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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** DISCUSSION: ZONING ORDINANCE AMENDMENT—SIGN VARIATIONS  
**AGENDA:** AUGUST 2, 2016 COMMITTEE OF THE WHOLE MEETING  
**DATE:** JULY 29, 2016

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**ISSUE**

Shall the Village Board consider amending the Zoning Ordinance to change the limitations placed on variations for signs.

**DISCUSSION**

In our ongoing effort to keep the zoning regulations up to date and consistent with community standards we encountered an unintended consequence of a recent zoning amendment. Recently, the Village Board adopted an amendment that established limitations on what and to what extent the Zoning Board of Appeals may consider variations from the regulations of the Zoning Ordinance. In the short time since the adoption of the amendment, we have encountered several unintended consequences, namely, the authorized variations for signs are impractical.

As a result, the Community Development Department is proposing an amendment to remedy this situation. The amendment increases the maximum variation for sign height and size. The maximums are not an entitlement, only a ceiling the applicant may request and the ZBA recommend.

The second amendment being proposed also is related to sign variations. The Community Development Department has been approached by more than one business about placing wall signs on more than one side of the building in which they are located which have been denied since they are not permitted. But there exist several businesses in the Village that have wall signs displayed on more than one side of the building whether or not the wall faces a public street.

While there are legitimate concerns about the proliferation of signs, the Village places a small maximum area on wall signs. Presently, a number of businesses display wall signs on more than one wall of the building even if the wall does not face a public street.

The proposed amendment would permit the use of wall signs on more than one side of a building only if certain conditions were present: the wall faces a public street (current requirement), the wall has the building entrance, the wall faces a parking lot, or the wall faces a private drive.

The Planning Commission discussed the benefits of providing a differentiation between illuminated and non-illuminated wall signs as they face residential property but there was no consensus to make such a change to the proposed amendment.

#### **ATTACHMENTS**

- Planning Commission Recommendation PC16-12
- Ordinance Amending Title 11 (Zoning Ordinance) of the Village Code of Ordinances (Authorized Variations—Signs).

#### **COST**

There is no cost to the Village with the requested action.

#### **RECOMMENDATION**

That the Village Board provide the Village staff with specific direction concerning the proposed amendment in order to prepare the adoption ordinance.

**VILLAGE PRESIDENT**

P. Sean Michels

**VILLAGE ADMINISTRATOR**

Brent M. Eichelberger

**VILLAGE CLERK**

Cynthia Galbreath



**COMMUNITY DEVELOPMENT DEPARTMENT**

**VILLAGE TRUSTEES**

Kevin Geary

Sean Herron

Mari Johnson

Ted Koch

Rick Montalto

David Paluch

**R E C O M M E N D A T I O N**  
**PC16-12**

TO: Village President and Board of Trustees

FROM: Planning Commission

DATE: Meeting of July 27, 2016

CASE FILE: **16-011 Zoning Ordinance Amendment  
Authorized Variations (Signs)**

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**PROPOSAL**

The Community Development Department staff has identified amendments necessary to improve the administration of the Zoning Ordinance.

**BACKGROUND**

The Planning Commission previously reviewed and recommended changes to the zoning variation regulations in the Zoning Ordinance. In the course of administering the Zoning Ordinance in the short time since the amendment was adopted by the Village Board the Community Development Department has identified a need to modify the authorized zoning variation regulations.

**EVALUATION**

Attached is a document showing each of the amendments of the various sections of the Zoning Ordinance. Additions are underlined; deletions are ~~struck out~~.

The Planning Commission found the need for the amendments rational and were not inconsistent with the Village's Comprehensive Plan. With respect to the expansion of the use of wall signs, Commissioners were not opposed to allowing non-illuminated signs facing residential property.

**PUBLIC RESPONSE**

A public notice was published in a local newspaper. The proposed amendment were also made available for public inspection at the Village Clerk's office and the Community Development Department office. A summary of the proposed changes was made available on the Village website. Staff has not had any inquiries from the public at this time.

**RECOMMENDATION**

The Planning Commission elected to consider the proposed amendments separately.

The Plan Commission recommends the Village Board approve the amendment of Section 11-13-10 as proposed (Attached hereto and Exhibit A).

AYES: J. Ekert, L. Jones, H. Lendi, G. Wilson, J. Gudendorf, and  
I. Oschenshlager

NAYS: None

ABSENT: B. Sabo

The Plan Commission recommends the Village Board approve the amendment of Section 11-13-10 as proposed (Attached hereto and Exhibit B).

AYES: L. Jones, J. Gudendorf,, J. Ekert, H. Lendi, G. Wilson,  
and I. Oschenshlager

NAYS: None

ABSENT: B. Sabo

## EXHIBIT A

### Section 11-14-7-E: Permanent, Wall Mounted, Advertising:

#### E. Permanent, Wall Mounted, Advertising:

Nonresidential: The following types of wall signs are permitted: flush, individual letter or channel letter signs (no box or cabinet signs except for logos only), awnings or canopies, projecting signs, or window signs. Only one of these four (4) types of signs are permitted on any one building with the exception that window signs can be used in addition to one of the other types of signs. ~~These Wall signs are limited to up to two (2) sides of the building, both of which must face a public right of way.~~ **These Wall signs may be placed on any wall that contains the public entrance of the use or building, faces a public street, faces off-street parking or a private drive, or does not directly face a residential zoned property** These Wall signs may advertise up to two (2) of the following: business name, logo, type of business, with the exception that window signs do not have this limitation. There is no limit on the number of wall signs. There is a limit on total area as specified by subsection 11-14-7B of this chapter. ~~These Wall signs are further limited as follows:~~

##### 1. Awnings or Canopies:

- a. Shall not project more than four feet (4') out from the wall surface on which it is mounted.
- b. Shall be placed at least nine feet (9') above the grade below.
- c. Shall not be internally illuminated.
- d. Shall be opaque.
- e. The entire canopy is counted toward the allowable wall sign area calculation.
- f. The business name, logo, and/or type of business information shall not exceed twenty percent (20%) of the awning or canopy area (as measured by the vertical height of the awning or canopy).
- g. Shall be placed such that the majority of the awning or canopy is above windows and doors.

##### 2. Projecting Signs:

- a. Shall not project less than eighteen inches (18") nor more than three feet (3') out from the wall surface on which it is mounted.
- b. Shall be placed at least nine feet (9') above the grade below.
- c. Shall not be internally illuminated.
- d. Shall be constructed of wood.
- e. Shall be limited to nine (9) square feet.

##### 3. Window Signs:

- a. Shall only be placed on first floor windows.
- b. Shall not be internally illuminated.
- c. May utilize exposed/reflective non-flashing lighting.

4. Gasoline Station Canopies: Gasoline station canopies are permitted to have signage mounted to the side of the canopy. These special accessory structure mounted signs are not counted with the principal structure for wall area calculation purposes. They are limited to eight percent (8%) of the surface area of each canopy side. These signs must be flush, individual letter or channel letter signs (no box or cabinet signs except for logos only). These signs are limited to up to two (2) sides of a canopy facing public rights of way. These signs may either advertise the business name or the logo. There is a limit of two (2) signs. Each gasoline station pump is also permitted one sign at a maximum of four (4) square feet. Like other ground mounted signs, these signs may be double faced and still count as one sign. These signs do not count toward the wall area calculation and they may either advertise the business name or the logo and may include a video screen. (Ord. 2015-05-05F, 5-5-2015)

## EXHIBIT B

### Section 11-13-10-C-3: VARIATIONS:

3. Zoning Board of Appeals. The Zoning Board of Appeals may recommend variations from the regulations of this title be granted, but only in accordance with the standards set out in 11-13-10, and may be granted only in the following instances and in no others:
  - a. To permit a reduction in the applicable lot area, lot width, lot depth, and gross density requirements, subject to the following limitations:
    1. The minimum lot area for a single family or two-family dwelling shall not be reduced more than (20%).
    2. The minimum lot area per dwelling unit required for multiple family dwellings shall not be reduced so as to permit more dwelling units than would be permitted by strict application of minimum lot area requirements.
    3. The minimum lot area for a non-residential use shall not be reduced more than fifteen percent (15%).
    4. The minimum lot width and lot depth requirements shall not be reduced more than twenty-five percent (25%).
    5. The maximum gross density requirement shall not be increased more than ten percent (10%).
  - b. To permit any yard or setback less than the yard or setback required by the applicable regulations, but not more than twenty-five percent (25%) for any principal building, or accessory building or structure, **excluding** signs, or pavement;
  - c. To increase the maximum lot coverage by not more than five percent (5%);
  - d. To increase the maximum floor area ratio by not more than ten percent (10%);
  - e. To decrease the minimum floor area by not more than ten percent (10%);
  - f. To increase the maximum height of any principal building or accessory structure or building, or fence, **excluding signs**, by not more than twenty percent (20%);
  - g. To increase the maximum height of freestanding monument sign by not more than fifty-percent (50%);**
  - h. To decrease the minimum setback required for a freestanding monument sign by not more than fifty-percent (50%);**
  - i. To increase by not more than twenty-percent (20%) the gross area of any sign face;
  - j. To reduce the applicable off-street parking and off-street loading requirements (other than setbacks) contained in Chapter 12 of this Title by not more than twenty percent (20%) of the applicable regulations, except those in Section 11-12-5, Schedule of Off-Street Parking Requirements, and Section 11-12-7, Schedule of Off-Street Loading Requirements;

- k. To decrease the number of required shade trees and shrubs by not more than twenty-five percent (25%); and,
- l. To vary the regulations relating to restoration of damaged or destroyed non-conforming structures contained in Chapter 5 of this Title.



**VILLAGE OF SUGAR GROVE  
KANE COUNTY, ILLINOIS**

**ORDINANCE NO. 2016-0802\_**

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**AN ORDINANCE AMENDING TITLE 11 (ZONING ORDINANCE) OF THE VILLAGE CODE  
(AUTHORIZED VARIATIONS--SIGNS)**

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Adopted by the Board of Trustees and President of the Village of Sugar Grove  
this 2<sup>nd</sup> day of August, 2016

Published in pamphlet form by authority of the Board of Trustees of the  
Village of Sugar Grove, Kane County, Illinois  
this 2<sup>nd</sup> day of August, 2016

**ORDINANCE NO. 2016-0802\_\_**

**AN ORDINANCE AMENDING TITLE 11 (ZONING ORDINANCE) OF THE VILLAGE CODE  
(AUTHORIZED VARIATIONS--SIGNS)**

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**WHEREAS**, the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

**WHEREAS**, the Village of Sugar Grove currently maintains zoning restrictions on the use of land within the Village; and,

**WHEREAS**, the Village finds that such restrictions provide for the safety and well-being of Village inhabitants and benefit the public welfare, safety and morals; and,

**WHEREAS**, the Village seeks to continue to promote these interests, and seeks to amend the Village Code to more fully protect and preserve the safety and well being of such inhabitants; and,

**WHEREAS**, after due notice the Plan Commission held a public hearing concerning the proposed amendments on July 27, 2016 and no objectors were present; and

**WHEREAS**, the Plan Commission recommended in their Recommendation PC16-12 that the Village Board approve the requested Zoning Ordinance amendments.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

**SECTION ONE:**

- A. That Section 11-14-9-E of Title 11 (Zoning Ordinance) of the Village Code of Ordinances be, and it is, hereby amended to be and to read as provided in Exhibit A, attached hereto and made a part hereof by this reference.
- B. That Section 11-13-10-C-3 of Title 11 (Zoning Ordinance) of the Village Code of Ordinances be, and it is, hereby amended to be and to read as provided in Exhibit A, attached hereto and made a part hereof by this reference.

**SECTION TWO: GENERAL PROVISIONS**

**REPEALER:** All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

**SEVERABILITY:** Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

**EFFECTIVE DATE:** This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this this 2<sup>nd</sup> day of August, 2016.

\_\_\_\_\_  
P. Sean Michels,  
President of the Board of Trustees of the  
Village of Sugar Grove, Kane County, Illinois

ATTEST:\_\_\_\_\_  
Cynthia L. Galbreath  
Clerk, Village of Sugar Grove

	Aye	Nay	Absent	Abstain	
Trustee Kevin Geary	___	___	___	___	
Trustee Sean Herron	___	___	___	___	
Trustee Mari Johnson	___	___	___	___	
Trustee Ted Koch	___	___	___	___	
Trustee Rick Montalto		___	___	___	___
Trustee David Paluch	___	___	___	___	

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- c. Shall not be internally illuminated.
- d. Shall be opaque.
- e. The entire canopy is counted toward the allowable wall sign area calculation.
- f. The business name, logo, and/or type of business information shall not exceed twenty percent (20%) of the awning or canopy area (as measured by the vertical height of the awning or canopy).
- g. Shall be placed such that the majority of the awning or canopy is above windows and doors.

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- e. Shall be limited to nine (9) square feet.

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  - b. To permit a reduction in the applicable lot area, lot width, lot depth, and gross density requirements, subject to the following limitations:
    5. The minimum lot area for a single family or two-family dwelling shall not be reduced more than (20%).
    6. The minimum lot area per dwelling unit required for multiple family dwellings shall not be reduced so as to permit more dwelling units than would be permitted by strict application of minimum lot area requirements.
    7. The minimum lot area for a non-residential use shall not be reduced more than fifteen percent (15%).
    8. The minimum lot width and lot depth requirements shall not be reduced more than twenty-five percent (25%).
    5. The maximum gross density requirement shall not be increased more than ten percent (10%).
  - b. To permit any yard or setback less than the yard or setback required by the applicable regulations, but not more than twenty-five percent (25%) for any principal building, or accessory building or structure, excluding signs, or pavement;
  - c. To increase the maximum lot coverage by not more than five percent (5%);
  - d. To increase the maximum floor area ratio by not more than ten percent (10%);
  - e. To decrease the minimum floor area by not more than ten percent (10%);
  - f. To increase the maximum height of any principal building or accessory structure or building, or fence, excluding signs, by not more than twenty percent (20%);
  - g. To increase the maximum height of freestanding monument sign by not more than fifty-percent (50%);
  - h. To decrease the minimum setback required for a freestanding monument sign by not more than fifty-percent (50%);
  - i. To increase by not more than twenty-percent (20%) the gross area of any sign face;
  - j. To reduce the applicable off-street parking and off-street loading requirements (other than setbacks) contained in Chapter 12 of this Title by not more than twenty percent (20%) of the applicable regulations, except those in Section 11-12-5, Schedule of Off-Street Parking Requirements, and Section 11-12-7, Schedule of Off-Street Loading Requirements;

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