

TO: Plan Commission

FROM: Joel Strassman, Planning and Zoning Officer

DATE: March 11, 2021

RE: **Public Hearing:** Amendments to the Text of the Zoning Code
Regarding DMU District Projecting and Wall Signs

Background: The Zoning Code limits the number of projecting signs (allowed only in the DMU Downtown Mixed-Use District) generally to one (1) per building. The Zoning Code also requires wall signs for tenants be located on walls adjacent to that tenant's lease space meaning businesses whose lease spaces exclude adjacent exterior walls cannot have a wall sign including one facing the street. The proposed amendments to the Zoning Code would provide greater opportunity for some DMU Downtown Mixed-Use District tenants to have projecting signs, and those not facing a street to have a street-facing wall sign. A public hearing is scheduled for the Plan Commission's March 17 meeting to consider these proposed amendments to the Zoning Code.

Summary of Information and Analysis

Projecting Signs: DMU buildings are limited to one (1) projecting sign but can have additional projecting signs for each additional 50 feet of street frontage. To increase projecting sign opportunity, staff is proposing to amend Zoning Code [Chapter 4.4: Sign Regulations](#) to lower the additional building frontage for another projecting sign to 20 feet, with a maximum of three (3) brackets for projecting signs per street frontage. To further increase projecting sign opportunity, staff is proposing to allow up to two (2) signs per bracket, provided the minimum required clearances are maintained. Staff is also proposing to add clearance requirements over vehicle travel areas, and that a projecting sign may be used for tenants not having adjacent street frontage. These changes are highlighted in the attached amendments to Zoning Code Chapter 4.4.

Zoning Code [Chapter 6: Glossary](#) would be amended to add to the sign's mounting bracket to the definition of *Projecting Sign*. This change is highlighted in the attached amendments to Zoning Code Chapter 6. Proposed allowances for the bracket to extend a bit higher and project a bit further than the sign(s) are included in the attached amendments to Zoning Code Chapter 4.4.

Non-Frontage Signs: There are a few properties in the DMU District where lease spaces lack an adjacent exterior wall or a wall with street frontage. An example of this was the former Batavia Main Street office (now Paula's Couture) that had no adjacency to a street, being in the lower level at 4 West Wilson Street. In such instances staff has allowed minimal signage on walls not adjacent to the lease spaces. While this practice has accommodated businesses without issue, it is best to have a provision in the Zoning Code to specifically address the issue.

To allow and regulate such signs, staff proposes to add a definition in Zoning Code [Chapter 6: Glossary](#) for *Wall Sign, Non-Frontage* to read:

Wall Sign, Non-Frontage. A Wall Sign, as defined herein, for a business or tenant that is not adjacent to its lease space due to not having adjacency to an exterior wall facing a street.

Zoning Code [Chapter 4.4: Sign Regulations](#) would be amended to allow a tenant without adjacent street frontage one (1) sign up to 24 square feet in area on a street-facing wall. That street-facing wall can have up to two (2) such signs and these signs would need to comply with the same specifications for all wall signs. Specific landlord approval would be required for non-frontage signs. These proposed amendments are included in the attached amendments to Zoning Code Chapter 4.4.

Staff feels the proposed Zoning Code text amendments would allow for increased sign opportunity to help disadvantaged tenants and properties. The additional signs would be reasonably regulated by the Zoning Code amendments to balance individual sign size with overall signage amounts on a building. Each sign would require Administrative Design Review approval or Historic Preservation Commission approval of a Certificate of Appropriateness to ensure code compliance and contextual sign design.

Staff Recommendations: Staff recommends the Commission open and conduct the public hearing. The Commission can consider the staff-proposed amendments to the Zoning Code chapters attached, and other change suggestions to these Chapters that come out of the public hearing.

Staff recommends the Commission recommend approval of amendments to the Zoning Code to regulate projecting and non-frontage walls signs in the DMU District as proposed the attachments. The Commission may continue the hearing to a date certain and give direction to staff to revise the amendments if needed.

Attachments

1. Proposed Amendments to Zoning Code Chapter 4.4: Sign Regulations
2. Proposed Amendments to Zoning Code Chapter 6: Glossary

- c Mayor and City Council
Media

- c. Placement and Height. Wall Signs shall be placed on an area that is free of architectural details. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. The Plan Commission, through Design Review, may approve a sign higher than allowed if it finds unusual circumstances and that the sign placement does not visually crowd the top of the wall.
- d. Total Business Sign Area. Each business shall be permitted a minimum Wall Sign area of 24 square feet. The maximum Wall Sign area permitted for a business shall be the greater of:
 - (1) the sign area calculated pursuant to Section 4.406.B.1.e: Sign Area Allowances per Building Elevation for the longest building elevation of the tenant or user space facing the street; or
 - (2) the sign area calculated pursuant to Section 4.406.B.1.e: Sign Area Allowances per Building Elevation for the length of the building elevation of the tenant or user space in which the principal entrance to the business is located.
- e. Sign Area Allowances per Building Elevation. In addition to Non-Frontage Wall Signs as permitted in 4.406.B.2, Wall Signs are permitted at a rate of:
 - (1) In the GC District, 2 square feet of sign area for each 1 lineal foot of the building elevation adjacent to the tenant space.
 - (2) In the CC, DMU and MU districts, 1 and ½ square feet of sign area for each lineal feet of the building elevation adjacent to the tenant space.
 - (3) In the PFI and NC districts, 1 square foot of sign area for each lineal foot of the building elevation adjacent to the tenant space.
- f. Multi-Story Buildings. Wall Signs on a multi-story building shall be limited to the first and second floors and shall conform to criteria set forth below, in addition to all other wall sign criteria in Section 4.406.B.1.
 - (1) Individual Building Identification Signs located on buildings two or more stories in height shall not exceed 75 square feet in area.
 - (2) Sign area allowance for first and second floor tenants is subject to the provisions of Sections 4.406.B.1.d: Total

Business Sign Area and 4.406.B.1e: Sign Area Allowances per Building Elevation.

- g. Wall Signs Abutting Residential Uses. Wall Signs on building elevations that face properties designated for residential use in the Comprehensive Plan shall:
- (1) not be illuminated;
 - (2) not exceed 16 square feet in area; and
 - (3) be installed no higher than 14 feet above grade.
- h. Projecting Signs. Projecting Signs are permitted in the Downtown Mixed Use and Mixed Use districts, subject to the following criteria:
- (1) Location. One projecting sign and its bracket are is permitted per tenant on each principal building for each street frontage. Up to two (2) signs may be mounted on one (1) bracket. For buildings located at an intersection, one 45-degree projecting corner sign and bracket is permitted in lieu of 2 frontage projecting signs. An additional sign bracket is allowed for a separate tenant space on a street frontage for every 50-20 feet of additional frontage, up to a maximum of three (3) brackets per street frontage.
 - (2) Placement. No sign shall project more than 5 feet from the face of the building, nor encroach closer than 2 feet from the face of a curb on a public or private street. The bracket may extend up to six (6) inches beyond the sign. No sign shall be higher than 5 feet below the top of a parapet wall, the top of a hip or gable roof, or 25 feet above grade, whichever is lower. The bracket may extend up to six (6) inches above the sign. Projecting signs and brackets shall be located in such a manner as to complement architectural features of the building.
 - (3) Clearance. All projecting signs shall maintain a 10 foot vertical clearance from a public sidewalk, walkway or path. A projecting sign shall maintain a 8 foot vertical clearance from a private sidewalk, walkway or path. The clearance shall be a minimum of 16 feet when above an alley, driveway, or other area vehicle travel area.
 - (4) Approval. All projecting signs in the DMU district shall receive a certificate of appropriateness from the Historic Preservation Commission (HPC) before issuance of a building permit. In reviewing the application the HPC shall

ensure that, as nearly as possible, the objectives listed in subsections h(5): Design, and h(7): Lighting, of this section, are met.

- (5) Design. Projecting signs shall reflect the character of the downtown historic district in materials, colors, scale, proportion, location and general design.
- (6) Size. Projecting signs shall be subject to the maximum size limitation of Wall Signs and Non-Frontage Wall Signs, and shall be included as part of the total allowed Wall Sign area for a building and for the number of allowed Non-Frontage Wall Signs. Only one side of a projecting sign shall count toward allowable sign area.
- (7) Lighting. Projecting signs may be illuminated in a manner that does not detract from the historic character of the building or the neighborhood.
- (8) Non-Frontage Signs. An allowed Non-Frontage Sign may be an allowed projecting sign.

- i. **Painted Wall Signs.** Painted Wall Signs are permitted in the, Downtown Mixed Use District (DMU) subject to the following regulations:
 - (1) Permit Required. Businesses displaying a Painted Sign shall obtain Certificate of Appropriateness approval and a building permit prior to the application of the sign to a surface. The application shall depict the proposed sign design elements, text, colors and area.
 - (2) Location. A Painted Wall Sign is prohibited on any masonry surface of any building. A painted sign may only be placed on a non-porous material or metal surface.
 - (3) Placement. Painted Wall Signs shall be subject to the maximum size limitation of Wall Signs and shall be included as part of the total allowed wall sign area for a building.
 - (4) Design. Projecting signs shall reflect the character of the downtown historic district in materials, colors, scale, proportion, location and general design
- j. Service Station Canopy Signs
 - (1) Number. The maximum number of signs attached to a canopy shall be 2.

- (2) Area. Canopy Signage shall count toward total allowable wall sign area.
- (3) Projection. No part of the sign shall project from a canopy wall by more than 4 inches.
- (4) Placement and Scale. The sign shall be vertically centered on the face of the canopy and be a minimum of 3 inches from both the top and bottom.

2. Wall Signs, Non-Frontage. In the DMU District, a business or tenant may, with landlord approval, have one (1) such sign not to exceed twenty-four (24) square feet in area on one (1) wall facing a street. Such sign shall be subject to the requirements of Sections 4.406.B.1.a, b, c, g, h, and i. No building's street-facing elevation shall have more than two (2) such signs.

3. Freestanding Signs

a. Monument Signs

- (1) Number. One on-site Monument Sign is permitted for any lot or parcel with the following minimum street frontages:
 - i. a minimum of 50 feet of street frontage in the DMU district. No additional Monument Sign is permitted.
 - ii. a minimum of 100 feet of street frontage in the PFI, NC, CC, GC districts and MU parcels that contain non-residential uses. One additional Monument Sign is permitted for each additional 300 feet of street frontage on the same lot or parcel.
- (2) Height. Signs shall be no greater than 6 feet in height.
- (3) Area. For buildings whose setback is less than 75 feet from the right-of-way, the monument sign area shall not exceed 32 square feet. For buildings whose minimum setback is at least 75 feet from the right-of-way, the monument sign area shall not exceed 60 square feet.
- (4) Setback. Signs shall be set back from the right of way or back of curb of a private street a minimum of:
 - i. 0 feet in the DMU District.
 - ii. 10 feet in the PFI, NC, CC, GC Districts and MU parcels that contain non-residential uses.

Chapter 6: Glossary

Off-Site Signage. Any sign which advertises a use, product, service, or activity occurring on a lot or parcel other than where the sign is located.

On-Site Signage. Any sign which advertises a use, product, service, or activity occurring on a lot or parcel where the sign is located.

Painted Wall Sign. A sign painted directly onto the exterior wall of a building.

Pennant. Any pieces of lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, displayed in series and capable of movement in the wind.

Permanent Sign. A sign (other than a Temporary Sign or Limited Duration Sign as defined herein) constructed of durable materials, attached to the ground or a building in a manner provided by the building code.

Pole Sign. A permanent freestanding sign supported by a single column, upright, pole, or post.

Portable Sign. A temporary sign that is not permanently affixed to a building, structure, or the ground, including such commercial signs carried by people or otherwise set in motion and visible from the right-of-way.

Projecting Roof Sign. A sign mounted to and projecting from the wall of a building or structure whose depth is greater than its width; and exceeding the height of a roofline or parapet of the building or structure to which it is attached. *Projecting Roof Sign* does not include a *Marquee Sign*.

Projecting Sign. A sign and its mounting bracket attached to and projecting from a building face or wall by more than fifteen inches (15"). Projecting signs include signs that are totally or partially in the right of way or are totally on public property.

Pump-Topper Sign or Spanner. A sign affixed to the top or side of an operable fuel dispensing pump.

Residential Entry Identification Sign. A sign placed at the entrance to a residential development identifying the development in furtherance of public safety.

Roof Sign. A sign erected on a roof, or projecting above the highest point of the roof line, parapet, or fascia of a building.

Suspended Sign. A sign suspended from a roof overhang of a covered porch or walkway, which identifies the tenant of the adjoining space.

Temporary Sign. A non-permanent sign that is located on private property intended for display for no more than 30 consecutive days at one time.

Vehicle Sign. A sign mounted, painted or otherwise placed on a trailer or motor vehicle parked, placed, or driven so that the sign thereon is visible from a public street or right-of-way primarily for the purpose of displaying such signage.

Chapter 6: Glossary

V-Shaped Sign. Signs erected upon common or separate structures which present a v-shape appearance and having an exterior angle between faces of not more than 45 degrees with distance between faces of such signs at their closest point not exceeding 2 feet.

Wall Sign. A sign permanently fastened to or painted on the wall or parapet of a building or structure in such a manner that the wall or vertical surface of the structure is the supporting structure.

Wall Sign, Non-Frontage. A Wall Sign, as defined herein, for a business or tenant that is not adjacent to its lease space due to not having adjacency to an exterior wall facing a street.

Window Sign. A sign applied or attached to a window, or displayed within 6 feet of the interior of a window area so as to attract attention of persons outside the building. Window signs do not include merchandise in a window display.

Site. One or more contiguous lots or parcels under single ownership or unified control.

Site Plan. A plan prepared to scale showing the boundaries of a site and the proposed location of all buildings and structures, circulation, landscaping, improvements and open space areas.

Small Wind Energy System. A wind energy conversion system consisting of a wind turbine, mounting apparatus, and associated control or conversion electronics which has a rated capacity of not more than 10 kW and which is intended to primarily reduce on-site consumption of utility power.

Smoking Lounge: A retail establishment that derives more than 80% of its gross revenue from the sale of loose tobacco, plants, herbs, liquids or chemicals to be vaporized for inhalation, and cigars, cigarettes, pipes, vaporizing devices for inhalation by mouth or nose, and other smoking devices for burning tobacco or vaporizing liquids or chemicals and related smoking accessories and in which the sale of other products is merely incidental. A Smoking Lounge is located in a freestanding building and permits the consumption of tobacco products by customers on premises, consistent with the Smoke Free Illinois Act.

Sport Court (Game Court). A fenced or unfenced hard surface open area used for one or more recreational activities, including, but not limited to badminton, basketball, tennis, volleyball and other games. A Sport Court includes temporary or seasonal installation including but not limited to ice rinks.

Stable, Commercial. Facilities for boarding or renting horses, mules, or ponies. Equestrian lessons may be provided. A Feed Lot is not a commercial stable.

Stable, Non-Commercial. A detached accessory structure for the keeping of horses, mules, and ponies owned by the occupants of the premises and not offered for compensation.