



AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to approve a General Amendment to Title 17 of the City Code (Zoning Ordinance) regarding off-premise signs in the CBD-1 and CBD-2 district

Presenter: Russell Colby

Please check appropriate box:

	Government Operations		Government Services
X	Planning & Development (5/12/14)		City Council

Estimated Cost:		Budgeted:	YES		NO	
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If NO, please explain how item will be funded:

Executive Summary:

Mr. Terry Grove is the owner of a property located at 309 N. 2nd St. (IL Route 31). This lot has no street frontage and is located between lots with frontage on N. 2nd St. and N. 4th St.

Mr. Grove has found that the lack of signage along N. 2nd St. has hindered tenants in the building from having adequate visibility to passing traffic. The lack of signage also makes it difficult for visitors to locate the building.

Mr. Grove has request that the City amend the sign regulations in the Zoning Ordinance to permit off-site signs for lots in the downtown (CBD-1 and CBD-2) districts that lack street frontage. He has noted that his lot is unique in the downtown, as most lots have some street frontage due to the small block configuration.

Plan Commission Review:

The Plan Commission held a public hearing and recommended approval of the application on 4/22/14. The vote was 8-0.

Attachments: *(please list)*

Staff Report, Application

Recommendation / Suggested Action *(briefly explain):*

Recommendation to approve a General Amendment to Title 17 of the City Code (Zoning Ordinance) regarding off-premise signs in the CBD-1 and CBD-2 district.

For office use only:

Agenda Item Number: 3c

Community & Economic Development
Planning Division

Phone: (630) 377-4443
Fax: (630) 377-4062



STAFF REPORT

TO: Chairman Dan Stellato
And Members of the Planning & Development Committee

FROM: Russell Colby, Planning Division Manager

RE: General Amendment to Title 17 (Zoning Ordinance) regarding Off-Premise Signs for lots without street frontage in the CBD-1 and CBD-2 Districts

DATE: May 2, 2014

I. GENERAL INFORMATION

Project Name: General Amendment – Off-Premise Signs in CBD-1 and CBD-2

Applicant: Terry Grove

Purpose: Amendment to allow for off-premise signs for lots in the downtown without street frontage

II. BACKGROUND

Mr. Terry Grove is the owner of a property located at 309 N. 2nd St. (IL Route 31). This lot has no street frontage and is located between lots with frontage on N. 2nd St. and N. 4th St. The lot is not officially subdivided, meaning that it was not deliberately created by a City-approved subdivision. The building is a commercial structure that has been used for various uses over the years, including retail stores, offices and a fitness center.

Mr. Grove has found that the lack of signage along N. 2nd St. has hindered tenants in the building from having adequate visibility to passing traffic. The lack of signage also makes it difficult for visitors to locate the building.

Access agreements exist to provide vehicular access to the parcel across the property at 305 N. 2nd St. Additionally, an easement agreement allows for placement of an off-premise sign for the 309 property on the 305 lot.

III. PROPOSAL

Mr. Grove has request that the City amend the sign regulations in the Zoning Ordinance to permit off-site signs for lots in the downtown (CBD-1 and CBD-2) districts that lack street frontage. He has noted that his lot is unique in the downtown, as most lots have some street frontage due to the small block configuration.

Aerial Photo of 309 N. 2nd St.



IV. ANALYSIS

The Zoning Ordinance restricts off-premise signs in Section 17.28.080.G, “Prohibited Signs – Off-Premise Signs”:

“Signs which advertise a business or service not located on the same lot or within the same PUD or Shopping Center, or which otherwise do not relate to the uses permitted on the lot or within the same PUD or Shopping Center, such as billboards, are prohibited in all districts except PL Districts.”

In reviewing this provision, staff noticed the prohibition on billboards in the PL Public Land District is unclear, and this amendment would be an opportunity to clarify the intent of this language.

V. PROPOSED AMENDMENTS

Staff has drafted the proposed amendment text based upon the applicant’s desired amendment and staff’s interest in clarifying the Off-Premise Sign provisions.

Signs which advertise a business or service not located on the same lot or within the same PUD or Shopping Center, or which otherwise do not relate to the uses permitted on the lot or within the same PUD or Shopping Center, such as billboards, are prohibited in all districts except:

1. *In the PL District, an Identification Sign advertising a business or service may be located off-premise on an adjacent lot in the PL District.*
2. *In the CBD-1 and CBD-2 District, for lots without street frontage, in lieu of an Identification Sign located on the lot, an Identification Sign may be located off-premise on an adjacent lot with street frontage in either the CBD-1 or CBD-2 zoning district, subject to the authorization of the property owner.*
Any off-premise sign that is no longer utilized shall be removed by the owner of the sign or the owner of the property on which the sign is located.

The text limits the placement of the sign to an “adjacent lot” and the ability to install a sign on adjacent lot would be subject to the authorization of the property owner.

VI. PLAN COMMISSION REVIEW

The Plan Commission conducted a public hearing on April 22, 2014 and recommended approval of the application. The vote was 8-0. There was no significant discussion during the hearing.

VII. RECOMMENDATION

Staff recommends approval of the General Amendment Application.

FINDINGS OF FACT
GENERAL AMENDMENT

1. The consistency of the proposed amendment with the City’s Comprehensive Plan.

The Comprehensive Plan does not directly address sign requirements.

2. The consistency of the proposed amendment with the intent and general regulations of this Title.

The proposed amendment is consistent with the intent of Chapter 17.28 “Signs”, to balance the need for business signage and economic development with the community’s interest in regulating signs to enhance the attractiveness of the City. For lots in the Downtown without street frontage, the amendment will allow an identification sign to be placed on an adjacent lot in a location that can be seen by passing traffic.

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

The proposed amendment represents a change in policy to permit off-premise signs for lots in the downtown without street frontage. The issue of identification signs for lots without street frontage was not previously addressed in the ordinance.

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

The amendment will apply to all properties in CBD-1 and CBD-2 districts, and specifically to lots without street frontage that can meet the other applicable criteria.

5. The extent to which the proposed amendment creates nonconformities.

This amendment will not create any new nonconformities.

6. The implications of the proposed amendment on all similarly zoned property in the City.

This amendment will apply to all CBD-1 and CBD-2 zoned lots that do not have street frontage.

EXISTING SIGN REGULATIONS FOR IDENTIFICATION SIGNS

SIGNS

TABLE 17.28-2 PERMITTED SIGNS FOR BUSINESS AND MIXED USE DISTRICTS						
Type	Maximum Number	Minimum ROW Setback	Maximum Area	Maximum Height	Other Requirements	
CBD-1 District:						
Shopping Center Signs (freestanding)	One per street frontage	10 ft	100 sf	15 ft		
Identification Signs	One per lot	Type A signs: none Type B signs: 10 ft.	Type A signs: 16 sf Type B signs: 50 sf	Type A signs: 8 ft. Type B signs: 12 ft.	Type B signs permitted only on lots with ten or more accessory parking spaces	
Wall Signs	Primary	One per business, one per building street frontage, or one per business street frontage, whichever is greater	--	1.5 sf per linear ft of wall on which located, or 125 sf, whichever is less	No higher than height of building	
	Secondary	One per wall without street frontage facing a parking lot or public plaza or One per additional public entrance to a building located on a wall without street frontage	--	1.5 sf per linear ft of wall on which located, or 100 sf, whichever is less	No higher than height of building	Only permitted on wall meeting the conditions for Secondary Wall signs
Awnings and Canopies		One per business, one per building street frontage, one per business street frontage, or one per public entrance to business, whichever is greater	--	Lettering = 1 sf per linear ft frontage of awning/canopy	No higher than height of building	Awnings shall be made of cloth. Backlit awnings are prohibited
Projecting Signs	Primary	One per business	Maximum projection 4 ft from wall	18 sf; Additional 12 sf permitted for a clock or time display.	No higher than height of building	Minimum spacing between signs with a clock or time display is 200 ft; changeable copy prohibited
	Secondary	For buildings with street frontage on Main Street: One per business, plus one additional per business for upper floor businesses	Maximum projection 2 ft from wall	8 sf per sign	No higher than height of building	Must be located on wall directly opposite Main Street frontage; changeable copy prohibited

TABLE 17.28-2 PERMITTED SIGNS FOR BUSINESS AND MIXED USE DISTRICTS					
Type	Maximum Number	Minimum ROW Setback	Maximum Area	Maximum Height	Other Requirements
Banners on freestanding poles	Not more than two designs or color schemes per lot	5 ft. ¹	Total area = 1 sf per 10 sf of lot frontage ¹	--	Only permitted in parking lots ¹ ; minimum vertical clearance 9 ft
Shopping District Signs/Banners	One per building	Maximum projection 4 ft. from wall	20 sf	15 ft	May identify only the Shopping District ² in which located; shall be of a uniform design within a Shopping District

(Ord. 2010-Z-3 § 2; Ord. 2008-Z-24 § 19.)

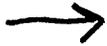
¹ Not applicable when banners are located on right of way or other public property.

² Shopping Districts include First Street South (First Street Redevelopment District); Third Street North (Old St. Charles); Riverside Drive/First Avenue (East Bank); and Century Corners.

TABLE 17.28-2 Continued

CBD-2 District:

Identification Signs	1 per lot	Type A signs: none Type B signs: 10 ft.	Type A signs: 16 sf Type B signs: 50 sf	Type A signs: 8 ft. Type B signs: 10 ft.	Type B signs permitted only on lots of more than 35,000 sf and at least one nonresidential use
Wall Signs	One per business or one per street frontage, whichever is greater	--	1.5 sf per linear ft of wall on which located	No higher than height of building	
Awnings and Canopies	One per business or one per street frontage, whichever is greater	--	Lettering = 1 sf per linear ft frontage of awning/canopy	--	Awnings shall be made of cloth. Backlit awnings are prohibited
Projecting Signs	1 per business or 1 per 50 linear feet of wall, whichever is less	Maximum projection 4 ft. from wall	8 sf	--	Changeable copy prohibited
Shopping District Signs/Banners	One per building	Maximum projection 4 ft. from wall	20 sf	15 ft	May identify only the Shopping District ³ in which located; shall be of a uniform design within a Shopping District



³ Shopping Districts include First Street South (First Street Redevelopment District); Third Street North (Old St. Charles); Riverside Drive/First Avenue (East Bank); and Century Corners.

CITY OF ST. CHARLES

TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984

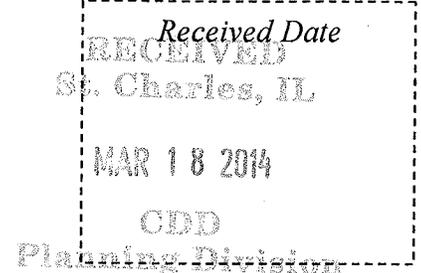


COMMUNITY DEVELOPMENT/PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

GENERAL AMENDMENT APPLICATION

CITYVIEW	
Project Name:	<u>Gen. Amend. - SIGNS</u>
Project Number:	<u>2014 -PR- 007</u>
Application Number:	<u>2014 -AP- 012</u>



Instructions:

To request an amendment to the text of the St. Charles Zoning Ordinance, complete this application and submit it with all required attachments to the Planning Division.

City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a meeting or public hearing date for an application.

The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

1. Applicant:	Name	Phone
	Address	Fax
	Terry F. Grove, Attorney At Law 311 N. 2nd St., Ste. 304 St. Charles, IL 60174	Email
2. Billing: <i>Who is responsible for paying application fees and reimbursements?</i>	Name	Phone
	Address	Fax
	Same as above	Email

Attachment Checklist

- APPLICATION:** Completed application form
- APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- WORDING OF THE REQUESTED TEXT AMENDMENT**
One (1) copy of Proposed Amendment (Letter Sized) and one (1) Electronic Microsoft Word version on CD-ROM

FINDINGS OF FACT SHEET – GENERAL AMENDMENT

The St. Charles Zoning Ordinance requires the Plan Commission to consider factors listed below in making a recommendation to the City Council.



As an applicant, the “burden of proof” is on you to show why the proposed amendment is appropriate. Therefore, you need to “make your case” by explaining how the following factors support your proposal. If a factor does not apply to the amendment in question, indicate “not applicable” and explain why it does not apply.

17.28.080.G

3/17/14

Amendment Description/Ordinance Section Number

Date

From the Charles Zoning Ordinance, Section 17.04.320.C:

In making its recommendation to grant or deny an application for a Zoning Text Amendment, the Plan Commission shall consider:

1. The consistency of the proposed amendment with the City’s Comprehensive Plan.

N/A

2. The consistency of the proposed amendment with the intent and general regulations of this Title.
It allows a building owner who is entitled to a free-standing sign but has no place to put a sign that can be seen by any cars or pedestrians to place the sign in a location where it can be seen.

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.
I believe the proposed amendment corrects an omission in that I don't believe the City thought about buildings in the downtown that don't have any side facing a street when they drafted the sign ordinance.

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.
The City is interested in filling the downtown buildings with businesses that can thrive. It is difficult for a building to be utilized to its fullest extent if the building can't have a sign that fronts on any street.

5. The extent to which the proposed amendment creates nonconformities.

The proposed amendment does not create any nonconformities.

6. The implications of the proposed amendment on all similarly zoned property in the City.

There is no other building in the downtown that does not have at least one side facing a street. If another building in the future faces the same problem, that building will also be allowed an off-site sign as long as the building owner can satisfy all other City requirements.