitted on private property with the consent of the owner of the property where the sign is placed. Signs may be displayed only one day prior to or during the sale.

(6) *Temporary window signs.* Not exceeding 50 percent of the window area.

(7) *Open house signs.* Shall not exceed one double-faced sign and six square feet per side. The sign must be located on the property offering the open house. Additional double-faced signs, not exceeding six square feet per side, may be located on private property with the consent of the property owner at the nearest intersection to the property holding the open house. Said signs shall be posted only during the hours the house is open.

(8) *Corporate flags.* In districts where permitted and in accordance with the following requirements:

a. One corporate flag shall be permitted per business.

b. The flag shall be flown from a permanently mounted flagpole. The height of the flagpole shall not exceed 20 feet or the height of the building, whichever is lower.

c. Governmental flags may be flown on the same pole as a corporate flag.

d. Faded or torn flags shall be removed, replaced, or repaired to original condition.

(9) *Light pole banners.* Only in shopping centers, and as permitted below:

a. Banners shall not exceed 96 inches in length and 33 inches in width.

b. A maximum of two banners are permitted per pole.

c. The banners shall not advertise any products, but may include the name and logo of the shopping center or businesses within the shopping center.

d. Faded or torn banners shall be removed, replaced, or repaired to original condition.

(10) *Help wanted signs.* Located on private property, shall not exceed one double-faced sign per street frontage, and not exceeding the following size restrictions:

a. Six square feet per side in residential historic and limited office districts.

b. Twenty-four square feet per side in business districts.

c. Forty-eight square feet per side in industrial streets [districts].

(11) *Going out of business signs.* Not be displayed more than 90 days before the termination date of the business. The sign must be displayed on private property.

(12) *Model subdivision signs.* Shall not exceed 150 square feet in area and must be located on the development premises. The sign must be removed when the last lot is sold.

(13) *Model signs.* Not exceeding one double-faced sign per model, six square feet per side, and must be removed when the last model is sold.

(b) *Temporary signs requiring permits.*

(1) Special promotion signs for:

a. Businesses not located within a shopping center:

1. A maximum of three permits shall be issued to businesses located on shopping center outlots and all other businesses not located within a shopping center each calendar year.

2. Each permit shall be valid for not more than ten consecutive days, and the three ten-day periods may be held consecutively.

3. The applicant shall post a $100.00 cash bond as part of the permit to ensure the removal of the signs when the permit expires.

Failure to remove the signs shall result in the forfeiture of the bond and other enforcement action.

4. Temporary signs are limited to a maximum of 40 square feet in area.

b. Businesses located within a shopping center:

1. Each individual business in a shopping center shall be permitted two permits each calendar year.

2. Each permit shall be valid for not more than seven consecutive days, and the two seven-day periods may be held consecutively.

3. If more than three businesses display permitted special promotion signs concurrently, it shall be considered a shopping center-wide event.

4. Each shopping center shall be permitted six shopping-center-wide events per calendar year, in addition to the individual business special promotion events. Each event shall not exceed more than seven consecutive days.

5. Temporary signs are limited to a maximum of 40 square feet in area.

5. The applicant shall post a $100.00 cash bond as part of the permit to ensure the removal of the signs when the permit expires. Failure to remove the signs shall result in the forfeiture of the bond and other enforcement action.

6. Written permission from the landlord or manager of the shopping center is required before a permit is issued.

(2) Grand opening signs shall conform to the following regulations:

a. For the grand opening of a new business, one special promotion sign permit may be issued. The permit shall be valid for a maximum of 30 days and must be issued within 120 days from the date of issuance of the business license.

b. The applicant shall post a $100.00 cash bond as part of the permit to ensure the removal of the signs when the permit expires. Failure to remove the signs shall result in the forfeiture of the bond and other enforcement action.

c. Grand opening signs are limited to a maximum of 40 square feet in area.

(Code 1975, § 3-5; Ord. No. O-94-42, § 1, 8-4-1994; Ord. No. O-94-61, § 7, 11-3-1994; Ord. No. O-96-07, § 1, 2-15-1996; Ord. No. O-06-04, §§ 3--5, 1-19-2006)

Sec. 6-6. Permit requirements.

(a) *Permit required.* No person shall erect any sign not exempted in section 6-5 above without first having obtained a permit.

(b) *Permit applications.* Application for permits shall be made in writing on forms provided by the village.

(1) A complete application for a wall or awning sign shall contain the following information:

a. Name, address and phone number of applicant and sign contractor.

b. Site plan showing the location of the building, structure or lot where sign is to be located.

c. Plat of survey sealed by an Illinois registered land surveyor indicating the location of the proposed sign.

d. Written approval from the property owner or leasing agent.

e. Scale drawing of the proposed sign indicating the type of materials and colors to be used, dimensions, electrical components and disconnect and the method of attachment to the building.

f. A building elevation showing the business frontage, sign location, the dimensions of the store front and the dimensions and location of the awning, if applicable.

g. Plan review fees as required by this Code.

h. Other information as required by the director of community development to show full compliance with this article.

(2) A complete application for a freestanding sign shall include the following information:

a. Name, address and phone number of applicant and sign contractor.

b. Site plan showing the location of the building, structure or lot where sign is to be located.

c. Plat of survey sealed by an Illinois registered land surveyor showing the location of the proposed sign.

d. Written approval from the property owner or leasing agent.

e. Scale drawing of the proposed sign indicating the type of materials and colors to be used, dimensions, and electrical components and disconnect.

f. Foundation detail and calculations sealed by an Illinois registered architect or structural engineer.

g. Plan review fees as required by the Municipal Code.

h. Other information as required by the director of community development to show full compliance with this article.

(3) A complete application for a temporary sign requiring a permit shall include the following information:

a. Name, address and phone number of applicant and sign contractor.

b. Site plan showing the location of the building, structure or lot where sign is to be located.

c. Written approval from the property owner or leasing agent.

d. Proposed dates that signs will be in place.

e. Type and location of signs to be erected.

f. For illuminated signs, the method of providing power to the sign.

g. Permit fees, plan review fees, and refundable bonds as required by this Code.

(4) A completed application for a sign within the historic or limited office district shall include the following information:

a. Name, address and phone number of applicant and sign contractor.

b. Site plan showing the location of the building, structure or lot where sign is to be located.

c. Plat of survey sealed by an Illinois registered land surveyor indicating the location of the proposed sign.

d. Written approval from the property owner or leasing agent.

e. Scale drawing of the proposed sign indicating the type of materials and colors to be used, dimensions, and foundation detail or method of attachment to the building.

f. Method of external illumination, if any.

g. Plan review fees as required by this Code.

(5) *Permit issuance.* Upon the filing of an application for a sign permit, the community development department will determine if the proposed sign is in conformance with all the requirements of this article and all other applicable ordinances of the village. If so, a permit shall be issued for the proposed sign. If the work authorized under a sign permit has not been completed with an approved final inspection within 12 months after the date of issuance, the permit shall become null and void.

(6) *Revocation.* The community development department may deny, revoke or suspend a permit issued under the provisions of this article if the permit was issued on the basis of a misstatement of fact or fraud or when it appears that the sign being erected does not conform to the requirements of this Code. When a sign permit is revoked, the community development shall provide written notice of such to the applicant, along with a statement of reasons for the revocation.

(Code 1975, § 3-6; Ord. No. O-94-42, § 1, 8-4-1994)

Sec. 6-7. Permitted signs in residential districts.

(a) *Permitted permanent signs in residential districts.*

(1) *Public building identification signs.* One double-sided freestanding sign not exceeding 35 square feet per side and ten feet in height. Noninternally-illuminated wall signs not exceeding the area allowed in table 6.8. Landscaping shall be installed in a minimum two-foot radius around the sign base and shall consist of a minimum of six shrubs. The landscape area shall consist of an edged, mulched bed, free of weeds, and shall be maintained so that no plantings obstruct the sign information (logo, letters, numbers, and/or symbols). A landscaping plan shall be submitted for review and approval with the sign permit application.

(2) *Subdivision identification signs.* One noninternally-illuminated freestanding sign shall be permitted for each subdivision. For multifamily developments containing 25 or more dwelling units, two noninternally-illuminated freestanding signs shall be permitted at each entrance to the entire development or building complex from an adjacent public street. All such signs shall not exceed 50 square feet per side or seven feet in height per sign. Landscaping shall be installed in a minimum two-foot radius around the sign base and shall consist of a minimum of six shrubs. The landscape area shall consist of an edged, mulched bed, free of weeds, and shall be maintained so that no plantings obstruct the sign information (logo, letters, numbers, and/or symbols). A landscaping plan shall be submitted for review and approval with the sign permit application.

(3) *House numbers and nameplates.* Indicating only the name and address of the resident.

(4) *Government signs.* Of any type, number, area, height, location or illumination as specified by law or statute.

(5) *Pedestrian information signs.* Not exceeding ten feet in height or exceeding six square feet per side. No advertising is permitted on pedestrian information signs.

(6) *Organizational flags or emblems.* These signs shall not exceed ten feet in height or six square feet per side.

(7) *Building memorial signs or tablets.* Permitted when cut into masonry, bronze or another incombustible material, or when inlaid so as to be a part of the building.

(8) *Historical signs.* Located on private property and not exceeding six square feet and placed flat against a building, stone, or other permanent surface.

(9) *"No Trespassing" or "Beware of Dog" signs.* Not exceeding six square feet per side. The signs shall not be greater than six feet in height, and may be attached to fences.

(10) *"No Dumping" signs.* Not exceeding six square feet per side and not greater than six feet in height.

(11) *"No Solicitors Invited" signs.* Permitted not exceeding one square foot in area.

(12) *Church signs.* Each church or place of religious worship is permitted one identification sign not exceeding 35 square feet per side in area or ten feet in height. Landscaping shall be installed in a minimum two-foot radius around the

sign base and shall consist of a minimum of six shrubs. The landscape area shall consist of an edged, mulched bed, free of weeds, and shall be maintained so that no plantings obstruct the sign information (logo, letters, numbers, and/or symbols). A landscaping plan shall be submitted for review and approval with the sign permit application.

(b) *Permitted temporary signs in residential districts.*

(1) Political signs.

(2) Real estate signs.

(3) Civic signs.

(4) Garage sale signs.

(5) Open house signs.

(6) Model subdivision signs.

(7) Model signs.

(8) Construction signs.

(Code 1975, § 3-7; Ord. No. O-94-42, § 1, 8-4-1994; Ord. No. O-94-61, §§ 2, 5, 11-3-1994; Ord. No. O-98-46, § 1, 9-3-1998; Ord. No. O-02-24, § 1, 6-6-2002; Ord. No. O-04-07, §§ 3, 4, 2-19-2004)

Sec. 6-8. Permitted signs in business districts.

(a) *Permitted permanent signs for businesses not located in shopping centers.*

(1) Wall signs shall comply with the following requirements:

a. Wall signs are permitted not exceeding the total area allowed in table 6.8 below.

TABLE 6.8

TABLE INSET:

Building Setback from Property Line (feet)	Maximum Sign Area Per Lineal Foot of Building Frontage
0--100	1.00 sq. ft. to 1 ft.
101--200	1.25 sq. ft. to 1 ft.
201--300	1.50 sq. ft. to 1 ft.
301--400	1.75 sq. ft. to 1 ft.
401--500	2.00 sq. ft. to 1 ft.
Over 500	2.25 sq. ft. to 1 ft.

b. No wall sign shall extend above or beyond the wall to which it is attached.

c. No wall sign shall project more than 12 inches beyond the plane of the wall to which it is attached, excluding permitted awning signs.

d. All mounting brackets and other hardware used to affix the sign to the wall shall be concealed by the sign or integrated into the design of the sign.

e. Wall signs shall not be permitted on any building wall facing a residential district except that the name and address of the business may be painted on the rear door for emergency purposes, and may not exceed 150 square inches.

f. One wall sign shall be permitted on each building frontage. One additional wall sign shall be permitted on a wall not on a building frontage if the total sign area of all wall signs on the building does not exceed the total sign area permitted in subsection (a)(1) g. of this section.

g. Businesses permitted two wall signs by the provisions of this article shall be permitted one wall sign at the maximum sign area permitted by table 6.8. The second wall sign shall be permitted 50 percent of the maximum sign area permitted for the first sign, plus the difference, if any, between the actual square footage of the first sign and the maximum square footage permitted by table 6.8 for the first sign. The maximum sign area for both signs shall not exceed 1 1/2 times the sign area permitted by table 6.8 for the first sign.

h. In no instance shall wall signs be permitted on more than two building faces.

i. All roof signs are prohibited, except signs affixed to mansard roofs consisting of nonilluminated freestanding or cut-out letters, with no ground supports except the roof.

(2) Freestanding signs shall comply with the following requirements:

a. Except as permitted below, no freestanding sign shall exceed eight feet in height.

b. Except as permitted below, no freestanding sign shall exceed 64 square feet in sign area per side and no more than two sides shall be permitted.

c. Businesses not within a shopping center with more than 500 feet of frontage on arterial streets shall be allowed one two-sided freestanding sign not exceeding 150 square feet in sign area per side and 15 feet in height or the height of the building, whichever is lower.

d. Only one freestanding sign is permitted per zoning lot.

e. Only one freestanding sign is permitted per monument or similar group of supports, excluding temporary permitted signs.

f. The freestanding sign may include a manual changeable copy sign provided the maximum sign area for the freestanding sign is not exceeded.

g. Landscaping shall be installed in a minimum two-foot radius around the sign base and shall consist of a minimum of six shrubs. The landscape

area shall consist of an edged, mulched bed, free of weeds, and shall be maintained so that no plantings obstruct the sign information (logo, letters, numbers, and/or symbols). A landscaping plan shall be submitted for review and approval with the sign permit application.

(3) Permanent window signs shall comply with the following requirements:

a. No sign shall encroach upon the frame, mullions, or other supporting features of the glass.

b. The maximum sign area is 50 percent of the window area.

c. The sign shall not obstruct the view of the interior by police or fire personnel.

(4) Awning signs shall comply with the following requirements:

a. Awnings imprinted with lettering or logos or otherwise intended as a sign to attract attention to a business, service, or activity, shall be permitted subject to the wall sign requirements in section 6-8(a)(1) above except as provided below.

b. The sign area shall not exceed 25 percent of the height and width of the awning, or the permitted sign area allowed in table 6.8, whichever is less.

c. No portion of an awning shall extend into or over a driveway or parking area.

d. The sign shall not obstruct the view of the interior by police or fire personnel.

e. Awning signs shall not be permitted on any building wall facing a residential district.

f. Awning signs shall not extend above the wall to which it is attached.

g. All mounting brackets and other hardware used to affix the awning sign to the wall shall be concealed by the awning sign or integrated into the design of the awning sign.

h. Both awnings and wall signs may be permitted on one building face but the total sign area shall not exceed that permitted in table 6.8.

(5) Directional signs shall comply with the following requirements:

a. The height of the sign shall not exceed five feet.

b. The maximum sign area is six square feet per side.

c. The maximum number of signs shall not exceed one per curb cut and four per site.

(6) Menu boards shall comply with the following requirements:

a. A maximum of one single-faced menu board is permitted per drive-through lane.

b. The maximum area shall not exceed 36 square feet.

c. The maximum height shall not exceed eight feet.

(7) All signs permitted in residential districts shall be permitted in commercial districts.

(b) *Permitted permanent signs for businesses located within shopping centers.*

(1) Sign plan required. To allow for a uniform appearance of signs within shopping centers, tenants and owners must comply with the shopping center's approved sign plan. The shopping center sign plan shall be approved as part of the building permit for the shopping center, or if constructed, by the subsequent submittal and approval of a signage plan by the community development department. The sign plan must include provisions to ensure signs within the shopping center are compatible in type, size, shape, color, style, illumination, material, and relative position on the building face. Amendments to the approved sign plan must be submitted in writing by the shopping center owner or management company for consideration by the zoning administrator. The requirements in the approved sign plan are in addition to the requirements of this article. In the event that there is a conflict between the requirements of the sign plan and this article, the more restrictive requirements shall control.

(2) Wall signs shall comply with the approved shopping center sign plan and the following requirements:

a. Wall signs shall not exceed the total area allowed in table 6.8.

b. No wall sign shall extend above or beyond the wall to which it is attached.

c. No wall sign shall project more than 12 inches beyond the plane of the wall to which it is attached, excluding permitted awning signs.

d. All mounting brackets and other hardware used to affix the sign to the wall shall be concealed by the sign or integrated into the design of the sign.

e. Wall signs shall not be permitted on any building wall facing a residential district, except that the name and address of the business may be painted on the rear door for emergency purposes and may not exceed 150 square inches.

f. End units on shopping center buildings with 50,000 square feet in size or greater shall be permitted a second wall sign on an additional building face, provided the sign area does not exceed 50 percent of the sign area permitted on the alternate building frontage.

g. Shopping centers included in this subsection which have adjacent outlot buildings may, if the outlot property does not have a freestanding sign, and a covenant is recorded upon the outlot prohibiting freestanding signs, erect a wall sign on an additional building face. The required covenant shall provide that the covenant runs with the land and the covenant can not be extinguished or released without the written consent of the village. Evidence that the covenant has been properly recorded shall be submitted to the village attorney before a sign permit is issued. The

permitted sign area on the second building face shall be 50 percent of that permitted on the other building face.

h. Wall signs on outlot buildings shall not be permitted on more than two building faces.

i. Businesses permitted two wall signs by the provisions of this article shall be permitted one wall sign at the maximum sign area permitted by table 6.8. The second wall sign shall be permitted 50 percent of the maximum sign area permitted for the first sign, plus the difference, if any, between the actual square footage of the first sign and the maximum square footage permitted by table 6.8 for the first sign. The maximum sign area for both signs shall not exceed 1 1/2 times the sign area permitted by table 6.8 for the first sign.

j. All roof signs are prohibited, except signs affixed to mansard roofs consisting of nonilluminated freestanding or cut-out letters, with no ground supports except the roof.

(3) Permanent window signs shall comply with the approved shopping center sign plan and the following requirements:

a. No sign shall encroach upon the frame, mullions, or other supporting features of the glass.

b. The maximum sign area is 50 percent of the window area.

c. The sign shall not obstruct the view of the interior by police or fee [fire] personnel.

(4) Awning signs shall comply with the approved shopping center sign plan and the following requirements:

a. Awnings imprinted with lettering or logos or otherwise intended as a sign to attract attention to a business, service, or activity, shall be permitted subject to the wall sign requirements in section 8-8(b)(2) above except as provided below.

b. The sign area shall not exceed 25 percent of the height and width of the awning, or the permitted sign area allowed in table 6.8, whichever is less.

c. No portion of the awning shall extend into a driveway or parking area.

d. The sign shall not obstruct the view of the interior by police or fire personnel.

e. Awning signs shall not be permitted on any building wall facing a residential district.

f. Awning signs shall not extend above the wall to which it is attached.

g. All mounting brackets and other hardware used to affix the awning sign to the wall shall be concealed by the awning sign or integrated into the design of the awning sign.

h. Both awnings and wall signs may be permitted on one building face but

the total sign area shall not exceed that permitted in table 6.8.

(4.1) One under-canopy sign shall be permitted per tenant space in a shopping center, subject to the following requirements:

a. Such sign shall not exceed two square feet in surface area per side;

b. A minimum clearance of eight feet from the sidewalk to the bottom of the sign shall be provided;

c. Such signs shall be perpendicular to the building; and

d. Such signs may be internally illuminated. External illumination shall be prohibited.

(5) Directional signs shall comply with the approved shopping center sign plan and the following requirements:

a. The height of the sign shall not exceed five feet.

b. The maximum sign area is six square feet per side.

c. The maximum number of signs shall not exceed one per curb cut and four per site.

(6) Menu boards shall comply with the approved shopping center sign plan and the following requirements:

a. A maximum of one single-faced menu board is permitted per drive-through lane.

b. The maximum area shall not exceed 36 square feet.

c. The maximum height shall not exceed eight feet.

(7) Permanent freestanding signs shall comply with the approved shopping center sign plan and the following requirements for:

a. Shopping centers with less than 300 feet of street frontage on arterial streets as defined in section 90-33.

1. No freestanding sign shall exceed ten feet in height or the height of the building, whichever is lower.

2. The maximum permitted sign area is 80 square feet per side.

3. No freestanding sign shall have more than two sides.

4. Only one freestanding sign is permitted per shopping center.

5. Only one freestanding sign is permitted, not including temporary permitted signs.

6. Tenant panels may be incorporated into the freestanding sign, provided the maximum sign area is not exceeded. Each tenant panel shall be a minimum of 12 inches in height and shall only list the name of the business or occupant of the shopping center.

7. The freestanding sign may include a manual changeable copy

sign provided the maximum sign area for the freestanding sign is not exceeded.

b. Shopping centers with 300 to 500 feet of street frontage on arterial streets as defined in section 90-33.

1. No freestanding sign shall exceed 12 feet in height or the height of the building, whichever is lower.

2. The maximum permitted sign area is 100 square feet per side.

3. No freestanding sign shall have more than two sides.

4. Only one freestanding sign is permitted per shopping center.

5. Only one freestanding sign is permitted, not including temporary permitted signs.

6. Tenant panels may be incorporated into the freestanding sign, provided the maximum sign area is not exceeded. Each tenant panel shall be a minimum of 12 inches in height and shall only list the name of the business or occupant of the shopping center.

7. The freestanding sign may include an automatic changeable copy sign provided the area of the automatic changeable copy sign does not exceed 25 percent of the maximum permitted sign area for the freestanding sign.

8. The freestanding sign may include a manual changeable copy sign provided the maximum sign area for the freestanding sign is not exceeded.

c. Shopping centers with more than 500 feet of frontage on an arterial street as defined in section 90-33.

1. No freestanding sign shall exceed 15 feet in height.

2. The maximum permitted sign area is 150 square feet per side.

3. Only one freestanding sign is permitted per shopping center unless such shopping center fronts on two principal arterials; in which case, one freestanding sign may be allowed on each street frontage. The maximum sign area for both signs shall not exceed 428 square feet. One sign shall have a maximum permitted area of 150 square feet per side and shall not be greater than 15 feet or higher than the top of the roof of the building, whichever is less. The second sign for the shopping center shall have a maximum permitted area of 64 square feet per side plus the difference, if any, between the actual per side square footage of the first sign and the 150 square feet allowed. The height of the second sign shall not be greater than ten feet or higher than the top of the roof of the building, whichever is less.

4. No freestanding sign shall have more than two sides.

5. Only one freestanding sign is permitted, not including temporary

permitted signs.

6. Tenant panels may be incorporated into the freestanding sign, provided the maximum sign area is not exceeded. Each tenant panel shall be a minimum of 12 inches in height and shall only list the name of the business or occupant of the shopping center.

7. One freestanding sign may include an automatic changeable copy sign provided the area of the automatic changeable copy sign does not exceed 25 percent of the maximum permitted sign area for the freestanding sign.

8. Shopping centers included in this subsection which have adjacent outlot buildings may, if the outlot property does not have a freestanding sign, and a covenant is recorded upon the outlot prohibiting freestanding signs, add the permitted freestanding sign area of the outlot building to either shopping center identification sign or apportion the sign area between the shopping center identification signs. The required covenant shall be approved as to form and content by the village attorney. The covenant shall provide that the covenant runs with the land and that the covenant cannot be released or extinguished without the written consent of the village. Evidence that the covenant has been properly recorded shall be submitted to the village attorney before a sign permit is issued.

9. The freestanding sign may include a manual changeable copy sign provided the maximum sign area for the freestanding sign is not exceeded.

10. Shopping centers greater than 15 acres in size that are permitted two freestanding signs as part of this chapter may increase the permitted height of the lower sign by the difference in elevation from the higher sign. The elevation shall be measured from that part of the closest right-of-way line to the proposed sign.

d. Permanent freestanding signs for theaters. Movie theaters within shopping centers shall be allowed one freestanding sign complying with the following requirements:

1. The height of the sign shall not exceed ten feet or the height of the building, whichever is lower.

2. The maximum sign area is 80 square feet per side.

3. No freestanding sign shall have more than two sides.

4. The freestanding sign may include a manual changeable copy sign provided the maximum sign area for the freestanding sign is not exceeded.

5. Only one freestanding sign is permitted, not including temporary permitted signs.

6. Two theater signs shall be permitted for theaters located in shopping centers with more than 500 feet of street frontage and located on two principal arterials. The signs may be included in the freestanding shopping center identification signs, provided the maximum permitted sign area for both signs is not exceeded.

e. Permanent freestanding signs shall comply with the approved shopping center sign plan. Landscaping shall be installed in a minimum two-foot radius around the sign base and shall consist of a minimum of six shrubs. The landscape area shall consist of an edged, mulched bed, free of weeds, and shall be maintained so that no plantings obstruct the sign information (logo, letters, numbers, and/or symbols). A landscaping plan shall be submitted for review and approval with the sign permit application.

(8) All signs permitted in residential districts shall be permitted in commercial districts.

(9) Landscaping shall be installed in a minimum two-foot radius around the sign base and shall consist of a minimum of six shrubs. The landscape area shall consist of an edged, mulched bed, free of weeds, and shall be maintained so that no plantings obstruct the sign information (logo, letters, numbers, and/or symbols). A landscaping plan shall be submitted for review and approval with the sign permit application.

(c) *Permitted temporary signs in business districts.*

(1) Special promotion signs.

(2) Grand opening signs.

(3) Light pole signs.

(4) Government signs.

(5) Political signs.

(6) Real estate signs.

(7) Construction signs.

(8) Civic signs.

(9) Temporary window signs.

(10) Corporate flags.

(11) Help wanted signs.

(12) Going out of business signs.

(13) Signs for seasonal commercial establishments.

a. A temporary wall sign shall be permitted on one building frontage.

b. The maximum sign area of the temporary wall sign shall not exceed the area allowed in Table 6.8.

c. The maximum time period to display the temporary wall sign shall be 90 days.

d. The sign must be of professional quality in its appearance and construction.

e. The owner of a sign and the owner of the premises on which the sign is located shall be jointly and severally liable to maintain such sign, in compliance with section 6-12(e) of this article and this Code. The sign shall be maintained structurally sound and in good repair, and to prevent the deterioration in the physical appearance of such sign.

f. The applicant shall post a $100.00 cash bond as a part of the permit to ensure the removal of the sign when the permit expires. Failure to remove the sign shall result in the forfeiture of the bond and other enforcement action.

(d) *Time-temperature signs.* Time-temperature signs shall be permitted to be incorporated into permitted signage in accordance with the following regulations:

(1) The time-temperature display area shall not exceed four square feet per side.

(2) The allowable sign area for the subject sign shall not be exceeded.

(3) The time-temperature sign must be continually adjusted to present accurate readings.

(4) Temperature display only signs shall change only when the active temperature varies by degrees.

(5) Time display only signs shall change no more frequently than at one-minute intervals, excluding changes displaying the passage of time in second intervals.

(6) Signs displaying alternate time-temperature readings shall change no more frequently than once every 15 seconds.

(e) *Automobile service stations.* Automobile service stations shall comply with these additional requirements related to the unique activities occurring at such establishments:

(1) *Information on gasoline pumps.* Matter appearing on gasoline pumps as purchased or installed shall not be considered as signs for purposes of this article.

(2) *Price and service information.* In addition to all other signs permitted by this article, an automobile service station may display one sign, not larger than three square feet per face with a maximum of two faces at each pump area stating whether the area is a "self-service" or a "full-service" area. No element of the cost of [to] the customer of the gasoline shall be omitted from statement of the price. There shall be a sign required if the pump reads one-half of the actual cost to the customer. This sign shall indicate that the customer will pay double what the pump reads.

(3) *Signable areas.* Automobile service stations which include interior facilities for the servicing of automobiles may have one sign identifying the service(s) performed by the service station which may be placed over the opening to each

bay. Such signs shall have one face and shall not exceed three square feet each.

(4) *Additional signs.* Automobile service stations may display the following additional signs:

a. Signs showing an affiliation with a motor club.

b. Signs indicating the acceptance of designated credit cards.

c. Matters appearing on outdoor vending machines as purchased or installed.

d. Up to two signs may be attached to a canopy that do not exceed ten square feet each.

(5) *Automobile service stations* may display outside display racks or signs advertising batteries, tires, oil or other products, if the signs are located directly adjacent to a display of the product(s) described. Such signs may have two faces. Said signs shall not exceed three square feet per face. There shall only be three of these signs displayed at one time.

(Code 1975, § 3-8; Ord. No. O-94-42, § 1, 8-4-1994; Ord. No. O-94-61, §§ 1, 3, 11-3-1994; Ord. No. O-96-13, §§ 1--3, 3-21-1996; Ord. No. O-98-25, § 2, 5-7-1998; Ord. No. O-02-22, §§ 1, 2, 5-16-2002; Ord. No. O-02-24, §§ 2, 3, 6, 6-6-2002; Ord. No. O-04-07, §§ 5--12, 2-19-2004; Ord. No. O-07-35, § 2, 11-15-2007; Ord. No. O-08-07, § 1, 1-17-2008)

Sec. 6-9. Permitted signs in industrial districts.

(a) *Permitted signs for businesses not within a business park.*

(1) Wall signs shall comply with the following requirements:

a. No wall sign shall extend above or beyond the wall to which it is attached.

b. No wall sign shall project more than 12 inches beyond the plane of the wall to which it is attached.

c. All mounting brackets and other hardware used to affix the sign to the wall shall be concealed by the sign or integrated into the design of the sign.

d. Wall signs shall not be permitted on any building wall facing a residential district, except that the name and address of a business may be painted on the rear door for emergency purposes, and may not exceed 150 square inches.

e. One wall sign shall be permitted per building frontage, except that wall signs shall not be permitted on more than two building faces.

f. Wall sign area shall not exceed one square foot per lineal foot of building frontage.

(2) Freestanding signs shall comply with the following requirements:

a. One two-sided freestanding sign shall be permitted per zoning lot.

b. The freestanding sign shall not exceed 50 square feet in area per side or ten feet in height.

c. Only one freestanding sign is permitted, not including temporary permitted signs.

d. The freestanding sign may include a manual changeable copy sign, provided the maximum sign area for the free standing sign is not exceeded.

e. Landscaping shall be installed in a minimum two-foot radius around the sign base and shall consist of a minimum of six shrubs. The landscape area shall consist of an edged, mulched bed, free of weeds, and shall be maintained so that no plantings obstruct the sign information (logo, letters, numbers, and/or symbols). A landscaping plan shall be submitted for review and approval with the sign permit application.

(3) Directional signs complying with the following requirements:

a. The height of the sign shall not exceed five feet.

b. The maximum sign area is six square feet per side.

c. The maximum number of signs shall not exceed one per curb cut and four per site.

(4) All signs permitted in residential districts shall be permitted in industrial districts.

(b) *Permitted signs for businesses within a business park.*

(1) Sign plan required. To allow for a uniform appearance of signs within a business park, developers, and users must comply with the approved sign plan. The industrial development sign plan shall be approved as part of the subdivision or planned unit development approval process. The sign plan must include provisions for monument signs at entrances to the development as well as freestanding and wall signs for individual users. Amendments to the approved sign plan must be submitted in writing for consideration by the zoning administrator. The requirements in the approved sign plan are in addition to the requirements of this article. In the event that there is a conflict between the requirements of the sign plan and this article, the more restrictive requirements shall control.

(2) Entrance monuments, as permitted in the approved sign plan. Landscaping shall be installed in a minimum two-foot radius around the sign base and shall consist of a minimum of six shrubs. The landscape area shall consist of an edged, mulched bed, free of weeds, and shall be maintained so that no plantings obstruct the sign information (logo, letters, numbers, and/or symbols). A landscaping plan shall be submitted for review and approval with the sign permit application.

(3) Wall signs shall comply with the following requirements:

a. Each single-tenant building shall be permitted one wall sign not exceeding 100 square feet in area.

b. All wall signs shall consist of only back or exterior lit individual channel letters or logos and shall only include the name and/or logo of the business.

c. Each multi-tenant building shall be permitted no more than two tenant wall signs. Each sign shall not exceed 60 square feet, or a total of 120 square feet of total wall signage on one building face. The signs must be displayed on the same building face and shall be separated by a minimum of 250 linear feet.

d. No wall sign shall extend above or beyond the wall to which it is attached.

e. No wall sign shall project more than 12 inches beyond the plane of the wall to which it is attached.

f. All mounting brackets and other hardware used to affix the sign to the wall shall be concealed by the sign or integrated into the design of the sign.

g. Wall signs shall not be permitted on any building wall facing a residential district, except that the name and address of the business may be painted on the rear door for emergency purposes and may not exceed 150 square inches.

(4) Freestanding signs shall comply with the following requirements:

a. The freestanding sign shall be a two-sided, low-profile, monument sign not exceeding seven feet in height, 13 feet in width, 18 inches in depth, or 50 square feet per side. Signs shall be horizontal in appearance and shall have a width to height proportion of no less than 1-1/2:1 and no greater than 2-1/2:1.

b. A six-inch-tall address panel, equal in length to the tenant panel, shall be mounted directly beneath the tenant panel and shall include the number and street address of the property in three-inch letters.

c. One freestanding sign is permitted per lot, except that on lots with two or more frontages of at least six acres in size, two freestanding signs may be installed provided they are separated by at least 150 linear feet as measured along front and corner-side lot lines.

d. All signs shall be set back a minimum of five feet from property lines or paved drives and walkways (as measured from back of curb).

e. Landscaping shall be installed in a minimum two-foot radius around the sign base and shall consist of a minimum of six shrubs. The landscape area shall consist of an edged, mulched bed, free of weeds, and shall be maintained so that no plantings obstruct the sign information (logo, letters, numbers, and/or symbols). A landscaping plan shall be submitted for review and approval with the sign permit application.

(5) Directional signs complying with the following requirements:

a. The height of the sign shall not exceed five feet.

b. The maximum sign area is six square feet per side.

c. The maximum number of signs shall not exceed one per curb cut or four per site.

(6) All signs permitted in residential districts shall be permitted in industrial districts.

(c) *Temporary signs permitted in industrial districts.*

(1) Government signs.

(2) Special promotion signs.

(3) Grand opening signs.

(4) Political signs.

(5) Real estate signs.

(6) Construction signs.

(7) Corporate flags.

(8) Help wanted signs.

(9) Open house signs.

(Code 1975, § 3-9; Ord. No. O-94-42, § 1, 8-4-1994; Ord. No. O-02-24, §§ 1, 4, 7, 6-6-2002; Ord. No. O-04-07, §§ 13, 14, 2-19-2004)

Sec. 6-10. Permitted signs in the historic and limited office districts.

(a) *General regulations.*

(1) Internally illuminated signs are prohibited.

(2) Signs which are illuminated from white light sources shining on the sign are permitted.

(3) Colored lights are prohibited except for seasonal displays from November 1 through January 15.

(4) Signs constructed of plastic are prohibited.

(5) Signs may be constructed of metal or fire-retardant treated wood.

(b) *Permitted permanent signs.*

(1) Freestanding signs shall comply with the following requirements:

a. No freestanding sign shall exceed seven feet in height.

b. The maximum permitted sign area is 12 feet per side.

c. No freestanding sign shall have more than two sides.

d. The maximum width of any freestanding sign is four feet.

e. One freestanding sign shall be permitted per premise.

f. Only one freestanding sign is permitted per post or other similar supports.

g. Landscaping shall be installed in a minimum two-foot radius around the sign base and shall consist of a minimum of six shrubs. The landscape area shall consist of an edged, mulched bed, free of weeds, and shall be maintained so that no plantings obstruct the sign information (logo, letters, numbers, and/or symbols). A landscaping plan shall be submitted for review and approval with the sign permit application.

(2) Wall signs shall comply with the following requirements:

a. General requirements.

1. Wall signs shall not be permitted on any building wall facing a residential district, except that the name and address of the business may be painted on the rear door for emergency purposes, and may not exceed 150 square inches.

b. Facade frieze panel signs.

1. Facade frieze panel signs shall be no thicker than two inches.

2. On multi-story buildings, the facade frieze panel shall be a minimum of 12 inches below the sills of the second floor windows.

3. On a single-story building, the facade frieze panel shall be a maximum of 12 feet above the ground.

4. The sign area shall not exceed 12 square feet.

c. Plaque signs.

1. Plaque signs shall be no more than two inches thick.

2. The sign shall be mounted on the first floor of the building, no closer than 12 inches to the corner or edge of the building face and no higher than six feet above the ground.

3. The maximum sign area is 12 square feet, with no dimension exceeding four feet.

(3) Window signs shall comply with the following requirements:

a. Window signs shall not cover more than 25 percent of the window area.

b. Permanent window signs may be painted or applied directly to the window.

c. Transparent panels with lettering applied may be suspended inside the window.

d. No sign shall encroach upon the frame, mullions or other supporting features of the glass.

e. The sign shall not obstruct the view of the interior by fire or police personnel.

(4) Valance signs shall comply with the following requirements:

a. The valance sign shall be a maximum of eight inches deep.

b. The valance sign shall not be mounted directly to the building, but shall be hung by chains or metal brackets.

c. Letters shall be die cut or raised.

d. The signs shall not exceed 12 square feet.

(c) *Permitted temporary signs.*

(1) Government signs.

(2) Political signs.

(3) Real estate signs.

(4) Open house signs.

(5) Help wanted signs.

(6) Construction signs.

(7) Civic event signs.

(Code 1975, § 3-10; Ord. No. O-94-42, § 1, 8-4-1994; Ord. No. O-02-24, § 5, 6-6-2002; Ord. No. O-04-07, § 15, 2-19-2004)

Sec. 6-11. Administration and enforcement.

(a) The community development department shall be responsible for the administration and enforcement of this article and shall:

(1) Receive and review applications for sign permits.

(2) Issue sign permits for signs conforming with the provisions of this article.

(3) Forward to the appropriate reviewing bodies all applications for variations from the provisions of this article.

(4) Examine premises for which permits have been issued and make necessary inspections to determine compliance.

(5) When the interest of the village so requires, make investigations and render written reports.

(6) Recommend rules and implement procedures consistent with this article.

(Code 1975, § 3-11; Ord. No. O-94-42, § 1, 8-4-1994)

Cross references: Administration, ch. 2.

Sec. 6-12. General maintenance and construction.

(a) *Wind pressure.* All signs erected within the village shall be constructed to withstand wind pressure of at least 30 pounds per square foot of net surface area.

(b) *Construction.* All signs erected in the village shall be constructed of incombustible materials except in the following instances and only in compliance with the following regulations:

(1) Temporary signs may be constructed of combustible materials but must be in compliance with all other applicable village regulations. Freestanding signs constructed of wood or any other combustible materials shall be permitted not exceeding five feet in height or any area of 50 square feet per side, except that wood or combustible materials may be used as bands, letters, moldings, or decorations.

(2) Wall signs constructed of combustible materials shall be permitted not exceeding nine square feet in total area.

(3) Government signs constructed of combustible materials shall be permitted.

(c) *Illumination.*

(1) All electrical signs to be installed in the village shall be installed and maintained in accordance with the electrical code adopted by the village. No permit for an illuminated sign shall be issued unless the plans are in compliance with all electrical requirements.

(2) All signs in which electrical wiring and connections are used shall have affixed thereon a plate showing the voltage of the electrical apparatus used in connection with the sign.

(3) In no case shall the lighting intensity of any sign, whether resulting from internal or external illumination, exceed 75 footcandles when measured with a standard light meter perpendicular to the face of the sign at a distance equal to the narrowest dimension of the sign.

(d) *Laboratory approval required.*

(1) Every electric sign to be erected in the village, fixed or portable, shall be listed by Underwriters Laboratory or another approved testing laboratory. The sign manufacturers must provide written documentation of such listing. All signs must be installed in conformance with that listing.

(e) *Maintenance.*

(1) All signs and their supports shall be maintained in a safe, secure, presentable, and structurally sound condition at all times, and in no case shall any sign be permitted to present a threat to the public safety or welfare. Signs shall be maintained in compliance with all applicable codes and ordinances of the village and in accordance with the following regulations:

a. Signs and their related support structures shall be kept clean and property [properly] treated so as to prevent rust, peeling, flaking, or fading.

b. Signs shall be maintained free of any broken panels, lights, tubes, missing letters, flaking or peeling paint.

c. The area surrounding all signs shall be maintained free of debris and any

surrounding grassed or landscaped area shall be kept trimmed and in a healthy condition.

(2) The owner of any sign which is found by the community development director to be maintained in violation of the provisions of this article shall be given written notice of such violations. The sign owner shall repair, or take action to initiate repair of the damage, within 15 days of receipt of written notice.

If the sign owner fails to take action to repair of the sign within 15 days of written notice, the sign may be removed by the community development department at the expense of the sign owner. Any sign posing an immediate risk to the public may be removed or repaired by the village without notice at the expense of the sign owner.

(3) A permit is not required to clean or maintain signs as long as the work does not involve electrical alterations, enlargement of the sign, replacing panels or replacing permanently affixed letters or logos.

(Code 1975, § 3-12; Ord. No. O-94-42, § 1, 8-4-1994)

Sec. 6-13. Removal of signs.

(a) *Illegal sign.*

(1) Any permanent sign found to be displayed in violation of this article is hereby classified as an illegal sign. Whenever an illegal sign is found to exist, the community development director shall notify the person displaying such sign by personal service or mail. Such person shall either remove the sign or initiate action necessary to cause the sign to comply with this article within ten days of notice.

(2) Any temporary sign illegally displayed, or any sign illegally placed in the public right-of-way shall be immediately removed or caused to comply with all the provisions of this article upon notice by personal notice or mail.

(b) *Signs for businesses no longer in operation.*

(1) Any sign, now or hereafter existing, which advertises a business no longer in operation or services or products no longer offered on the premises, shall be removed by the owner within 60 days of the discontinuance of the business. If said owner fails to remove the sign within the time specified in written notice from the community development department, the community development director is hereby authorized to cause the removal of such sign. Any expense incident thereto shall be paid by the sign owner.

(Code 1975, § 3-13; Ord. No. O-94-42, § 1, 8-4-1994)

Sec. 6-14. Penalty for violations.

Any person who erects, alters, or moves any sign without obtaining the required permits from the community development department, shall be subject to a penalty not less than $25.00 nor more than $500.00. Each day a violation exists shall be considered a separate offense.

(Code 1975, § 3-14)

Sec. 6-15. Nonconforming signs.

Any sign lawfully existing or under construction at the time of the adoption of this article which does not conform to one or more of the provisions of this article, and any such signs which shall become nonconforming upon the adoption of any amendments thereto may continue in operation and may be maintained indefinitely as a legal nonconforming sign subject to the following requirements:

(a) Normal maintenance of legal nonconforming signs, including changing of copy or panels, necessary nonstructural repairs, and incidental alterations, including the addition of tenant panels, which do not extend or intensify the nonconforming features of the sign, shall be permitted.

(b) No structural alteration, enlargement, or extension shall be made to a legal nonconforming sign unless the alteration, enlargement, or extension will result in the elimination of the nonconforming features of the sign.

(c) If a legal nonconforming sign is damaged or destroyed by any means to the extent of 50 percent of its replacement value at that time, the sign may not be rebuilt or used thereafter unless it is made to conform to all of the provisions of this article.

(d) In the event the damage or destruction of the nonconforming sign is less than 50 percent of its replacement value at that time, the sign may be rebuilt to its original condition and may continue to be displayed.

(e) A legal nonconforming sign may be relocated in compliance with this article when relocation of that legal nonconforming sign is required by the use of the power of eminent domain by an authorized public entity which acquires the property on which the sign was located.

(Code 1975, § 3-15; Ord. No. O-94-42, § 1, 8-4-1994)

Sec. 6-16. Variations.

(a) *Purpose.*

(1) The variation process is intended to provide limited relief in instances where the literal provisions of this article create undue and unnecessary hardship in such a way as to prevent property owner from displaying a sign as intended by this article.

(b) *Application and processing--Residential, business, limited office and industrial districts.*

(1) Variation requests may be made only by the property owner on which the proposed sign is to be placed and shall be filed with the zoning administrator on the appropriate application form. A completed application shall include the following information:

a. The name, address and phone number of the property owner.

b. A written description and justification of the requested variation and Code section to be varied.

c. The location of the building, structure, or lot on which the proposed sign is to be placed.

d. An up-to-date plat of survey of the property, showing accurate placement of the proposed sign.

e. Twenty-five copies of a blueprint or ink drawing of the specifications of the proposed sign including the method of construction, type of sign, materials, color, size, type of illumination (if applicable), and attachment to the building or ground.

f. Twenty-five copies of landscape or elevation plans or such additional information as required by the zoning administrator to accurately describe the variation request.

g. A letter from the property owner indicating approval of the sign as submitted.

(2) A complete application, including all required supporting documentation and hearing fees, shall be submitted to the zoning administrator at least four weeks prior to the regularly scheduled meeting of the development commission to be scheduled for a public hearing on that date. The zoning administrator shall forward the appropriate materials along with a recommendation for approval or denial of the petition to the development commission at least seven days prior to the hearing.

(3) Notice of the public hearing shall follow the procedures established in section 110-4.10.1 of this Code.

(4) Recommendations of the development commission on a sign variation shall be accompanied by findings of fact specifying the reasons for recommending the approval or denial of the variation and shall be forwarded to the president and board of trustees for final action. The decision of the president and board of trustees thereon shall be final.

(c) *Standards.*

(1) The development commission shall not recommend approval of any variance unless it conforms to the standards set forth in section 110-4.7.8 of this Code.

(d) *Authorized sign variations.*

(1) Variations from the regulations of this article may be considered by the development commission and approved by the president and board of trustees only in the following instances, and no others:

a. To permit the erection of a sign for a legal nonconforming use in a residential zone which would not conform to the regulations of a residential district, but which would not exceed the regulations for a sign located in a business district.

b. To permit the location of an off-premise sign within 500 feet of the

premise, where it can be demonstrated that because of unique physical surroundings, shape, or topographical conditions of the specific business premises, a particular hardship would be brought on the owner, and no other reasonable alternatives exist which would conform to this article. Such sign must comply with all other regulations of the district in which it is located.

c. To permit a variation from the maximum number, location, and area of wall signs allowed for a business located in a shopping center where it can be demonstrated that due to a unique configuration of the shopping center, the business does not have direct building display frontage to a street and therefore is unable to erect a wall sign adequate to meet the advertising needs of the business under the provisions of this article. In no case shall the number of permitted wall signs be increased greater than two, and the permissible signable area shall not be increased greater than 20 percent.

d. To permit an increase in the number of directional signs allowed on a business property where it can be demonstrated that due to a unique configuration of the parcel, additional traffic control signage is required to promote safe on-site circulation, or in the instance of a business which requires unusual on-site traffic circulation due to a multi-lane drive-through or other unique business use. The number of on-site directional signs shall not be increased more than 75 percent. The number of directional signs at each curb cut shall not exceed one.

e. To permit an increase in the maximum square footage of a church identification sign for churches with permanent seating capacity exceeding 500. Larger churches uniquely draw attendees from greater distances and in larger numbers and therefore require a larger identification sign. In no case shall a church identification sign be increased more than 25 percent per side or be permitted to exceed ten feet in height. Any church requesting such a variance must provide proof of seating capacity.

f. To permit a freestanding sign to have more than two sides on unusually shaped lots where it can be demonstrated that a two-sided sign will not be clearly visible from all street directions. No sign shall be permitted to have more than three sides and the total square footage for the freestanding sign in the district where the sign is located shall not be exceeded.

g. To permit the reconstruction of an existing, legal, nonconforming shopping center identification sign at the same gross sign area as the existing sign. The height of the sign and all other characteristics of the sign must be brought into compliance with this article at the time of construction. A legal, nonconforming shopping center identification sign shall not be permitted to be reconstructed greater than 428 square feet in gross surface area. If the shopping [center] is allowed a second freestanding identification sign under the provisions of this article, the total square footage for both signs shall not exceed 428 square feet.

h. To permit a shopping center wall identification sign where a unique site configuration creates the need for additional shopping center identification in addition to or in lieu of, a freestanding sign the sign shall not exceed 75 percent of the total permitted area of the allowed freestanding sign, or of the larger freestanding sign where two freestanding signs are permitted for the shopping center, and shall conform to the shopping center sign plan. The wall sign shall include the name of the shopping center and may include tenant panels provided they do not exceed the maximum sign area for the sign. Each tenant panel shall be a minimum of 12 inches in height and shall only list the name of a shopping center tenant. The wall sign shall face the arterial street which the shopping center fronts and no variation shall be given allowing the wall sign to face a residential district.

(e) *Conditions and restrictions.*

(1) The development commission may recommend to the president and board of trustees that a variation be granted when it shall be determined from evidence presented at the public hearing that the variation will not merely serve as a convenience to the petitioner but is necessary to alleviate some demonstrable hardship or unusual practical difficulty and that the granting of the variation will not in any way be inconsistent with the intent, purpose, and objectives of this article.

(2) In any case where a variation has been granted, and where no work pertinent thereto has been initiated within one calendar year from the date of approval from the president and board of trustees, then without further action by either the development commission or the president and board of trustees, said variation shall become null and void.

(f) Reserved.

(Code 1975, § 3-16; Ord. No. O-96-06, §§ 1, 2, 2-15-1996; Ord. No. O-07-07, § 4, 4-19-2007)

Secs. 6-17--6-40. Reserved.

Village of Hanover Park
Community Development Department

INTEROFFICE MEMORANDUM

TO: Chairman Wachsmuth and members of the Development Commission

FROM: Katie Bowman, Village Planner

SUBJECT: **Required Open Meetings Act Training**

ACTION REQUESTED: ☐ Approval ☐ Disapproval ☒ Information

MEETING DATE: **October 11, 2012**

REQUEST SUMMARY:

The above referenced topic is scheduled for Development Commission discussion at 7:00 p.m. on October 11, 2012 in Room 214 of the Municipal Building, 2121 Lake Street.

Staff requests that new members of the Development Commission complete Open Meetings Act electronic training online at http://foia.ilattorneygeneral.net/default.aspx. If you need technical support, please contact the Clerk's Office at 630.823.5602.

BACKGROUND:

With a recent change to the Open Meetings Act, January 1, 2012, all elected or appointed members of a public body must successfully complete electronic training administered by the Public Access Counselor. This is a State Directive from the Office of the States Attorney.

RECOMMENDATION

Staff recommends the following new members complete this training: James Aird, Chuck Plaia and Gary Rasmussen and forward your certificate of completion to the Department of Community Development.

ATTACHMENTS

OMA Training Guideline

TRAINING

Training per the OMA Section 1.05, (5 ILCS 120/1.05)

- Each elected or appointed member of a public body must successfully complete the electronic training administered by the Public Access Counselor.
- It is requested that staff liaisons also take the training.
- Training deadlines,
  1. by a current elected or appointed member has to be completed within a year after the effective date of this amendatory Act, however, the Clerk's Office is requesting training be completed by March 15, 2012.
  2. Training for any new elected or appointed member has to be completed no later than the 90th day after the date the member has taken oath of office or assumes responsibilities as a member of the public body.
- Each member successfully completing the electronic training curriculum shall file a copy of the certificate of completion with the public body. Staff liaison is being asked to submit all certificates at once, via an electronic copy, by March 16, 2012 along with a list of any members who have not completed the training.
- Failure of one or more members of a public body to complete the training required by this Section does not affect the validity of an action taken by the public body.
- Training is to be taken online at http://foia.ilattorneygeneral.net/default.aspx. Clerk's Office will also provide technical support if necessary. Please call or email our office to set up an appointment if necessary.

5 ILCS 120/1.05)

Sec. 1.05. Training.

(a) Every public body shall designate employees, officers, or members to receive training on compliance with this Act. Each public body shall submit a list of designated employees, officers, or members to the Public Access Counselor. Within 6 months after the effective date of this amendatory Act of the 96th General Assembly, the designated employees, officers, and members must successfully complete an electronic training curriculum, developed and administered by the Public Access Counselor, and thereafter must successfully complete an annual training program. Thereafter, whenever a public body designates an additional employee, officer, or member to receive this training, that person must successfully complete the electronic training curriculum within 30 days after that designation.

(b) Except as otherwise provided in this Section, each elected or appointed member of a public body subject to this Act who is such a member on the effective date of this amendatory Act of the 97th General Assembly must successfully complete the electronic training curriculum developed and administered by the Public Access Counselor. For these members, the training must be completed within one year after the effective date of this amendatory Act.

Except as otherwise provided in this Section, each elected or appointed member of a public body subject to this Act who becomes such a member after the effective date of this amendatory Act of the 97th General Assembly shall successfully complete the electronic training curriculum developed and administered by the Public Access Counselor. For these members, the training must be completed not later than the 90th day after the date the member:

(1) takes the oath of office, if the member is required to take an oath of office to assume the person's duties as a member of the public body; or

(2) otherwise assumes responsibilities as a member of the public body, if the member is not required to take an oath of office to assume the person's duties as a member of the governmental body.

Each member successfully completing the electronic training curriculum shall file a copy of the certificate of completion with the public body.

Completing the required training as a member of the public body satisfies the requirements of this Section with regard to the member's service on a committee or subcommittee of the public body and the member's ex officio service on any other public body.

The failure of one or more members of a public body to complete the training required by this Section does not affect the validity of an action taken by the public body.

An elected or appointed member of a public body subject to this Act who has successfully completed the training required under this subsection (b) and filed a copy of the certificate of completion with the public body is not required to subsequently complete the training required under this subsection (b).

(c) An elected school board member may satisfy the training requirements of this Section by participating in a course of training sponsored or conducted by an organization created under Article 23 of the School Code. The course of training shall include, but not be limited to, instruction in:

(1) the general background of the legal requirements for open meetings;

(2) the applicability of this Act to public bodies;

(3) procedures and requirements regarding quorums, notice, and record-keeping under this Act;

(4) procedures and requirements for holding an open meeting and for holding a closed meeting under this Act; and

(5) penalties and other consequences for failing to comply with this Act.

If an organization created under Article 23 of the School Code provides a course of training under this subsection (c), it must provide a certificate of course completion to each school board member who successfully completes that course of training.

(Source: P.A. 96-542, eff. 1-1-10; 97-504, eff. 1-1-12.)

QUORUM

- NO QUORUM, NO MEETING.
  1. Per the Open Meetings Act;
     (5 ILCS 120/1.02) (from Ch. 102, par. 41.02) Sec. 1.02. For the purposes of this Act:
     "Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business or, for a 5-member public body, a quorum of the members of a public body held for the purpose of discussing public business.
- Please reference Chart 1 to determine *quorum* and *majority quorum* per total number of committee members.
- Please note the distinction between a *majority of quorum* and a *quorum:*
  1. Per Village Code (Sec. 2-526), a quorum shall consist of a majority of the appointed members of each committee, then holding office. If you do not have a quorum, you have too few members assembled to convene a meeting. It is not acceptable to continue to discuss or vote.
  2. A *majority of quorum,* however, is less than required to have a quorum to hold a meeting, but too many members assembled to proceed with discussion of business of the public body.

Chart 1. Quorum Table

Total Number Committee Members	Quorum	Majority Of Quorum
5	3	2
6	4	3
7	4	3
8	5	3
9	5	3
10	6	4
11	6	4
12	7	4
13	7	4
14	8	5
15	8	5
16	9	5
17	9	5
18	10	6
19	10	6
20	11	6
21	11	6
22	12	7
23	12	7
24	13	7
25	13	7

- A quorum of members of a public body must be physically present at the location of an open meeting.
- Staff has been provided the following direction by Village Manager, Ron Moser.
  1. Staff is to commence the meeting at the start time, as published and proceed with roll call.
  2. Should there not be a quorum of committee members at the meeting start time; Staff has been directed to wait a reasonable period of time to allow for people that are running late.
  3. If a quorum is not met within this time period, Staff has been directed by the Village Manager to make the committee members who are present aware of the lack of quorum to proceed with the published meeting and to exit the meeting location.
  4. However, the Committee may reschedule the meeting and direct Staff to prepare a Public Notice, to be published by the Village Clerk's Office at least 48 hours prior to that rescheduled date and time.

PUBLIC NOTICE OF MEETINGS AND POSTING OF AGENDA

- Every Committee is to provide a schedule of regular meetings for the calendar year, which is to be published as a Public Notice by the Village Clerk's Office by December of the preceding year.
- Staff members have been directed to request Committee member's confirmation of attendance at the time of agenda release. Committee members are to confirm attendance or absence no later than four business days prior to the scheduled meeting. This will facilitate the need to cancel or reschedule meetings more efficiently.
- An agenda is to be submitted, using the provided template, to the Village Clerk's Office for posting one week prior to the meeting. It is at this time that the agenda will also be released to all Committee Members.
- Please note that per the OMA, to cancel or reschedule a meeting, Public Notice must be published 48 hours prior to the scheduled meeting.
- Special Meetings may be scheduled and shall require at least 48 hours advance Public Notice, which shall include the agenda for the Special Meeting. Only items of business that have been set by the agenda of the Special Meeting shall be considered at the Special Meeting.
- Please refer to Chart 2 for Deadlines by Regular Meeting Date.

Chart 2. Committee Deadlines for Agenda Release, Confirmation of Attendance, and Cancelation Notice by Regular Meeting Date

Committee	Agenda Due	Confirmation of Attendance Due Date	Cancelation Due Date	Regular Meeting Date
CONNECT Committee	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	Second Tuesday of the Month
Sisters Cities Committee	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	Second Tuesday of the Month
Development Commission	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	Second Thursday of the Month
Veterans Committee	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	Second Saturday of the Month
CIDC Committee	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	Third Monday of the Month
Citizens Corps Council	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	Third Tuesday of the Month
Environmental Committee	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	Fourth Tuesday of the Month
Finance Committee	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	As Scheduled in Annual Calendar
Foreign Fire Insurance Board	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	As Scheduled in Annual Calendar
Fire Fighters Pension Fund	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	As Scheduled in Annual Calendar
Police Pension Board	1 week prior to Meeting	4 business days prior to Meeting	3 business days prior to Meeting	As Scheduled in Annual Calendar

MINUTES

- Staff has been directed to transcribe Minutes using the provided template. The Draft Minutes shall be released to Committee Members with agendas. If necessary, the Minutes may be amended during an Open meeting by a committee member's motion, second and approval by the majority.
- All public bodies shall approve Minutes of all the meetings within 30 days after that meeting, or at the public body's second subsequent regular meeting, whichever is later.
- Upon approval of the Committee, Minutes are to be submitted to the Village Clerk's Office.

    1. A pdf copy with the name of the authorized transcriber is to be submitted via email to the Village Clerk's Office.

       Example:

       Recorded and transcribed by,
       Name of transcriber
       Title
       Minutes approved by the Committee Chair and Members on this 1st day of December, 2011.

- The Village Clerk's Office will forward the approved Minutes to the Village Board.
- Meeting Minutes for meetings that lacked a quorum shall establish the Committee Members present and the Committee Members Absent and note that there was not a quorum.

PUBLIC COMMENT

- Any person shall be permitted an opportunity to address public officials under the rules established and recored by the public body.
- The Village Board Rules of Order and Procedure indicates that Public Comment opportunity is available for members of the public who have signed the Request to Speak form prior to the commencement of the meeting. A person addressing the board for Public Comment is allotted 5 minutes to present their comment.

VIOLATIONS

(5 ILCS 120/4) (from Ch. 102, par. 44)
Per Sec. 4. Effective January 1, 2012 any person violating any of the provisions of this Act, except subsection (b) or (c) of Section 1.05, shall be guilty of a Class C misdemeanor.
(Source: P.A. 97-504, eff. 1-1-12.)