

Matt Brolley, Village President
Tiffany Francis, Village Clerk
Stan Bond, Trustee
Pete Heinz, Trustee
Steve Jungermann, Trustee
Denny Lee, Trustee
Doug Marecek, Trustee
Theresa Sperling, Trustee



Village Board Meeting
Monday, July 11, 2016
7:00 PM, Village Hall

THIS MEETING IS BEING RECORDED AND WILL BE AVAILABLE FOR VIEWING ON THE VILLAGE YOUTUBE CHANNEL.

AGENDA

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Public Participation

Members of the public are welcome to speak at this time. Please provide the Clerk with your name, address & phone number.

A. Public Comments (Two Minute Opportunity).

5. Consent Agenda

The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below.

- A. Minutes of the Village Board Meeting of June 27, 2016.
- B. Building Report for June 2016.
- C. Accounts Payable through July 7, 2016 in the Amount of \$821,122.70.
- D. Cancellation of July 19th Committee of the Whole Meeting.

6. Items for Separate Action

- A. Recommendation of the Plan Commission 2016-017Z Regarding Off Street Parking – Text Amendment to Section 13 of the Zoning Ordinance.
- B. Ordinance 1731 Text Amendment to Section 13.0 of the Village Ordinance (Off Street Parking) (First Reading).
- C. Recommendation of the Plan Commission on PC 2016-018 Z Regarding Signs - Text Amendment to Section 12 of the Zoning Ordinance
- D. Ordinance 1732 Sign Ordinance Update Sections 12.01, 12.02, 12.03, 12.04, 12.09, 12.10 and 12.11 (First Reading).
- E. Purchase of 2016 GMC Pickup Truck (Replacement of Unit #271).

7. Items for Discussion

The following items are listed for discussion only. No decision or vote will be taken during this meeting.

- A. Sales Tax Incentive Agreement and Liquor License Request for Binny's Beverage Depot.

9. Executive Session

10. Adjournment

Village President Brolley called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

Roll Call

Trustee Sperling	Yea	Trustee Jungermann	Yea
Trustee Lee	Yea	Trustee Marecek	Yea
Trustee Heinz	Yea	Trustee Bond	Yea

Also present: Attorney Steve Andersson, Deputy Chief Armando Sanders, Director of Public Works Todd Hoppenstedt, Director of Finance Justin VanVooren, Director of Community Development Rich Young, Engineer Peter Wallers, Members of the Press and others.

Public Participation

A. Public Comments (Two Minute Opportunity).

There were no public comments this evening.

Consent Agenda

- A. Minutes of the Village Board Meeting of June 13, 2016.**
- B. Accounts Payable through June 23, 2016 in the Amount of \$424,398.14.**
- C. Temporary Liquor License for Earthmover Credit Union.**
- D. Ordinance 1726 Amending Chapter 3 ½ of the Village Code Regarding Amusement Devices and Billiard Parlors (Second Reading).**
- E. Ordinance 1728 Adopting a 2016 Prevailing Wage Rate (Waiver of First and Passage on Second Reading).**

Trustee Jungermann **moved to approve items A-E on the Consent Agenda.** Trustee Marecek seconded this motion.

6 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Bond, Trustee Sperling, Trustee Lee, Trustee Heinz voting yea.

Items for Separate Action

A. Resolution 2016-004 Authorizing the Creation of a New Stationary Food Vendor License for Pigs-N-Heat BBQ –1550 Douglas Road (in front of Home Pantry and Liquor).

Director Young gave an overview of this item. Village Attorney Andersson gave a summary of the approval process.

Trustee Sperling verified with the Village that the owner of Home Pantry was okay with it being in the front of the store. Director Young stated that was correct.

Trustee Marecek verified that it is temporary stationary. Hollis Morris, the owner of Pigs-N-Heat BBQ, stated that they will most likely be stationed during the week and more often than not they will be moved on the weekends due to barbeque competitions and festivals elsewhere. Monday thru Friday they plan on being open from 12:00 p.m.-9:00 p.m. unless they are away at a competition.

Trustee Lee asked for clarification on how they work with sales tax. Mr. Morris stated that they keep a sales tax system on the register and are registered with the state.

Trustee Bond moved to **approve the Resolution 2016-004 Authorizing the Creation of a New Stationary Food Vendor License for Pigs-N-Heat BBQ –1550 Douglas Road (in front of Home Pantry and Liquor)**. Trustee Marecek seconded this motion.

6 Yea. 0 No. Motion carried. Trustee Bond, Trustee Sperling, Trustee Lee, Trustee Heinz, Trustee Jungermann, Trustee Marecek voting yea.

B. Ordinance 1729 Amending the Village Code to Create a Class G Liquor License for Lucky's Beef n Dogs (Waiver of First and Passage on Second Reading).

Deputy Chief Sanders gave an overview of this item. Trustee Sperling inquired about the background check. Deputy Chief Sanders stated that it was complete and they are waiting for fingerprints to be returned from the state. President Brolley clarified that the Class G liquor license is the 50/50 split. Deputy Sanders stated that was correct.

Trustee Lee inquired about when they were planning on opening. The owner stated that they plan on around Thanksgiving.

Trustee Sperling moved to **approve the Ordinance 1729 Amending the Village Code to Create a Class G Liquor License for Lucky's Beef n Dogs (Waiver of First and Passage on Second Reading)**. Trustee Jungermann seconded this motion.

6 Yea. 0 No. Motion carried. Trustee Sperling, Trustee Lee, Trustee Heinz, Trustee Jungermann, Trustee Marecek, Trustee Bond voting yea.

C. Professional Services Agreement with Engineering Enterprises, Inc. for Wells No. 14 and 15 Water Treatment Plant Chlorine Feed Upgrades.

Director Hoppenstedt gave an overview of this item. Trustee Marecek asked if this is just for the engineering component. Director Hoppenstedt verified this was correct. Director Hoppenstedt stated that this is more affordable than was originally budgeted.

President Brolley clarified that they are looking at October to begin construction. Director Hoppenstedt stated that was accurate.

Trustee Marecek moved to **approve the Professional Services Agreement with Engineering Enterprises, Inc. for Wells No. 14 and 15 Water Treatment Plant Chlorine Feed Upgrades.** Trustee Bond seconded this motion.

6 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Bond, Trustee Sperling, Trustee Lee, Trustee Heinz, Trustee Jungermann voting yea.

D. Pavement Management Study Update.

Engineer Wallers summarized the updates from the pavement management study. Due to the savings the past year they are able to add additional streets for pavement. He also requested that the staff have some flexibility for various reasons. Engineer Wallers detailed the general schedule and said they would come back in July with the Engineering Professional Services Agreement.

Trustee Marecek asked for clarification on the early bidding. Engineer Wallers stated that due to the earlier bidding the Village benefitted by getting lower bid prices. Trustee Marecek thanked the staff for being proactive.

Trustee Jungermann asked if the added streets were a direct result of the residents passing the sales tax referendum. Engineer Wallers stated that it is, plus some other factors.

Trustee Lee stated that he believes that the Village has been more efficient in the past year. Engineer Wallers stated that they do get inquiries from time to time to get streets done. At any given time they can only get 20% of the streets and they are trying to do as much as they can as fast as they can. Trustee Marecek reiterated that the additional streets are a 68% increase, which is significant.

Trustee Bond inquired about Aucutt Road having an asterisk. Engineer Wallers stated that Aucutt will be funded with the LAFO, which is federally funded. There is an asterisk because at this time they are not certain they will get funding for Aucutt.

President Brolley stated that he feels it is important to give staff the flexibility to be able to make adjustments as they need.

Trustee Marecek moved to **approve the Pavement Management Study Update.** Trustee Bond seconded this motion.

6 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Bond, Trustee Sperling, Trustee Lee, Trustee Heinz, Trustee Jungermann voting yea.

Items for Discussion

A. Liquor License Request for Pig Dog Pub.

Deputy Chief Sanders stated that Pig Dog Pub will be in the location of the old Elmer's. He introduced Harold and Rebecca Oliver, the new owners.

Mrs. Oliver gave an overview of their background, stating that they grew up in Aurora and consider this area to be home. They are happy to be back in the area and are excited about Pig Dog Pub. She gave a history of the derivation of the name, Pig Dog Pub. The restaurant is a full-service family friendly place and they want it to feel welcoming. Mr. Harold Oliver stated that the restaurant's focus will be on food. He also reviewed their history in the restaurant business.

Trustee Sperling asked when they expect to open. Mr. Oliver stated that within 60-90 days. He said the Village of Montgomery has been a pleasure to work with, specifically stating that Mike has been extremely helpful as well as many individuals in the Village have been wonderful to work with.

Trustee Lee stated that the Mr. and Mrs. Oliver were one of the first \$5,000 contributors to the MEDC and he appreciates them being back in town.

President Brolley reiterated that they are requesting a Class G liquor license with the 50/50 split. He then reviewed with the Board their options at this point.

The Board was in consensus to move forward with the background check.

New or Unfinished Business

Trustee Jungermann asked if the water delivery system is up and working. Director Hoppenstedt, stated that it is working. Trustee Jungermann asked whether or not the Village was able to identify who had been stealing water. Director Hoppenstedt said no, but they have reduced the amount of unaccounted for usage. Trustee Jungermann verified that that system is where contractors should be getting water from. Director Hoppenstedt stated that there are a few exceptions made depending on the type of project and gave a few examples of such. Trustee Jungermann inquired about whether or not Geneva Construction had a meter and Director Hoppenstedt stated that they do. Director Hoppenstedt stated that they have taken possession of all outstanding meters and sent some for accuracy testing to be able to maintain those and those are the meters they use for the contractors that are given permission.

Trustee Sperling stated that she noticed the additional crosswalks on Briarcliff and stated that they are a welcome addition.

Trustee Bond inquired about an update on the Webster street crossing. Director Hoppenstedt stated that the latest word he has received is that they will begin construction on the morning of Tuesday, July 5th and work will be completed at the end of the business day on July 9th. Director Hoppenstedt will be sending out a letter to the neighboring businesses and will email to the agencies they know utilize that crossing to help with planning. Trustee Jungermann asked if they would potentially be

finished before Montgomery Fest. Director Hoppenstedt stated that he hopes that it will be done. Trustee Sperling stated that she had crossed that crossing that day and believes that there were some individuals working on it. President Brolley reiterated that Director Hoppenstedt has been emailing or calling each week to get the project done.

Trustee Marecek thanked EEI and everyone for their work on the Sunday in the Park event and said it was a great turnout.

Future Meetings

- A. Beautification Meeting –Summer Floral Display Judging will be Wednesday, June 29th at 6:00 p.m.
- B. Plan Commission – Thursday, July 7, 2016 at 7:00 p.m.
- C. Village Board Meeting – Monday, July 11, 2016 at 7:00 p.m.
- D. Historic Preservation Commission – Monday, July 18, 2016 at 6:30 p.m.
- E. Committee of the Whole Meeting – Tuesday, July 19, 2016 at 7:00 p.m.
- F. Beautification Committee – Wednesday, July 20, 2016 at 6:00 p.m.
- G. Village Board Meeting – Monday, July 25, 2016 at 7:00 p.m.

Executive Session – No Executive Session

Adjournment: 7:36 p.m.

Seeking no further business to come before the Board, it was moved by Trustee Heinz and seconded by Trustee Jungermann to **adjourn the meeting.**

6 Yea. 0 No. Motion carried. Trustee Heinz, Trustee Jungermann, Trustee Marecek, Trustee Bond, Trustee Sperling, Trustee Lee voting yea.

Respectfully submitted,

Tiffany Francis
Village Clerk

BUILDING REPORT

MONTH OF: June 2016

TYPE	NUMBER	VALUATION	BUILDING FEE
RESIDENTIAL	0	0.00	0.00
MULTI-FAMILY	0	0.00	0.00
INDUSTRIAL	0	0.00	0.00
COMMERCIAL	1	900,000.00	1,641.00
RESIDENTIAL ADDITIONS & ALTERATIONS	43	\$229,259.00	\$3,127.00
INDUSTRIAL ADDITIONS & ALTERATIONS	2	15,500	194
COMMERCIAL ADDITIONS & ALTERATIONS	4	\$915,000.00	\$6,511.00
GARAGE	0	0.00	0.00
SWIMMING POOL	6	21,400.00	330.00
MISCELLANEOUS	25	\$77,049.00	\$1,375.00
REINSPECTIONS	0	0.00	0.00
TOTAL	81	\$2,158,208.00	\$13,178.00
YEAR TO DATE VALUATION		\$10,117,954.00	
PREVIOUS YEAR	53	\$1,721,402.00	\$13,078.00
PERMITS FINALIZED	73	OCCUPANCIES ISSUED	June = 3
PERMITS PENDING:	826	SINGLE FAMILY- INDUSTRIAL	2 1
INSPECTIONS:		VIOLATIONS:	June = 124
BACKFILL	2	CORRECTED:	122
DECK POST HOLES	2		
ELECTRIC SERVICE	1	FOOTING	3
FINAL	29	ROUGH CONCRETE PRE	10
FINAL BUILDING	2	ROUGH ELECTRICAL	2
FINAL ELECTRICAL	1	ROUGH FRAMING	1
FINAL FRAMING	1	UG ELECTRICAL	2
		WALL	1
TOTAL	69	PLUMBING	12
Completed Inspections on foreclosed properties			

Village of Montgomery
Bills to be Paid
July 11, 2016

All Departments

Amount

AI Warren	5,209.89
Chase	17,891.68
Responsive	3,586.00
Verizon	1,996.85

Community Development/Building Department

Amusement Device Refunds	150.00
Cannonball	900.00
Chicago Tribune	2,394.92
ESRI	400.00
GMACC	100.00
MEDC	22,500.00
Thompson Elevator	43.00
Thompson Elevator	200.00

Elected Officials

Beaver Shredding	375.00
Doug Marecek	130.12
Metro West	120.00
Van Duser	75.00

Finance Department/Water Billing

Comcast	239.85
Inland	39,011.54
Office Depot	126.25
Talma SSA Refunds	19,445.03
Walmart	249,119.13
Water Refunds	114.70

Human Resources/Payroll

Better Business Planning	240.00
Blue Cross Blue Shield	73,839.58
Dearborn National	338.80
Fidelity Security	387.71
Guardian	3,675.04
Metropolitan Alliance of Police	544.00
Nationwide 457	100.00
Nationwide IRA	435.00
State Disbursement Unit	957.53

Police Department

AT&T	155.11
Communication Revolving Fund	506.40
GFC	579.48
Intoximeters	82.65
Kencom	64,515.00
Marberry Cleaners	16.00
Neofunds	200.00
Ray O'Herron	3,108.26
Tyler Technologies	78,033.00

Public Works Department

Action Mower	38.95
Airgas	70.61
A&U Auto Spa	100.00
Bulldog Cleaning	468.75
Car Reflection	96.00
Carroll Distributing	482.54
CDW	284.24
Citywide	3,657.28
Clarke Environmental	9,720.00
Coffman	2,930.22
Coffman	6,616.40
Comcast	202.85
ComEd	1,351.37
ComEd	85.85
Compass Mineral	3,011.86
Constellation	698.45
Crescent	461.51
Dell	1,891.44
Dynergy	2,573.84
Edmonds	1,387.82
Ed Pfaff	260.00
Factory Motor Parts	103.03
Factory Motor Parts	205.92
Farm N Fleet	144.34
FleetPride	98.53
Fox Metro	550.00
fox Ridge Stone	60.00
Gasvoda & Assoc	48.00
General Shale	93.80
G&K	288.96
GFC	316.71
Hach	876.06
HD Supply	4,484.59
Hoving Clean Sweep	7,755.50
ILEPA	1,500.00
Kimball Midwest	75.33

Kline's	3,562.50
Linde	3,043.06
Line-X	1,290.00
Meade	520.00
Menards	444.73
Midwest Salt	2,866.36
Nagel Trucking	5,963.60
Nicor	112.50
Ozinga	780.00
Peerless Fence	6,850.00
Pizzo	16,798.12
Pomps Tire	910.36
Ralph Helm	104.98
Republic Services	110,963.55
Ron Westphal	930.20
Ron Westphal	707.20
Stoked Graphics	985.00
Total Fire & Safety	150.00
Traffic Control & Protection	1,240.55
Traffic Control & Protection	362.45
UPS	21.87
Vermeer	435.76
Viking Chemical	3,755.62
Viking Chemical	5,705.73
Water Products	2,693.67
Wholesale Direct	4,932.62

Village Administrator's Office/Village Hall

Leaf	159.00
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Grand Total	<u><u>821,122.70</u></u>
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**VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: July 8, 2016

B of T Date: July 11, 2016

Subject: Cancellation of Committee of the Whole Meeting

Submitted By: Jeff Zoepfel, Village Administrator

Background/Policy Implications:

Approval is requested to cancel the Committee of the Whole Meeting scheduled for July 19, 2016.

Describe Fiscal Impact/Budget Account Number and Cost:

Review:

Village Administrator Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Administrator by 12:00 noon, Thursday, prior to the Agenda distribution.



**VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: July 8, 2016

B of T Date: July 11, 2016

Subject: Recommendation of the Plan Commission on PC 2016-017 Z Regarding Off Street Parking - Text Amendment to Section 13 of the Zoning Ordinance

Submitted By: Jerad Chipman AICP, Senior Planner

Background/Policy Implications:

The Plan Commission discussed and recommended approval of a text amendment to Section 13 of the Zoning Ordinance regarding land banking of parking spaces. The text amendment would allow for non-residential uses to construct fewer parking spaces than required by ordinance, however, the parking spaces that are not constructed would be required to be indicated on a plan for the purpose of future installation if deemed necessary. The Plan Commission recommended that the text amendment be exclusively allowed in Manufacturing Districts rather than Business and Manufacturing Districts.

The Plan Commission recommended approval of 2016-017 Z Text Amendment to Section 13 of the Zoning Ordinance regarding off street parking in the Manufacturing Districts and to include the report from Community Development dated June 23, 2016. The motion passed 5-0.

Describe Fiscal Impact/Budget Account Number and Cost:

Review:

Village Administrator *Jeff Zoepfel*

NOTE: All materials must be submitted to and approved by the Village Administrator by 12:00 noon, Thursday, prior to the Agenda distribution.



PC 2016-017
PLAN COMMISSION ADVISORY REPORT

To: Chair Hammond and Members of the Plan Commission

From: Richard Young
Director of Community Development

Jerad Chipman, AICP
Senior Planner

Date: June 23, 2016

Subject: Amendment to Section 13 of the Zoning Ordinance Regarding Off-Street Parking.

The following language is proposed to be added to Section 13 of the Zoning Ordinance.

Land Banked Parking Facilities. (The following parking regulations shall be permitted as added to Section 13.03 of the Zoning Ordinance).

LAND BANKING. Upon approval by the Community Development Department and when geographically feasible, nonresidential uses shall be allowed to provide open space in lieu of parking which can be readily converted to parking facilities. The design of the parking facilities to be constructed within a land banked area, if converted, must comply with the off-site parking requirements as set forth elsewhere within this ordinance at the time the land bank is approved.

The owner of the property to be land banked shall submit a detailed land bank parking plan for review and approval by the Director of Community Development. The plan shall show full compliance with the parking regulations of this ordinance, the proposed reduced number of parking spaces to be provided and the land banked area set aside as open space.

Following notice to the property owner, the Village based on increased parking demand shall have the right, in its sole discretion to require the property owner or successor to construct all or a portion of the required parking within the landed banked area.

As a condition of approval, the property owner shall file with the County Recorder a covenant in a form and substance approved by the Village Attorney, which outlines the conditions of the land bank.



**VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: July 8, 2016

B of T Date: July 11, 2016

Subject: Ordinance 1731 Text Amendment to Section 13.03 of the Village Zoning Ordinance

Submitted By: Steven A. Andersson & Laura M. Julien

Background/Policy Implications:

The enclosed text amendment provides the opportunity for certain properties within the Village to engage in land banking for parking facilities upon the fulfillment of certain conditions and approval by the Director of Community Development. Upon review by the Planning Commission, it was recommended that this be limited to properties located within the Manufacturing District. The redlines contained within the draft ordinance reflect the Planning Commission's recommendation.

Describe Fiscal Impact/Budget Account Number and Cost: N/A

Review:

Village Administrator Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Manager by 12:00 noon, Tuesday, prior to the Agenda distribution.



VILLAGE OF MONTGOMERY

ORDINANCE NO. 1731

**AN ORDINANCE AMENDING
SECTION 13.03 OF THE VILLAGE ZONING ORDINANCE
OF THE VILLAGE OF MONTGOMERY, ILLINOIS
(OFF STREET PARKING AND LOADING)**

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS
THIS ____ DAY OF _____, 2016.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES,
ILLINOIS, THIS ____ DAY OF _____, 2016.

ORDINANCE NO. 1731

**AN ORDINANCE AMENDING
SECTION 13.03 OF THE VILLAGE ZONING ORDINANCE
OF THE VILLAGE OF MONTGOMERY, ILLINOIS
(OFF STREET PARKING AND LOADING)**

BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

WHEREAS, the Village of Montgomery 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 Montgomery Board of Trustees finds that it is in the best interests of the citizens of the Village of Montgomery to amend Section 13.03 (Additional Regulations – Parking) of the Village’s Zoning Ordinance with regard to off-street parking, to include an additional provision pertaining to land banking opportunities for parking facilities located within Manufacturing Districts; and

WHEREAS, the Village of Montgomery Board of Trustees has determined that amending the Village’s Zoning Ordinance in this manner will help provide greater flexibility for property and business owners throughout the Village; and,

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

SECTION ONE:

Section 13.03 (Additional Regulations- Parking) of the Village Zoning Ordinance is hereby amended to add the following Section 13.05(6). All other provisions shall remain in full force and effect:

13.03 (6) LAND BANKING IN MANUFACTURING DISTRICTS.

Upon approval by the Community Development Department and when geographically feasible, ~~nonresidential uses~~ manufacturing district users shall be allowed to provide open space in lieu of parking which can be readily converted to parking facilities. The design of the parking facilities to be constructed within a land banked area, if converted, must comply with the off-site parking requirements as set forth elsewhere in this ordinance at the time the land bank is approved.

The owner of the property to be land banked shall submit a detailed land bank parking plan for review and approval by the Director of Community Development. The plan shall show full compliance with the parking regulations of this ordinance, the proposed reduced number of

parking spaced to be provided and the land banked area set aside as open space.

Following notice to the property owner, the Village based on increased parking demand shall have the right, in its sole discretion to require the property owner or successor to construct all or a portion of the required parking within the land banked area.

As a condition of approval, the property owner shall file with the County Recorded a covenant in a form and substance approved by the Village Attorney, which outlines the conditions of the land bank.

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 from 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 Montgomery, Kane and Kendall Counties, Illinois this ____ day of _____, 2016.

Matthew Brolley
President of the Board of Trustees of the Village of Montgomery

ATTEST:

Tiffany Francis
Clerk of the Village of Montgomery

	Aye	Nay	Absent	Abstain
Trustee Stan Bond	___	___	___	___
Trustee Pete Heinz	___	___	___	___
Trustee Steve Jungermann	___	___	___	___
Trustee Denny Lee	___	___	___	___
Trustee Doug Marecek	___	___	___	___
Trustee Theresa Sperling	___	___	___	___
Village President Matthew Brolley	___	___	___	___



**VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: July 8, 2016

B of T Date: July 11, 2016

Subject: Recommendation of the Plan Commission on PC 2016-018 Z Regarding Signs - Text Amendment to Section 12 of the Zoning Ordinance

Submitted By: Jerad Chipman AICP, Senior Planner

Background/Policy Implications:

The Plan Commission discussed and recommended approval of a text amendment to Section 12 of the Zoning Ordinance regarding ground signs. The recommended text amendment updates sections 12.01, 12.02, 12.03, 12.04, 12.09, 12.10, and 12.11 of the sign ordinance. The Plan Commission intended to update the sign ordinance last year, however, a Supreme Court decision postponed the update. The proposed ordinance amendments comply with the Supreme Court's decision and future amendments to the remaining sections of the sign ordinance are forthcoming. Section 12.09 regarding "Permanent Signs by Permit" contains the majority of the updates.

The Plan Commission recommended approval of 2016-018 Z Text Amendment to Section 12 of the Zoning Ordinance regarding signs to include the report from Community Development dated June 23, 2016. The motion passed 5-0.

Describe Fiscal Impact/Budget Account Number and Cost:

Review:

Village Administrator Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Administrator by 12:00 noon, Thursday, prior to the Agenda distribution.



PLAN COMMISSION MEMORANDUM

To: Chair Hammond and Members of the Plan Commission

From: Jerad Chipman, AICP
Senior Planner

Date: June 23, 2016

Subject: Sign Ordinance Update Sections 12.01, 12.02, 12.03, 12.04, 12.09, 12.10 and 12.11

Background: Last year the Plan Commission began the process of updating the section of the Zoning Ordinance regarding signage. The process was postponed due to a Supreme Court case that altered the authority of municipalities to regulate signs. Last month the Plan Commission was address by Village Attorney Laura Julien in regards to the Supreme Court decision and several subsequent cases that reference the Supreme Court's decision.

As a result of the information shared by Attorney Julien at the June meeting, staff is proposing to restart the process of updating the sign ordinance. The first step in that process is the attached recommended changes to several sections of the ordinance. Sections 12.01-12.04 and 12.10-12.11 were discussed last year and the changes were well received at that time. Staff has reviewed those changes in light of the Supreme Court decision and have made minor alterations for the Plan Commission to consider. Due to the fact that the Commission has previously reviewed those section, staff has added another section for the Commission's review and recommendation. Staff intends to codify the sections discussed in the attached documents and intends to clarify any formatting once the remained of the ordinance is addressed.

Staff Recommendation: Staff recommends approval of the proposed changes to the sign ordinance.

Proposed changes to Sections 12.01, 12.02, 12.03 and 12.04 of the Sign Section of the Zoning Ordinance.

Current Ordinance:

Section 12.00 – Signs

12.01 PURPOSE

The purpose of these regulations is to promote the use of signs in the Village which are safe, aesthetically pleasing, compatible with their surroundings and legible in the circumstances in which they are seen. These regulations also recognize the need for a well-maintained and attractive physical appearance of the community and the need for adequate business identification for the conduct of competitive commerce.

Proposed Ordinance:

Section 12.00 – Signs

Index – To be completed.

12.01 PURPOSE

The purpose of the Signs section of the Zoning Ordinance is to create a comprehensive, legal framework to regulate the design, installation and maintenance of signs, to promote clear communication between individuals and their surroundings and to promote the health, safety and wellbeing of the community through limiting

These regulations are also adopted for the purpose of reducing sign or advertising distractions which may increase traffic accidents and result in visual congestion for pedestrians.

visual congestions to pedestrians and distractions to motorists. This section is adopted for the following purposes:

- A. To provide uniform regulations and content-neutral sign standards that respect the first amendment rights of all citizens, merchants and property owners.

To promote a positive Village image exhibiting order and harmony to strengthen the economic vitality of the Village, and to enhance the visual environment and the property values of the Village by creating clear and consistent standards that culminate into an aesthetically pleasing environment for Village residents, businesses and guests

- B. To protect pedestrians and motorists from any damage or injury resulting from distracting and improperly located signage that created by certain unsafe signs.

12.02 INTERPRETATION

1. In interpretation and application, the provisions of this section shall be held to be an expression of the maximum allowable number and size of signs which bring about the least potential conflict with surrounding uses and which promote and improve physical appearance within the Village.
2. When a sign type is not specifically listed in the sections devoted to permitted signs, it shall be assumed that such signs are hereby expressly prohibited.

12.02 INTERPRETATION

1. Interpretation of the sign ordinance is at the discretion of the Director of Community Development. Any objections to the Director's decision can be appealed to the Zoning Board of Appeals through the appeals process outlined in Chapter 14 of this ordinance.
2. When a sign type is not specifically listed in the sections devoted to permitted signs, it shall be assumed that such signs are hereby expressly prohibited. If it is determined by the Director of Community Development that said sign

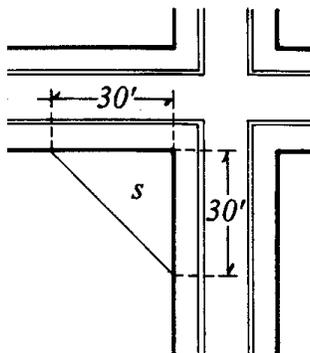
If it is determined by the Director of Community Development that said sign is similar to and not more objectionable than signs listed, such signs may then be permitted.

3. *Table 12.1* is intended to summarize the permitted sign types, but to be interpreted along with the additional regulations herein.

12.03 GENERAL CONSTRUCTION STANDARDS, DESIGN AND STRUCTURAL REQUIREMENTS

The provisions set forth in paragraph 12.03 shall apply to all signs, permanent or temporary, and shall be interpreted in accordance with the following rules:

1. *Measurements.* All measured distances or standards shall be to the nearest integer; if a fraction is one-half (1/2) or less, the integer below shall be taken.
2. *Height.* Height of signs shall be measured to the highest point thereon, excepting any decorative tapers in the casing, from the grade level directly below the sign.
3. *Corner Sight Triangles.* Within a part of the yard of open area of a corner lot included within a triangular area of thirty (30) feet from the point of intersection of two (2) street right-of-way lines forming such corner lot, no sign shall be constructed having a height of more than thirty (30) inches above the grade at the centerline of the streets adjacent thereto.



is similar to and not more objectionable than signs listed, such signs may then be permitted.

3. *Table 12.1* is intended to summarize the permitted sign types, but to be interpreted along with the additional regulations herein.
4. If any provision herein is declared to be unenforceable or invalid, the remainder of the ordinance shall remain in full force and effect.

12.03 GENERAL REGULATIONS

The provisions set forth in paragraph 12.03 shall apply to all signs, permanent or temporary,

1. *Requirement for Permit.* It shall be unlawful for any person to construct, install, alter or relocate any sign within the Village that requires a permit as indicated in *Table 12.1* of this chapter, without first obtaining a building permit.
2. *Obstruction.* No sign shall be erected to block any required access way, roof access, fire escape, door or any other access point required by the Village Building Code or Fire Protection District. Windows are not allowed to be blocked with the exception of those restrictions found in following sections of this chapter.
3. *Public Right-of-Way.* No sign or accessory to a sign shall be located within the public right-of-way, unless otherwise provided herein. Notwithstanding the foregoing, this provision shall not apply to signs located by a governmental body for the purpose of providing traffic control, traffic information, and traffic safety.
4. *Measurements.* All measured distances or standards shall be to the nearest integer; if a fraction is one-half (1/2) or less, the integer below shall be taken.

4. *Setbacks.* No sign shall be placed closer than five (5) feet to any lot line unless otherwise regulated herein. Temporary signs shall be located not less than one (1) foot from the property line not obstructing view to the flow of traffic. No sign shall be permitted in the public right-of-way.

5. *Illumination.* The illumination of all signs shall be diffused or indirect and shall be so arranged that there will be no direct rays reflecting into the public way or any lot on the perimeter of the premises on which the signs are located. Exposed light bulbs, neon tubing, flashing, blinking or traveling and similar illumination are not permitted.

6. *Access to Building and Roof.* No sign shall be erected so as to prevent free ingress to or egress from any door or window, or any other point of access into a building required by the Village Building Code or Fire Protection District Regulations, or any amendments thereto, nor shall any sign be erected so as to impair access to the roof of a building.

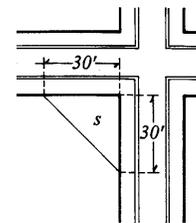
7. *Wind Pressure and Dead Load Requirement.* All signs shall be designed and constructed to withstand a wind pressure of thirty (30) pounds per square foot and shall be constructed to receive dead loads as required in the Village Building Code and other applicable Village ordinances, and any amendments thereto which the Village may adopt from time to time.

8. *Metal Signs.* A metal sign shall have its face or background constructed of metal not thinner than No. 28 B & S gauge. The face or background may cover a wooden frame and may be provided with letters, figures, characters, borders, or moldings of wood. No wooden border around a metal sign shall exceed a width of three (3) inches.

5. *Height.* Height of signs shall be measured to the highest point thereon from the grade level directly below the sign, prior to any berming with the exception for ground signs found herein.

6. *Setbacks.* No sign shall be placed closer than five (5) feet to any lot line unless otherwise regulated herein. Temporary signs shall be located not less than one (1) foot from the property line not obstructing view to the flow of traffic.

7. *Corner Sight Triangles.* Within a part of the yard of open area of a corner lot included within a triangular area of thirty (30) feet from the point of intersection of two (2) street right-of-way lines forming such corner lot or driveway edge of pavement and right-of-way line, no sign shall be constructed having a height of more than thirty (30) inches above the grade at the centerline of the streets adjacent thereto.



8. *Illumination.* Signs are allowed to be internally illuminated. Signs with external illumination shall be constant in intensity and color. External illumination shall be shaded, shielded or directed so as not to cause glare in the public right-of-way, so as not to cause traffic hazards and obstructions, or to neighboring properties. All illuminated signs shall have an external disconnect and be listed with the Underwriters Laboratories (UL). Refer to Section 12.07 for illumination restrictions for electronic messenger boards. Additional illumination standards are based on the sign type and are discussed in following sections of the Sign Ordinance.

9. *Glass.* All glass that is part of a sign shall be safety glass.
10. *Design Requirements.* All ground signs shall be designed per applicable building code requirements.

9. *Wind Pressure and Dead Load Requirement.* All signs shall be designed and constructed to withstand a wind pressure of thirty (30) pounds per square foot and shall be constructed to receive dead loads as required in the Village Building Code and other applicable Village ordinances, and any amendments thereto which the Village may adopt from time to time.

10. *Wooden Signs.* Wooden signs are only allowed as projecting signs. Refer to Section 12.07 for more information on projecting signs.

11. *Glass.* All glass that is part of a sign shall be safety glass.

12. *Design Requirements.* All ground signs shall be designed per applicable building code requirements.

12.04 MAINTENANCE AND REMOVAL REQUIREMENT

1. *Maintenance.* Every sign and all parts thereof, including framework, supports, background, anchors, and wiring systems shall be constructed and maintained in compliance with the building, electrical and fire protection codes of the Village. The permittee for each sign shall paint and maintain all parts and supports thereof as necessary to prevent rusting, rotting, illegibility, or other deterioration. All broken or missing parts shall be promptly replaced. All seams between panels or the components of the sign shall be maintained in a closed condition.
2. *Legibility.* All letters and characters on each sign shall be legible, with the edges of the letters and characters cleanly defined, unfaded, and maintaining a clear contrast with the background.

12.04 MAINTENANCE AND REMOVAL REQUIREMENT

1. *Maintenance.* Every sign and all parts thereof, including framework, supports, background, anchors, and wiring systems shall be constructed and maintained in compliance with the building, electrical and fire protection codes of the Village. The permittee for each sign shall paint and maintain all parts and supports thereof as necessary to prevent rusting, rotting, illegibility, or other deterioration. All broken or missing parts shall be promptly replaced. All seams between panels or the components of the sign shall be maintained in a closed condition.
2. *Illumination.* The source of illumination shall be kept in safe working order at all times.

3. *Removal.* When a business ceases to operate for thirty (30) consecutive days, any sign associated with said business must be removed or replaced as follows, within sixty (60) days after the thirty (30) day period.

- a. Any wall sign must be removed and all surfaces shall be restored to match the existing wall surface.
- b. Any freestanding or wall-mounted changeable sign, whether panels or individual letters, shall be removed and a new sign installed or a white blank panel inserted until a new sign permit is issued.

3. *Removal.* When a business ceases to operate for fifteen (15) consecutive days, any sign associated with said business must be removed or replaced as follows, within thirty (30) days after the fifteen (15) day period.

- a. Any wall sign must be removed and all surfaces shall be restored to match the existing wall surface.
- b. Any freestanding or wall-mounted changeable sign, whether panels or individual letters, shall be removed and a new sign installed or a white blank panel inserted until a new sign permit is issued.

Proposed changes to Sections 12.10 and 12.11 of the Sign Section of the Zoning Ordinance.

Current Ordinance:

Section 12.10 Variances

Variations to this sign code may be granted by the Village Board after an application and a hearing before the Zoning Board of Appeals. The applicant, in seeking any such variance, shall follow and adhere to all the requirements (including, but not limited to, the processing requirements and standards) contained in Section 14.07 of this Zoning Code of the Village of Montgomery.

Proposed Ordinance:

~~Section 12.10 Variances~~

Staff is proposing deletion of this section as it is redundant and the entire variance procedure can be found in the Administration Section.

12. 11 NON-CONFORMING SIGNS

A. NON-CONFORMING SIGNS.

1. All permanent signs which are in existence on November 27, 2006, but which do not conform to one or more provisions of this ordinance shall be deemed to be a legal nonconforming use and may be continued only as provided in this ordinance.
2. Any sign for which a permit has been lawfully granted prior to any amendment to the sign code and which does not comply with the provisions of such amendment may nonetheless be completed in accordance with the approved plans; provided construction of the sign is started within ninety (90) days after the passage of the ordinance amendment, and is diligently prosecuted to completion.
3. Whenever a nonconforming sign has been discontinued for a period of six (6) consecutive months, or whenever there is evident a clear intent on the part of the owner to abandon a nonconforming sign, such sign shall not, after being discontinued or abandoned, be re-established, and the sign hereafter shall be in conformity with the regulations of this ordinance.
4. Normal maintenance of a nonconforming sign is permitted, including necessary nonstructural repairs or incidental alterations which do not extend or intensify the nonconforming features of the sign.
5. No structural alteration, enlargement or extension shall be made in a nonconforming sign, except in the following situation:

12. 11 NON-CONFORMING SIGNS

A. NON-CONFORMING SIGNS.

1. All signs lawfully in existence, or holding sign permits issued prior to the date of adoption of this Ordinance, but which do not conform to one or more provisions of this ordinance shall be deemed to be a legal non-conforming use and may be continued only as provided in this ordinance.
2. Whenever a non-conforming sign has been discontinued for a period of three (3) consecutive months, or whenever there is evident a clear intent on the part of the owner to abandon a non-conforming sign, such sign shall not, after being discontinued or abandoned, be re-established, and the sign hereafter shall be in conformity with the regulations of this ordinance.
3. Normal maintenance of a non-conforming sign is permitted, including necessary non-structural repairs or incidental alterations which do not extend or intensify the non-conforming features of the sign.
4. No structural alteration, enlargement or extension shall be made in a non-conforming sign, except in the following situation:
 - a. When the alteration is required by law.
 - b. When the alteration will actually result in eliminating the non-conforming use.
 - c. If a non-conforming sign is damaged or destroyed by any means to the extent of fifty percent (50%) or more of its reproduction value at that time, the sign can be rebuilt or used thereafter only for a

- a. When the alteration is required by law.
 - b. When the alteration will actually result in eliminating the nonconforming use.
 - c. If a nonconforming sign is damaged or destroyed by any means to the extent of fifty percent (50%) or more of its replacement value at that time, the sign can be rebuilt or used thereafter only for a conforming use and in compliance with the provisions of the code. In the event the damage or destruction is less than fifty percent (50%) of its replacement value, based upon prevailing costs, the sign may then be restored to its original conditions and the use may be continued which existed at the time of such partial destruction until the nonconforming sign is otherwise abated by the provisions of this code. In either event, restoration or repair must be started within a period of six (6) months from the date of damage or destruction, and diligently prosecuted to completion.
 - d. Non-structural alterations are permitted that do not eliminate the non-conforming sign as long as the location of the sign does not change, the height of the altered sign does not exceed the standards found in Section 12.1(A)(2)(c) and the maximum sign area (as altered) does not exceed the limits set forth herein. Structural supports may not be altered, except to reduce the number or degree or a non-conformity as discussed in the above conditions (e.g. if the height of a nonconforming pole sign panel is reduced, the structural support above the sign panel may be removed without removing the remainder of the nonconforming
- conforming use and in compliance with the provisions of the code. In the event the damage or destruction is less than fifty percent (50%) of its reproduction value, based upon prevailing costs, the sign may then be restored to its original conditions and the use may be continued which existed at the time of such partial destruction until the non-conforming sign is otherwise abated by the provisions of this code. In either event, restoration or repair must be started within a period of three (3) months from the date of damage or destruction, and diligently prosecuted to completion.
- d. Non-structural alterations are permitted that do not eliminate the non-conforming sign as long as the location of the sign does not change, the height of the altered sign does not exceed the standards found in Section 12.1(A)(2)(c) and the maximum sign area (as altered) does not exceed the limits set forth herein. Structural supports may not be altered, except to reduce the number or degree or a non-conformity as discussed in the above conditions (e.g. if the height of a non-conforming pole sign panel is reduced, the structural support above the sign panel may be removed without removing the remainder of the non-conforming sign) All such alterations require a permit.
 - e. Replacement of non-conforming sign faces, which is considered a non-structural repair, is permitted. Acquisition of a permit is required in order to replace sign faces. The installation of additional electrical equipment in conjunction of the replacement of sign faces considered a structural addition, and therefore, is not allowed under the regulations

sign) All such alterations require a permit.

of this section.

- e. Existing temporary signs shall expire at the termination date specified on the permit.

Section 12.09 Proposed

12.09 Permanent Signs By Permit

Table 12.1: Permitted Sign Types Allowed by District (With Permit) See Table 12.1A Regarding Ground Signs.

District	A&T-Frame	Awning	Canopy	Neon	Projecting	Wall	Window
<i>P=Permitted</i>							
<i>NP=Not Permitted</i>							
Residential							
Permanent Subdivision Signage	NP	NP	NP	NP	NP	NP	NP
For Non Residential Use	P	P	P	NP	NP	P	P
MD							
Single Tenant Building	P	P	P	P	P	P	P
Multi Tenant Buildings	P	P	P	P	P	P	P
Multi Building Development	NP	NP	P	NP	NP	NP	NP
B-1							
Single Tenant Building	P	P	P	P	P	P	P
Multi Tenant Buildings	P	P	P	P	P	P	P
Multi Building Development	NP	NP	P	NP	NP	NP	NP
B-2							
Single Tenant Building	P	P	P	P	P	P	P
Multi Tenant Buildings	P	P	P	P	P	P	P
Multi Building Development	NP	NP	P	NP	NP	NP	NP
B-3							
Single Tenant Building	P	P	P	P	P	P	P
Multi Tenant Buildings	P	P	P	P	P	P	P
Multi Building Development	NP	NP	P	NP	NP	NP	NP
M-1							
Single Tenant Building	P	P	P	P	NP	P	P
Multi Tenant Buildings	P	P	P	P	NP	P	P

District	A&T-Frame	Awning	Canopy	Neon	Projecting	Wall	Window
Multi Building Development	NP	NP	P	NP	NP	NP	NP
M-2							
Single Tenant Building	P	P	P	P	NP	P	P
Multi Tenant Buildings	P	P	P	P	NP	P	P
Multi Building Development	NP	NP	P	NP	NP	NP	NP

Table 12.1A: Permitted Ground Sign Types Allowed by District (With Permit)

District	Principal	Interior	Perimeter	Residential	Billboards	Off-Premises
<i>P=Permitted</i>						
<i>NP=Not Permitted</i>						
Residential						
Permanent Subdivision Signage	NP	NP	NP	As Approved by the Village Board	NP	NP
For Non Residential Use	P	P	P	NP	NP	NP
MD						
Single Tenant Building	P	P	P	NP	NP	NP
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP
B-1						
Single Tenant Building	P	P	P	NP	NP	NP
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP
B-2						
Single Tenant Building	P	P	P	NP	NP	P
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP
B-3						

District	Principal	Interior	Perimeter	Residential	Billboards	Off-Premises
Single Tenant Building	P	P	P	NP	NP	P
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP
M-1						
Single Tenant Building	P	P	P	NP	NP	NP
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP
M-2						
Single Tenant Building	P	P	P	NP	NP	NP
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP

1. *Sign Types.* The following sign types shall be permitted as depicted in the above *Table 12.1* and in accordance with the following:

A. A-Frame & T-Frame Signs. A-Frame and T-Frame signs shall be permitted subject to the following and shall be defined as a sign that creates the shape of an A or an upside down T when erected.

i. **Number.** One A-Frame or T-Frame sign shall be permitted per building unit per street frontage. Each sign requires a separate permit.

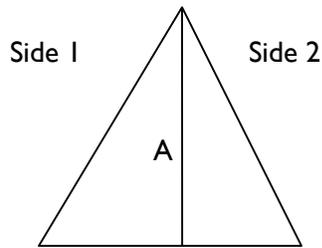
ii. **Maximum Sign Size and Height.** The sign shall not exceed a total of twelve (12) square feet per side and a vertical height of four (4) feet, see diagram below.

iii. **Setback and Location.** When located on private property there shall be a minimum setback from all property lines of one (1) foot. The location of the sign shall also comply with the site triangle restrictions in section 12.03(3). A-Frame and T-Frame signs are permitted to be placed on public sidewalks only in the Mill District Zoning District; a minimum of five (5) feet of unobstructed sidewalk is required per the Illinois Accessibility Code.

iv. **Illumination.** Illumination of A-Frame and T-Frame signs is prohibited.

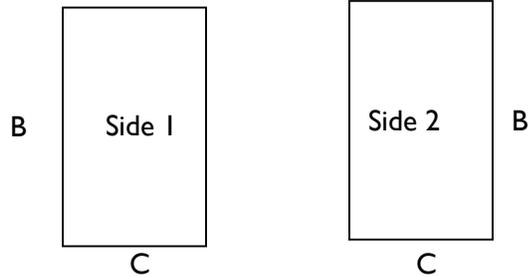
v. **Sign Duration.** A-Frame and T-Frame signs shall be movable and shall only be displayed during hours of operation of the establishment. The sign must be removed from the property or sidewalk and stored indoors when the establishment is closed.

A-Frame Vertical Height Diagram



A=4 feet (max vertical height)

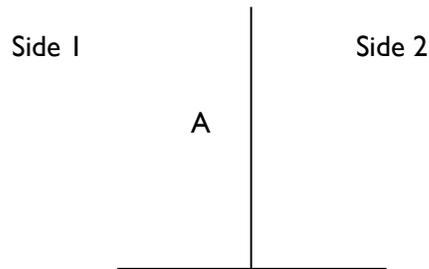
Sign Display Area Diagram



Side 1: B (4ft) x C (3ft) = 12 sq ft

Side 2: B (4ft) x C (3ft) = 12 sq ft

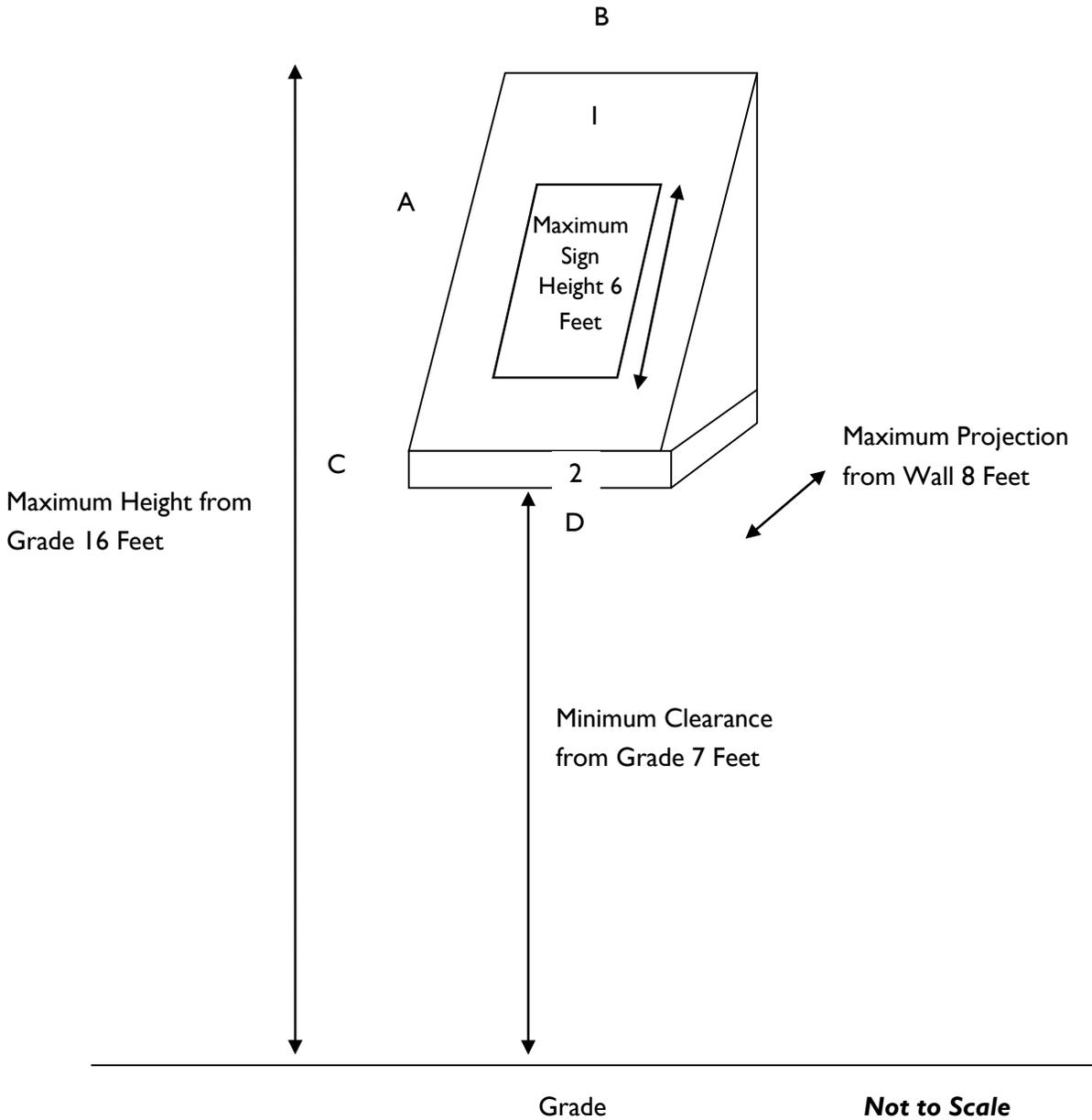
T-Frame Vertical Height Diagram



B. Awning Signs and Awnings. All awning signs shall require a permit and shall be permitted subject to the following:

- i.* Number. Not more than one (1) awning sign shall be permitted on each awning face and on each apron.
- ii.* Sign Display Area. The sign shall not exceed 75 percent of the sign display area as defined in the diagram below.
- iii.* Location. Signs may be affixed or applied to the awning surface mounted over entrances to an establishment or windows.
- iv.* Height. The maximum height of an awning on the building from grade shall be sixteen (16) feet. The maximum height of the awning sign shall not exceed six (6) feet.

- v.** Illumination. Awnings may be externally illuminated with architectural lighting or internally illuminated. Illumination shall be in accordance with the standards set forth in section 12.03.
- vi.** Clearance. A minimum clearance of seven (7) feet shall be provided between finished grade and the lowest point of an awning.
- vii.** Projection. No awning shall project more than eight (8) feet from the building wall, but shall not project into or over the roadway of any street or driveway.
- viii.** Setback from Curb. No awning shall project within two (2) feet of the curb of a street or driveway.



Sign Display Area 1 = $(A \times B)$

Sign Display Area 2 = $(C \times D)$

Maximum Sign Area 1 (Main Awning Face) = $(A \times B) \times .75$

Maximum Sign Area 2 (Awning Apron, each apron is counted separately for determining Sign Display Area) = $(C \times D) \times .75$

C. Canopy Signs

i. Freestanding Canopy Signs

1. Definition: A sign that is mounted on a freestanding canopy or structural protective cover over an outdoor service area.
2. Three (3) signs on each canopy located on a site, the total area of which shall not exceed thirty (30) square feet per sign; only one (1) sign per canopy face; the sign shall not exceed three (3) feet in height; and the sign shall not be located higher than thirty (30) feet from grade. (Note: If we are concerned with graphics on the canopy, we may have to consider allowing signage on the entire canopy).
3. Signs that are mounted to a permanent structure located underneath a canopy shall be a maximum of fifty (50) square feet and shall be no taller than ten (10) feet from grade. Each sign shall be located a minimum of nine feet away from each other.

ii. Attached Canopy Signs

1. Definition: A sign that is mounted on a canopy or structural protective cover over an outdoor service area that is affixed or attached to a principal building.
2. Three (3) signs on each canopy located on a site, the total area of which shall not exceed twenty (20) square feet per sign; only one (1) sign per canopy face; the sign shall not exceed two (2) feet in height; and the sign shall not be located higher than thirty (30) feet from grade. (Note: If we are concerned with graphics on the canopy, we may have to consider allowing signage on the entire canopy).

Notwithstanding the foregoing sites that have drive-aisles located under the canopy shall be entitled to a sign located above each drive-aisle in lieu of, not in addition to, the three (3) sign maximum set forth in the preceding paragraph. Each sign shall not exceed fifteen (15) square feet in area.

3. Signs that are mounted to a permanent structure located underneath a canopy shall be a maximum of fifty (50) square feet and shall be no taller than ten (10) feet from grade. Each sign shall be located a minimum of nine (9) feet away from one another.

D. Ground Signs. Ground signs shall be permitted subject to the following restrictions.

Location. No ground signs shall be located closer than five (5) feet to a property line and shall be located outside of the sight triangle with the exception of perimeter signs.

All ground signs shall be allowed to be back-to-back signs. Back-to-back signs are defined as follows: A structure with two parallel sign faces orientated in opposite directions. Ground signs with more than two faces and v-type signs are prohibited.

Manual and Electronic Message Boards. Message board signs shall be permitted when incorporated into a ground sign subject to all applicable standards herein, and under the following conditions: i. No more than thirty-percent (30%) of the ground sign area provided shall be used as a message board sign. ii. Message boards shall be located on the lower half of the ground sign. iii. Electronic message boards shall stay static for a minimum of five (5) seconds. iv. Electronic message boards shall not scroll, flash, or display movement of any kind with the exception of a simultaneous transition from one image to another after the five (5) second interval. The sign must not exceed a maximum illumination of 5000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness.

Sign Landscaping. All ground signs shall be located in a landscaped area separated and protected from vehicular circulation and parking areas. Said landscape area shall be landscaped appropriately and approved by the Director of Community Development.

i. Principal

- 1. Definition.** A freestanding sign where the base of the sign structure is equal to or greater than the width of the sign.
- 2. Number of Signs.** No more than one (1) principal ground sign per street frontage shall be permitted on a zoning lot. One (1) multi-building development sign shall be allowed per street frontage. A multi-building development shall be defined as two (2) or more lots that lie within the same subdivision that has been recorded with the County.
- 3. Size Restrictions.**
 - a. Single tenant building:** a) Maximum height of the sign, measured from the base grade, is eight (8) feet tall. b) Maximum square footage of the entire sign including the supporting structure is eighty (80) square feet.
 - b. Multiple tenant buildings and subdivision signs:** a) Maximum Height of the sign, measured from the base grade, is fourteen (14) feet tall. b) Maximum square footage of the entire sign including the supporting structure is one-hundred forty (140) square feet.
 - c. Street elevation height adjustment:** a) A ground sign can be elevated through the use of berms (elevating the base grade) or additional structural height in the event that the sign location is lower than the adjacent street by more than one (1) foot. In the event that a sign is located more than one (1) foot below the grade of the adjacent street, measured at the edge of pavement closest to the sign location, the sign is allowed to be elevated

and the sign height measurement will begin at the grade of the street. A sign is not allowed to be elevated do to the adjacent street elevation by more than five (5) feet.

ii. Interior

1. Definition. A freestanding sign supported by either a continuous base or a structural support pole and which is located in close proximity to the principal building.
2. Number of Signs. Two (2) signs shall be permitted per zoning lot.
3. Maximum Sign Size and Height. The sign shall not exceed seventy-five (75) square feet in area and shall not exceed a height of eight (8) feet.
4. Location. Interior parcel ground signs shall be located within twenty (20) feet of the principal building.
5. Illumination. Signs shall be internally illuminated. External illumination is prohibited.

iii. Perimeter

1. Definition. A freestanding sign supported by either a continuous base or a structural support pole and which is located in close proximity to the limits of the property.
2. Number of Signs. Six (6) signs shall be permitted per zoning parcel.
3. Sign Display Area and Sign Height. The maximum size of a perimeter sign is six (6) square feet and five (5) feet in height. If located in the sight triangle the maximum height is thirty (30) inches.
4. Location. Perimeter signs shall be located a minimum of twenty (20) feet away from the principal building.
5. Illumination. Signs shall be internally illuminated. External illumination is prohibited.

iv. Residential Ground Signs

1. All permanent residential ground signs shall be approved by the Village Board.

v. Off-Premises Signs

1. Billboard Signs. Billboard signs are prohibited.
2. Off-Premises Ground Signs.

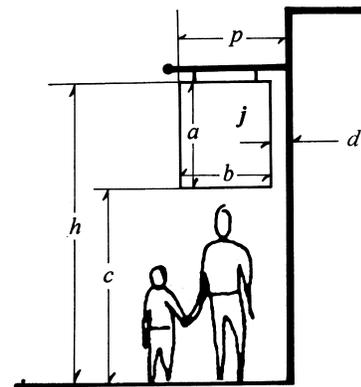
- a. Definition. A sign located on a parcel other than the parcel that the entity that owns the sign, and complies with the following provisions.
- b. Number of Signs. One (1) off-premises sign is allowed per entity.
- c. Maximum Sign Size and Height. The maximum size of an off-premises sign is forty (40) square feet and six (6) feet in height. (This provision is subject to change.)
- d. Location. An off-premises sign shall be located within twenty (20) feet of a driveway that provides access to a parcel owned by the applicant. The sign shall be a minimum distance from the applicant's parcel of five hundred (500) feet.

E. Neon Signs.

- i. Neon signs shall be permitted to hang inside store front windows that face a public right-of-way. One (1) sign shall be allowed per window and a maximum of ten (10) square feet in area.

F. Projecting Signs.

- i. Number. Not more than one projecting sign per establishment, per wall provided no wall sign for the establishment is located on the same building wall.
- ii. Location. Projecting signs shall be affixed to the wall having the establishment's public entrance and shall not be located beyond the premises of a particular establishment.
- iii. Height. No projecting sign shall extend above the roofline or the highest point of the wall of the building on which it is located or fourteen (14) feet from finished grade, whichever is less.
- iv. Sign Area. The area of a projecting sign shall not exceed twelve (12) square feet.
- v. Illumination. Projecting signs may be illuminated subject to the standards in Section 12.03.
- vi. Clearance. Projecting signs shall provide a minimum clearance of seven (7) feet between the finished grade below the sign to the lowest edge of the sign.



Projecting Sign (j)

Where p = projection from building wall,
 h = height of sign
 c = clearance of sign
 j = area of sign ($a \times b$) and
 $d \neq 1$ foot

- vii.** Projection. No projecting sign shall project from the building wall more than six (6) feet. The innermost edge of the projecting sign shall be no more than one (1) foot from the wall of the building to which it is attached. Projecting signs may swing, but all projecting signs shall be permanently attached to the building.
- viii.** Setback from Curb. No projecting sign shall project within two (2) feet of the curb of a street or driveway.

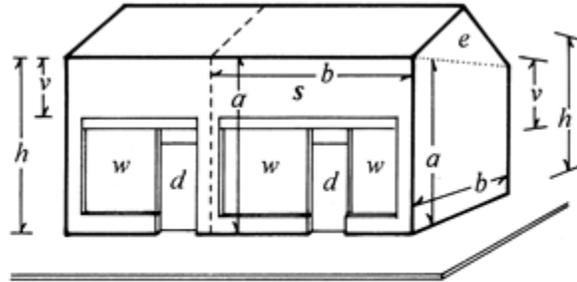
G. Wall Signs

i. Principal

- 1.** Definition. Wall signs shall be considered any permanent signage mounted (signs painted onto a building are prohibited) to the building wall, which shall be defined as a side of the building which acts as a support structure between the foundation and the roof and shall also include false walls and parapets extending above said wall, or visible from the exterior of the building.
- 2.** Number and Location. Wall signs shall be affixed only to a building wall as defined above. Each user is allowed a maximum of six (6) signs on a building with a maximum of three (3) signs per wall. No wall signs shall be allowed for individual tenants in a multi-story or a multi-tenant building having no exterior building entrance for each tenant. Wall signs shall not extend more than eighteen (18) inches from the wall nor extend beyond any eave line of a gable, hip or gambrel roof, nor extend above the façade of a flat roof, nor above the deck line of a mansard roof or false wall or parapet.
- 3.** Computation of Wall Sign Area of Individual Signs: The area of a sign face shall be computed by means of the smallest square, rectangle, or conjoining combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative wall when such wall otherwise meets all other applicable regulations and is clearly incidental to the display itself.
- 4.** Vertical Dimension of Wall Signs. The maximum vertical dimension of the wall sign itself shall not exceed ten (10) feet.
- 5.** Sign Display Area. Each wall sign shall be located within a selected sign display area. The sign display area shall be defined as indicated in the illustration below. The amount of the sign display area that is allowed to be consumed by signage varies depending on the length of the wall that it is affixed to and is indicated in the table below:

Length of wall attributed to the applicant's occupied space.	Percentage of sign display area allowed to be consumed by signage.
0-50 feet	30%
51-100 feet	20%
101 or greater feet.	15%

The sign area is in addition to any other sign types on the premises.



Wall Sign Display Area (s)

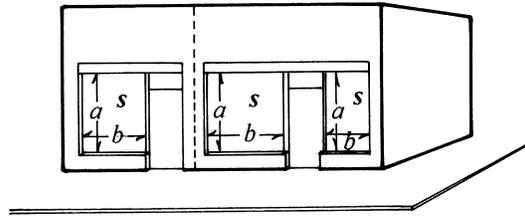
Where $s = ((a \times b) + (\text{area of } e)) - (\text{area of all } w + d)$
on each permitted wall, and $w = \text{windows}$, $d = \text{doors}$
maximum height of sign (h) = 30 feet.

6. Illumination. Wall signs may be internally illuminated or externally illuminated with architectural lighting subject to the standards herein.
 - ii. Secondary. Eighteen (18) inches tall and fifteen square feet. Located above an entrance to the building.

H. Window Signs.

- i. Definition. A sign etched, affixed or applied to the interior window or door glass.
- ii. Location. Window signs may be displayed only in windows or glass doors facing a public street, or in windows or glass doors in a wall having a public entrance.

- iii. Sign Display Area. Each window sign shall be located within a selected sign display area. The window sign display area shall be the transparent exterior glass surface area of each permitted window and door, but excluding superficial borders or trim. Sign display area for permitted signs shall be calculated on an aggregate basis of multiple windows and doors.



Window Sign Display Area (s)

Where $s = a \times b$

- iv. Sign Area. The area of a window sign shall not exceed forty percent (40%) of a sign display area as defined in this Section.
- v. Illumination. Window signs may be illuminated externally with architectural lighting or internally with a screened light source and subject to the standards herein.

Section 12.09 Current

12.09 PERMANENT SIGNS PERMITTED ONLY BY PERMIT

Permanent signs other than those expressly prohibited in Section 12.07 or enumerated in Section 12.08 are prohibited, except for those listed herein below. Except as more specifically defined below, each premise shall be allowed any or all of the following types and numbers of signs as delineated in Table 12.1. Descriptions of permitted sign types, including additional regulations are described in the paragraphs below.

Uses that do not occupy the ground floor space shall be allowed to locate business identification signage on a multi-tenant ground sign, where permitted, and may have window signage in accordance with the regulations herein. Multi-tenant buildings with one common entrance, rather than individual premise entrances, may have only one joint ground sign and one wall-mounted directory of business of no more than six (6) square feet, but may not have other individual signage (i.e. wall) as permitted in Table 12.1 for multi-tenant premises with individual public entrances.

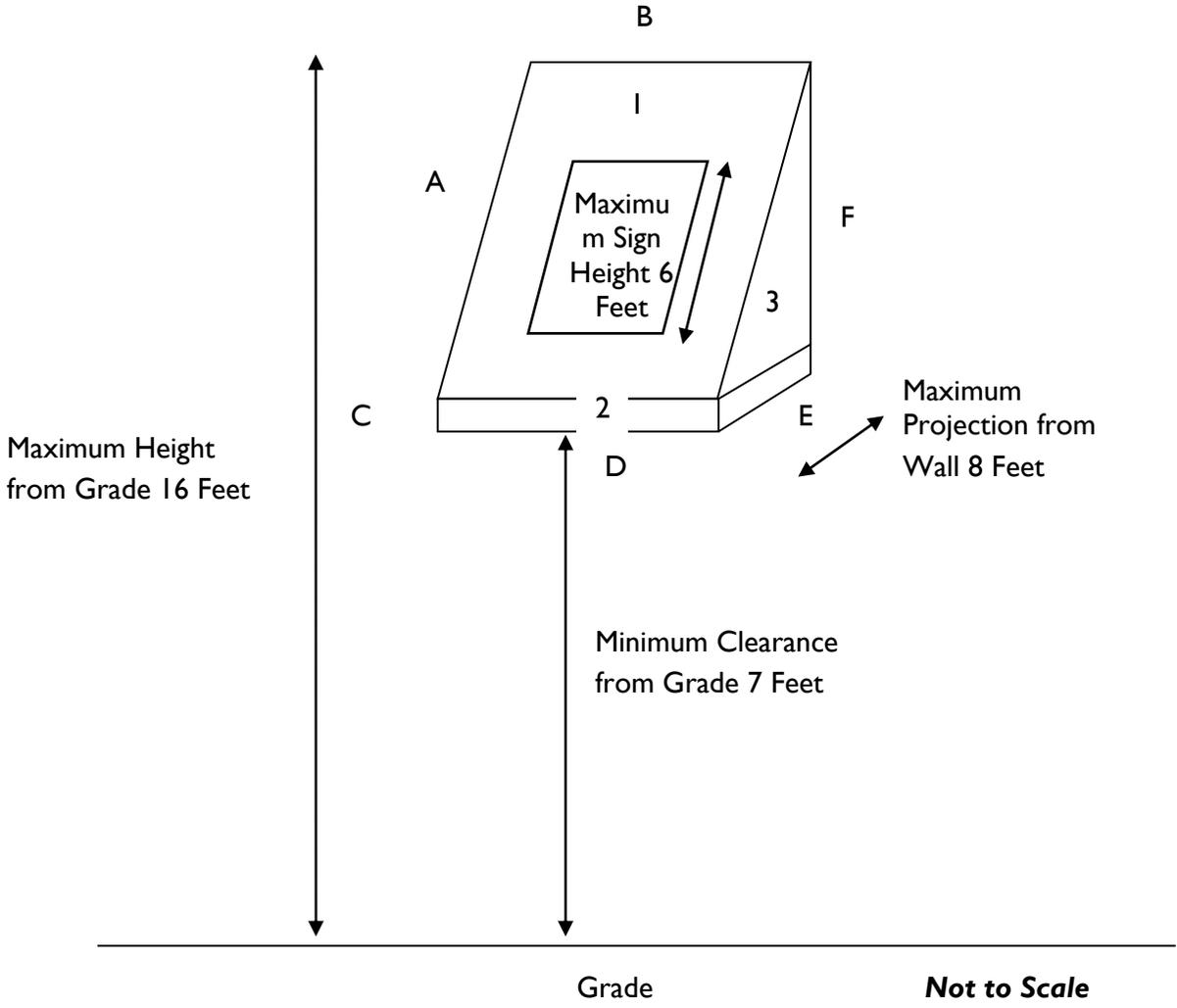
Table 12.1: Permitted Sign Types Allowed by District (With Permit)

District	A&T-Frame	Awning	Ground	Projecting	Wall	Window
<i>P=Permitted</i>						
<i>NP=Not Permitted</i>						
Residential						
Permanent Subdivision Signage	NP	NP	As Approved by the Village Board	NP	NP	NP
For Non Residential Use excluding Single, Two or Multi Family Uses	P	P	P	NP	P	P
MD						
Single Tenant Building	P	P	P	P	P	P
Multi Tenant Building 2-5 Tenants	P	P	P	P	P	P
Multi-Tenant Building 6+ Tenants	P	P	P	P	P	P
Multi Building Development (ie Shopping Center)	NP	NP	P	NP	NP	NP
B-1						
Single Tenant Building	P	P	P	P	P	P
Multi Tenant Building 2-5 Tenants	P	P	P	P	P	P
Multi-Tenant Building 6+ Tenants	P	P	P	P	P	P
Multi Building Development (ie Shopping Center)	NP	NP	P	NP	NP	NP
B-2						
Single Tenant Building	P	P	P	P	P	P
Multi Tenant Building 2-5 Tenants	P	P	P	P	P	P
Multi-Tenant Building 6+ Tenants	P	P	P	P	P	P
Multi Building Development (ie Shopping Center)	NP	NP	P	NP	NP	NP
B-3						
Single Tenant Building	P	P	P	P	P	P
Multi Tenant Building 2-5 Tenants	P	P	P	P	P	P
Multi-Tenant Building 6+ Tenants	P	P	P	P	P	P
Multi Building	NP	NP	P	NP	NP	NP

District	A&T- Frame	Awning	Ground	Projecting	Wall	Window
Development (ie Shopping Center)						
M-1						
Single Tenant Building	P	P	P	NP	P	P
Multi Tenant Building 2-5 Tenants	P	P	P	NP	P	P
Multi-Tenant Building 6+ Tenants	P	P	P	NP	P	P
Multi Building Development (ie Shopping Center)	NP	NP	P	NP	NP	NP
M-2						
Single Tenant Building	P	P	P	NP	P	P
Multi Tenant Building 2-5 Tenants	P	P	P	NP	P	P
Multi-Tenant Building 6+ Tenants	P	P	P	NP	P	P
Multi Building Development (ie Shopping Center)	NP	NP	P	NP	NP	NP

A. Sign Types. The following sign types shall be permitted as depicted in the above *Table 12.1* and in accordance with the following:

- I. **AWNING SIGNS AND AWNINGS.** All awning signs shall require a permit and shall be permitted subject to the following:
 - a. **NUMBER.** Not more than one awning sign shall be permitted on each awning face and apron. Awnings with no text or logos do not constitute signage.
 - b. **SIGN DISPLAY AREA.** The sign shall not exceed 50 percent of the sign display area as defined in the diagram below.
 - c. **LOCATION.** Individual letters or words may be affixed or applied to the awning surface mounted over entrances to an establishment or windows.
 - d. **HEIGHT.** The maximum height of an awning on the building from grade shall be sixteen (16) feet. The maximum height of the awning sign shall not exceed six (6) feet.
 - e. **ILLUMINATION.** Awnings may be externally illuminated with architectural lighting or internally illuminated. Any illumination is subject to all regulations herein.
 - f. **CLEARANCE.** A minimum clearance of seven (7) feet shall be provided between finished grade and the lowest point of an awning.
 - g. **PROJECTION.** No awning shall project more than eight (8) feet from the building wall, but shall not project into or over the roadway of any street or driveway.
 - h. **BACK FROM CURB.** No awning shall project within two (2) feet of the curb of a street or driveway.



Sign Display Area 1 = (A x B)
 Sign Display Area 2 = (C x D)
 Sign Display Area 3 = ((E x F) x .5)

Maximum Sign Area 1 (Main Awning Face) = (A x B) x .5
 Maximum Sign Area 2 (Awning Apron, each apron is counted separately for determining Sign Display Area) = (C x D) x .5
 Maximum Sign Area 3 (Secondary Awning Face, each secondary awning face is counted separately for determining Sign Display Area) = ((E x F) x .5) x .5

2. GROUND SIGNS. Ground signs shall be permitted subject to the following restrictions and shall be defined as a permanent sign which is supported by a solid, continuous base that is anchored to the ground.

- a. **NUMBER.** No more than one ground sign per street frontage per lot shall be permitted on a lot. One Multi-Building Development sign shall be allowed per street frontage and shall incorporate the development name into the sign and shall include the text “of Montgomery”. A Multi-Building Development shall be defined as two or more lots that lie within the same subdivision that has been recorded with the County (for example the Ogden Hill or Orchard Crossing commercial subdivisions).
- b. **LOCATION.** No ground signs shall be located closer than five (5) feet to a property line and shall be located outside of the sight triangle.
- c. **SIZE RESTRICTIONS.**
 - i. Single tenant building:
 - a) Maximum height of the sign, measured from the base grade, is eight (8) feet tall.
 - b) Maximum square footage of the entire sign including the supporting structure is 80 square feet.
 - ii. Multiple tenant buildings and subdivision signs:
 - a) Maximum Height of the sign, measured from the base grade, is fourteen (14) feet tall.
 - b) Maximum square footage of the entire sign including the supporting structure is 140 square feet.
 - iii. Street elevation height adjustment:
 - a) A ground sign can be elevated through the use of berms (elevating the base grade) or additional structural height in the event that the sign location is lower than the adjacent street by more than one (1) foot. In the event that a sign is located more than one (1) foot below the grade of the adjacent street, measured at the edge of pavement closest to the sign location, the sign is allowed to be elevated and the sign height measurement will begin at the grade of the street. A sign is not allowed to be elevated do to the adjacent street elevation by more than five (5) feet.
- d. **MANUAL AND ELECTRONIC MESSAGE BOARDS.** Message board signs shall be permitted when incorporated into a ground sign subject to all applicable standards herein, and the following conditions:
 - i. No more than thirty-percent (30%) of the ground sign area provided shall be used as a message board sign.
 - ii. Message boards shall be located on the lower half of the ground sign.
 - iii. Electronic message boards shall stay static for a minimum of five (5) seconds.
 - iv. Electronic message boards shall not scroll, flash, or display movement of any kind with the exception of a simultaneous transition from one image to another after the five (5) second interval. The sign must not exceed a maximum illumination of 5000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign’s face at maximum brightness.
- e. **SIGN LANDSCAPING.** All ground signs shall be located in a landscaped area separated and protected from vehicular circulation and parking areas. Said landscape area shall be landscaped appropriately and approved by the Director of Community Development.

Examples of signs that are acceptable and meet the design intent.



Examples of signs that are not acceptable and do not meet the design intent.



4. PROJECTING SIGNS. Projecting identification signs shall be permitted subject to the following:

a. NUMBER. Not more than one projecting sign per establishment, per wall provided no wall sign for the establishment is located on the same building wall.

b. LOCATION. Projecting signs shall be affixed to the wall having the establishment's public entrance and shall not be located beyond the premises of a particular establishment.

c. HEIGHT. No projecting sign shall extend above the roofline or the highest point of the wall of the building on which it is located or fourteen (14) feet from finished grade, whichever is less.

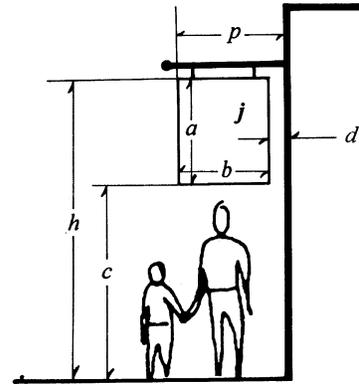
d. SIGN AREA. The area of a projecting sign shall not exceed twelve (12) square feet.

e. ILLUMINATION. Projecting signs may be illuminated subject to the standards in Section 12.03.

f. CLEARANCE. Projecting signs shall provide a minimum clearance of seven (7) feet between the finished grade below the sign to the lowest edge of the sign.

g. PROJECTION. No projecting sign shall project from the building wall more than six (6) feet. The innermost edge of the projecting sign shall be no more than one (1) foot from the wall of the building to which it is attached. Projecting signs may swing, but all projecting signs shall be permanently attached to the building.

h. SETBACK FROM CURB. No projecting sign shall project within two (2) feet of the curb of a street or driveway.



Projecting Sign (j)

Where p = projection from building wall,
 h = height of sign
 c = clearance of sign
 j = area of sign ($a \times b$) and
 $d = 1$ foot

5. WALL SIGNS. Business identification wall signs shall be considered any permanent signage mounted (signs painted onto the building are prohibited) to the building wall, which shall be defined as a side of the building which acts as a support structure between the foundation and the roof and shall also include false walls and parapets extending above said wall, or visible from the exterior of the building and shall be permitted subject to the following:

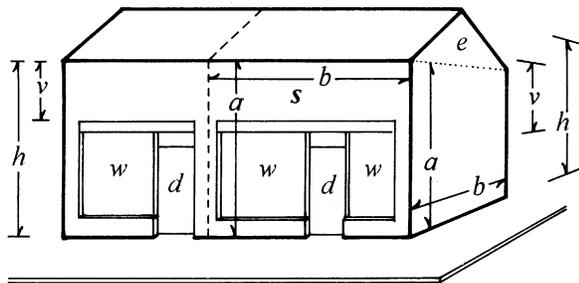
a. NUMBER AND LOCATION. Wall signs shall be affixed only to a building wall as defined above. Each user is allowed a maximum of six (6) signs on a building with a maximum of three (3) signs per wall. No wall signs shall be allowed for individual tenants in a multi-story or a multi-tenant building having no exterior building entrance for each tenant. Wall signs shall not extend more than eighteen (18) inches from the wall nor extend beyond any eave line of a gable, hip or gambrel roof, nor extend above the façade of a flat roof, nor above the deck line of a mansard roof or false wall or parapet.

Computation of Wall Sign Area of Individual Signs:

The area of a sign face shall be computed by means of the smallest square, rectangle, or

conjoining combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative wall when such wall otherwise meets all other applicable regulations and is clearly incidental to the display itself.

- a. HEIGHT OF SIGN. The maximum vertical height of the sign itself shall not exceed ten (10) feet.
- c. SIGN DISPLAY AREA. Each wall sign shall be located within a selected sign display area. The sign display area shall be defined as indicated in the illustration below. The total area of each wall signs per wall shall not exceed 30 percent of the sign display area. The sign area is in addition to any other sign types on the premises.

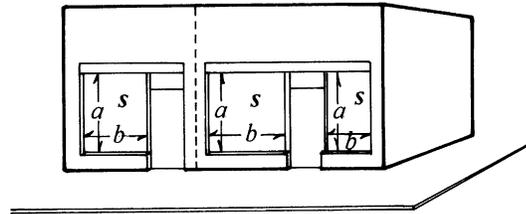


Wall Sign Display Area (s)

Where $s = ((a \times b) + (\text{area of } e)) - (\text{area of all } w + d)$
on each permitted wall, and $w = \text{windows}$, $d = \text{doors}$
maximum height of sign (h) = 30 feet,
maximum vertical dimension of s (v) = 6 feet

- d. ILLUMINATION. Wall signs may be internally illuminated or externally illuminated with architectural lighting subject to the standards herein.
 - e. TIME AND TEMPERATURE DISPLAYS. Time and temperature displays may not be incorporated into a wall sign.
6. WINDOW SIGNS. One permanent business identification sign, per window, may be etched, affixed or applied to the interior of window glass, subject to the following:
 - a. LOCATION. Window signs may be displayed only in windows or glass doors facing a public street, or in windows or glass doors in a wall having a public entrance.
 - b. SIGN DISPLAY AREA. Each window sign shall be located within a selected sign display area. The window sign display area shall be the transparent exterior glass surface area of each permitted window and door, but excluding superficial borders or trim. Sign display area for permitted signs shall be calculated on a window by window or door by door basis; it shall not be an aggregate of multiple windows and doors.

- c. SIGN DISPLAY AREA LIMITS. The sign display area for window signs shall not extend beyond the window surface on which the sign is located, nor beyond the premises of a particular establishment.



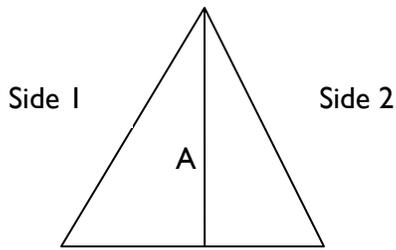
Window Sign Display Area (s)

Where $s = a \times b$

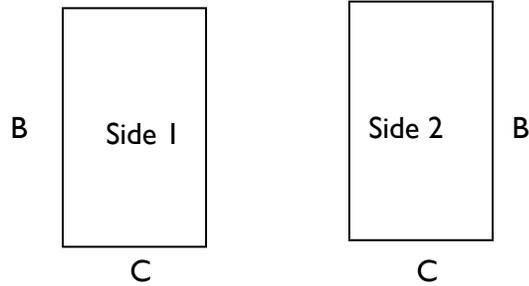
- d. SIGN AREA. The area of a window sign shall not exceed the twenty-five (25%) maximum of sign display area as defined in this Section.
- e. ILLUMINATION. Window signs may be illuminated externally with architectural lighting or internally with a screened light source and subject to the standards herein.
7. A-FRAME & T-FRAME SIGNS. A-Frame and T-Frame signs shall be permitted subject to the following and shall be defined as a sign that creates the shape of an A or an upside down T when erected.
- a. NUMBER. One A-Frame or T-Frame sign shall be permitted per building unit per street frontage. Each sign requires a separate permit.
- b. SIGN DISPLAY AREA & SIGN HEIGHT. The sign shall not exceed a total of twelve (12) square feet per side and a vertical height of four (4) feet, see diagram below.
- c. SETBACK AND LOCATION. When located on private property there shall be a minimum setback from all property lines of one (1) foot. The location of the sign shall also comply with the site triangle restrictions in section 12.03(3). A-Frame and T-Frame signs are permitted to be placed on public sidewalks only in the Mill District Zoning District; a minimum of five (5) feet of unobstructed sidewalk is required per the Illinois American Disability Act.
- d. ILLUMINATION. Illumination of A-Frame and T-Frame signs is prohibited.
- e. SIGN DURATION. A-Frame and T-Frame signs shall be movable and shall only be displayed during hours of operation of the establishment. The sign must be removed from the property or sidewalk and stored indoors when the establishment is closed.

A-Frame Vertical Height Diagram

Sign Display Area Diagram



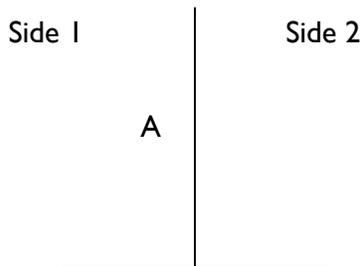
A=4 feet (max vertical height)



Side 1: B (4ft) x C (3ft) = 12 sq ft

Side 2: B (4ft) x C (3ft) = 12 sq ft

T-Frame Vertical Height Diagram



8. **DRIVE THROUGH/IN MENU BOARD SIGNS.** Drive through/in menu board signs shall be permitted subject to the following and defined as a sign that lists a menu for the restaurant that is located on the same zoning lot and from which patrons order food through an electronic voice speaker system. If a proposed sign does not fit one of the below definitions then it shall be reviewed and approved as part of a Special Use Permit pursuant to Village ordinance on Special Use Permits.

a. **NUMBER.**

i. **DRIVE THROUGH WINDOW MENU BOARD.** Two signs shall be permitted per zoning lot that has a drive through window facility; a drive through window facility shall be defined as an operation that permits patrons to place a food or beverage order in their vehicles while waiting in a line that moves to pay and pick up their order (i.e. a Burger King or McDonalds).

ii. **DRIVE IN MENU BOARD.** One sign shall be permitted per drive in parking space per lot that has a drive in restaurant facility; a drive in restaurant facility shall be defined as an operation that permits patrons to place a food or beverage order from their vehicle while parked in a designated parking stall from which the food or beverage order can be delivered

by an employee of the facility or picked up by the patron from inside the facility (i.e. Sonic or A&W).

b. SIGN DISPLAY AREA AND SIGN HEIGHT.

i. DRIVE THROUGH WINDOW MENU BOARD. The sign shall not exceed 75 square feet in area and shall not exceed a height of eight (8) feet.

ii. DRIVE IN MENU BOARD. The signs shall not exceed twenty (20) square feet in areas and shall not exceed a height of eight (8) feet.

c. SETBACK. The setback shall be five (5) feet from all property lines.

d. ILLUMINATION. Signs may be internally illuminated, external illumination is prohibited.

f. SIGN LANDSCAPING. Landscaping shall be required around the base of the drive through window menu board sign.

9. NEON SIGNS. Neon signs shall be permitted to hang inside store front windows that face a public right-of-way. One (1) sign shall be allowed per window and a maximum of ten (10) square feet in area.

B. SIGNS PERMITTED BY ZONING DISTRICT. As depicted in Table 12.1 the sign types described above and the additional signage below are permitted in the applicable zoning district by permit only.

1. RESIDENCE DISTRICTS PERMIT REQUIRED. The following sign types are permitted only in residence districts and only by permit. All other sign types other than those listed in section 12.08 are hereby prohibited.

a. Permanent residential development signs are entrances to a residential development or residential planned unit development and containing no commercial advertising, constructed of material which is the same or of a more permanent nature than the material used in the buildings and as approved by the Plan Commission. All such ground signs shall include "of Montgomery" in italicized lettering to match the sign, unless the name "Montgomery" is part of the subdivision name.

b. Awning, ground and window signs as described above for permitted or special use non-residential uses or commercial residential uses, (e.g. churches, cemeteries, golf courses, private non-profit recreational areas, bed and breakfasts) and provided that each such sign type is limited to one (1) sign per building, and provided that any such ground sign be limited to twelve (12) square feet of area, and six (6) feet in height. Said sign may display only the name of the establishment and the text "of Montgomery" if desired.

2. BUSINESS DISTRICT PERMIT REQUIRED. The following sign types are permitted in the Business Districts of the Village and only by permit. All other sign types, other than those listed in section 12.08, are hereby prohibited.

a. Signs as described above and restricted in number and location as described in Section 12.09 and Table 12.1 herein.

- b. ON PREMISES FREESTANDING DIRECTIONAL SIGNAGE. Signs regulating on-premises traffic and parking, and signs denoting sections of a building such as lavatory facilities and public telephone areas, when less than six (6) square feet in area, no more than eight (8) feet in height when ground mounted and no higher than twenty (20) feet from grade when mounted on the building. Said signs may be internally illuminated in accordance with the standards herein.
 - c. GASOLINE STATIONS, SERVICE STATIONS AND MINI-MARTS. Each gasoline station, service station or mini-mart shall be allowed:
 - i. One ground sign per street frontage. Gasoline price signs shall be integrated into the ground sign and may display static digital gas prices.
 - ii. Business Identification sign(s) at each pump island, the total area of which at each pump island shall not exceed twenty (20) square feet per gasoline pump. No such sign(s) may be located more than eight (8) feet above grade. For the purposes of this Section, a pump is the above ground equipment used to dispense and measure multiple grades of gasoline for full-service or self-service use of the customer and may have one or more pump nozzles attached thereto for dispensing fuel to up to two cars at one time.
 - iii. Three (3) Business Identification signs on each canopy over the gasoline pumps, the total area of which shall not exceed Thirty (30) square feet per sign; only one (1) sign per canopy wall; the sign shall not exceed three (3) feet in height; and the sign shall not be located higher than thirty (30) feet from grade.
 - iv. All other signs shall be permitted so long as they comply with the regulations herein and as listed above.
 - d. Decorative Light Post Banners: Banners (decorative, seasonal, patriotic – without text, business identification or advertising) may be permitted in such numbers and locations as the Director of Community Development shall approve.
3. MANUFACTURING DISTRICTS PERMIT REQUIRED. The following sign types are permitted in the Manufacturing Districts of the Village and only by permit. All other sign types, other than those listed in section 12.08, are hereby prohibited.
- a. Signs as described above and restricted in number and location as described in Section 12.09 and *Table 12.1* herein.
 - b. ON PREMISES FREESTANDING DIRECTIONAL SIGNAGE. Signs regulating on-premises traffic and parking, and signs denoting sections of a building such as lavatory facilities and public telephone areas, when less than six (6) square feet in area, no more than eight (8) feet in height when ground mounted and no higher than twenty (20) feet from grade when mounted on the building. Said signs may be internally illuminated in accordance with the standards herein.

12.10 VARIANCES



**VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date July 8, 2016

B of T Date: July 11, 2016

Subject: Ordinance 1732 Text Amendment to Sections 12.01, 12.02, 12.03, 12.04, 12.09, 12.10 and 12.11 of the Village's Zoning Ordinance

Submitted By: Steven A. Andersson & Laura M. Julien

Background/Policy Implications:

The enclosed text amendment provides an update with regard to certain provisions of the Village's sign ordinance and also brings it into conformity with recent changes to the laws regulating signs. The Planning Commission has recommended approval of these provisions.

Describe Fiscal Impact/Budget Account Number and Cost: N/A

Review:

Village Administrator Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Manager by 12:00 noon, Tuesday, prior to the Agenda distribution.



VILLAGE OF MONTGOMERY

ORDINANCE NO. 1732

**AN ORDINANCE AMENDING
SECTION 12 OF THE VILLAGE ZONING ORDINANCE
OF THE VILLAGE OF MONTGOMERY, ILLINOIS
(SIGNS)**

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS
THIS ____ DAY OF _____, 2016.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES,
ILLINOIS, THIS ____ DAY OF _____, 2016.

ORDINANCE NO. 1732

**AN ORDINANCE AMENDING
SECTION 12 OF THE VILLAGE ZONING ORDINANCE
OF THE VILLAGE OF MONTGOMERY, ILLINOIS
(SIGNS)**

BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

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

WHEREAS, the Village of Montgomery Board of Trustees finds that it is in the best interest of the citizens of the Village of Montgomery to amend certain provisions of Section 12 (Signs) of the Village's Zoning Ordinance; and,

WHEREAS, the Village of Montgomery Board of Trustees has determined that amending the Village's Zoning Ordinance in this manner is in the general interest of the health, safety, and welfare of its citizens and will help clarify its rules and regulations regarding signage throughout the Village; and,

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

SECTION ONE:

Section 12.01 (Purpose) of the Village Zoning Ordinance is hereby amended to read as follows. All other provisions shall remain in full force and effect:

12.01 PURPOSE.

The purpose of the Signs section of the Zoning Ordinance is to create a comprehensive, legal framework to regulate the design, installation and maintenance of signs, to promote clear communication between individuals and their surroundings and to promote the health, safety, and wellbeing of the community through limiting visual congestion to pedestrians and distractions to motorists. This section is adopted for the following purposes:

- A. To provide uniform regulations and content-neutral sign standards that respect the first amendment rights of all citizens, merchants, property owners and guests of the Village.
- B. To promote a positive Village image exhibiting order and harmony to strengthen the economic vitality of the Village, and to enhance the visual environment and the property values of the Village by creating clear and consistent standards that culminate into an aesthetically pleasing environment for Village residents, businesses and guests.

- C. To protect pedestrians and motorists from any damage or injury resulting from distracting and improperly located signage that is created by certain unsafe signs.

Section 12.02 (Interpretation) of the Village Zoning Ordinance is hereby amended to read as follows. All other provisions shall remain in full force and effect:

12.02 INTERPRETATION

1. Interpretation of the sign ordinance is at the discretion of the Director of Community Development. Any objections to the Director’s decision can be appealed to the Zoning Board of Appeals through the appeals process outlined in Chapter 14 of this ordinance.
2. When a sign type is not specifically listed in the sections devoted to permitted signs, it shall be assumed that such signs are hereby expressly prohibited. If it is determined by the Director of Community Development that said sign is similar to and not more objectionable than signs listed, such signs may then be permitted.
3. Table 12.1 is intended to summarize the permitted sign types, but to be interpreted along with the additional regulations herein.
4. If any provision herein is declared to be unenforceable or invalid, the remainder of the ordinance shall remain in full force and effect.

Section 12.03 (General Regulations) of the Village Zoning Ordinance is hereby amended to read as follows. All other provisions shall remain in full force and effect:

12.03 GENERAL REQUIREMENTS

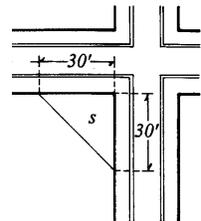
The provisions set forth in paragraph 12.03 shall apply to all signs, permanent or temporary.

1. *Requirement for Permit.* It shall be unlawful for any person to construct, install, alter or relocate any sign within the Village that requires a permit as indicated in Table 12.1 of this chapter, without first obtaining a building permit.
2. *Obstruction.* No sign shall be erected to block any required access way, roof access, fire escape, door or any other access point required by the Village Building Code or Fire Protection District. Windows are not allowed to be blocked with the exception of those restrictions found in the following sections of this chapter.
3. *Public Right-of-Way.* No sign or accessory to a sign shall be located within the public right-of-way, unless otherwise provided herein. Notwithstanding the foregoing, this provision shall not apply to signs located by a governmental body for the purpose of providing traffic control, traffic information, and traffic safety.
4. *Measurements.* All measured distances or standards shall be to the nearest integer; if a fraction is one-half (1/2) or less, the integer below shall be taken.

5. *Height.* Height of signs shall be measured to the highest point thereon from the grade level directly below the sign, prior to any berming, with the exception for ground signs found herein.

6. *Setbacks.* No sign shall be placed closer than five (5) feet to any lot line unless otherwise regulated herein. Temporary signs shall be located on less than one (1) foot from the property line not obstructing view to the flow of traffic.

7. *Corner Sight Triangles.* Within a part of the year of open area of a corner lot included within a triangular area of thirty (30) feet from the point of intersection of two (2) street right-of-way lines forming such corner lot or driveway edge of pavement and right-of-way line, no sign shall be constructed having a height of more than thirty (30) inches above grade at the centerline of the streets adjacent thereto.



8. *Illumination.* Signs are allowed to be internally illuminated. Signs with external illumination shall be constant in intensity and color. External illumination shall be shaded, shielded, or directed so as not to cause glare in the public right-of-way, so as not to cause traffic hazards and obstructions, or to neighboring properties. All illuminated signs shall have an external disconnect and be listed with the Underwriters Laboratories (UL). Refer to Section 12.07 for illumination restrictions for electronic message boards. Additional illumination standards are based on the sign type and are discussed in the following sections of the Sign Ordinance.

9. *Wind Pressure and Dead Load Requirement.* All signs shall be designed and constructed to withstand a wind pressure of thirty (30) pounds per square foot and shall be constructed to receive dead loads as required in the Village Building Code and other applicable Village ordinances, and any amendments thereto which the Village may adopt from time to time.

10. *Wooden Signs.* Wooden signs are only allowed as projecting signs. Refer to Section 12.07 for more information on projecting signs.

11. *Glass.* All glass that is part of a sign shall be safety glass.

12. *Design Requirements.* All ground signs shall be designed per applicable building code requirements.

Section 12.04 (Maintenance and Removal Requirement) of the Village Zoning Ordinance is hereby amended to read as follows. All other provisions shall remain in full force and effect:

12.04 MAINTENANCE AND REMOVAL REQUIREMENT

1. *Maintenance.* Every sign and all parts thereof, including framework, supports, background, anchors, and wiring systems shall be constructed and maintained in compliance with the building, electrical and fire protection codes of the Village. The permittee for each sign shall paint and maintain all parts and supports thereof as necessary to prevent rusting, rotting, text illegibility or

other deterioration. All broken or missing parts shall be promptly replaced. All seams between panels or the components of the sign shall be maintained in a closed condition.

2. *Illumination.* The source of illumination shall be kept in safe working order at all times.
3. *Removal.* When a business ceases to operate for fifteen (15) consecutive days, any sign associated with said business must be removed or replaced as follows, within thirty (30) days after the fifteen (15) day period.
 - a. Any wall sign must be removed and all surfaces shall be restored to match the existing wall surface.
 - b. Any freestanding or wall-mounted changeable sign, whether panels or individual letters, shall be removed and a new sign installed or a white blank panel inserted until a new sign panel is issued.

Section 12.09 (Permanent Signs By Permit) of the Village Zoning Ordinance is hereby amended to read as follows. All other provisions shall remain in full force and effect:

12.09 PERMANENT SIGNS BY PERMIT

Table 12.1: Permitted Sign Types Allowed by District (With Permit) See Table 12.1A Regarding Ground Signs.

District	A&T-Frame	Awning	Canopy	Neon	Projecting	Wall	Window
<i>P=Permitted</i>							
<i>NP=Not Permitted</i>							
Residential							
Permanent Subdivision Signage	NP	NP	NP	NP	NP	NP	NP
For Non Residential Use	P	P	P	NP	NP	P	P
MD							
Single Tenant Building	P	P	P	P	P	P	P
Multi Tenant Buildings	P	P	P	P	P	P	P
Multi Building Development	NP	NP	P	NP	NP	NP	NP
B-1							
Single Tenant Building	P	P	P	P	P	P	P
Multi Tenant Buildings	P	P	P	P	P	P	P

District	A&T-Frame	Awning	Canopy	Neon	Projecting	Wall	Window
Multi Building Development	NP	NP	P	NP	NP	NP	NP
B-2							
Single Tenant Building	P	P	P	P	P	P	P
Multi Tenant Buildings	P	P	P	P	P	P	P
Multi Building Development	NP	NP	P	NP	NP	NP	NP
B-3							
Single Tenant Building	P	P	P	P	P	P	P
Multi Tenant Buildings	P	P	P	P	P	P	P
Multi Building Development	NP	NP	P	NP	NP	NP	NP
M-1							
Single Tenant Building	P	P	P	P	NP	P	P
Multi Tenant Buildings	P	P	P	P	NP	P	P
Multi Building Development	NP	NP	P	NP	NP	NP	NP
M-2							
Single Tenant Building	P	P	P	P	NP	P	P
Multi Tenant Buildings	P	P	P	P	NP	P	P
Multi Building Development	NP	NP	P	NP	NP	NP	NP

Table 12.1A: Permitted Ground Sign Types Allowed by District (With Permit)

District	Principal	Interior	Perimeter	Residential	Billboards	Off-Premises
<i>P=Permitted</i>						
<i>NP=Not Permitted</i>						
Residential						
Permanent Subdivision Signage	NP	NP	NP	As Approved by the Village Board	NP	NP
For Non Residential Use	P	P	P	NP	NP	NP

District	Principal	Interior	Perimeter	Residential	Billboards	Off-Premises
MD						
Single Tenant Building	P	P	P	NP	NP	NP
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP
B-1						
Single Tenant Building	P	P	P	NP	NP	NP
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP
B-2						
Single Tenant Building	P	P	P	NP	NP	P
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP
B-3						
Single Tenant Building	P	P	P	NP	NP	P
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP
M-1						
Single Tenant Building	P	P	P	NP	NP	NP
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP
M-2						
Single Tenant Building	P	P	P	NP	NP	NP
Multi Tenant Buildings	P	P	P	NP	NP	NP
Multi Building Development	P	P	P	NP	NP	NP

1. *Sign Types.* The following sign types shall be permitted as depicted in the above Table 12.1 and in accordance with the following:

A. A-Frame & T-Frame Signs. A-Frame and T-Frame signs shall be permitted subject to the following and shall be defined as a sign that creates the shape of an A or an upside down T when erected.

i. Number. One A-Frame or T-Frame sign shall be permitted per building unit per street frontage. Each sign requires a separate permit.

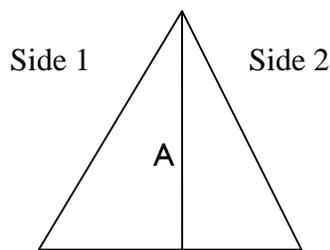
ii. Maximum Sign Size and Height. The sign shall not exceed a total of twelve (12) square feet per side and a vertical height of four (4) feet, see diagram below.

iii. Setback and Location. When located on private property there shall be a minimum setback from all property lines of one (1) foot. The location of the sign shall also comply with the sight triangle restrictions in section 12.03(3). A-Frame and T-Frame signs are permitted to be placed on public sidewalks only in the Mill zoning District; a minimum of five (5) feet of unobstructed sidewalk is required per the Illinois Accessibility Code.

iv. Illumination. Illumination of A-Frame and T-Frame signs is prohibited.

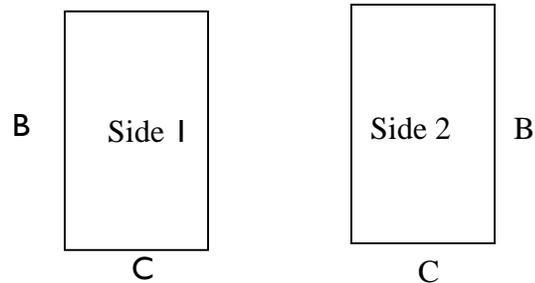
v. Sign Duration. A-Frame and T-Frame signs shall be movable and shall only be displayed during hours of operation of the establishment. The sign must be removed from the property or sidewalk and stored indoors when the establishment is closed.

A-Frame Vertical Height Diagram



A=4 feet (max vertical height)

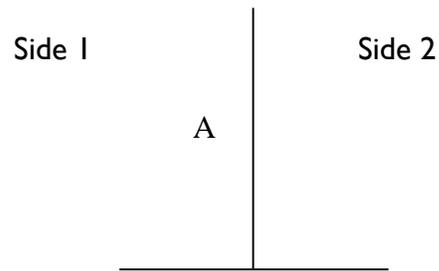
Sign Display Area Diagram



Side 1: B (4ft) x C (3ft) = 12 sq. ft.

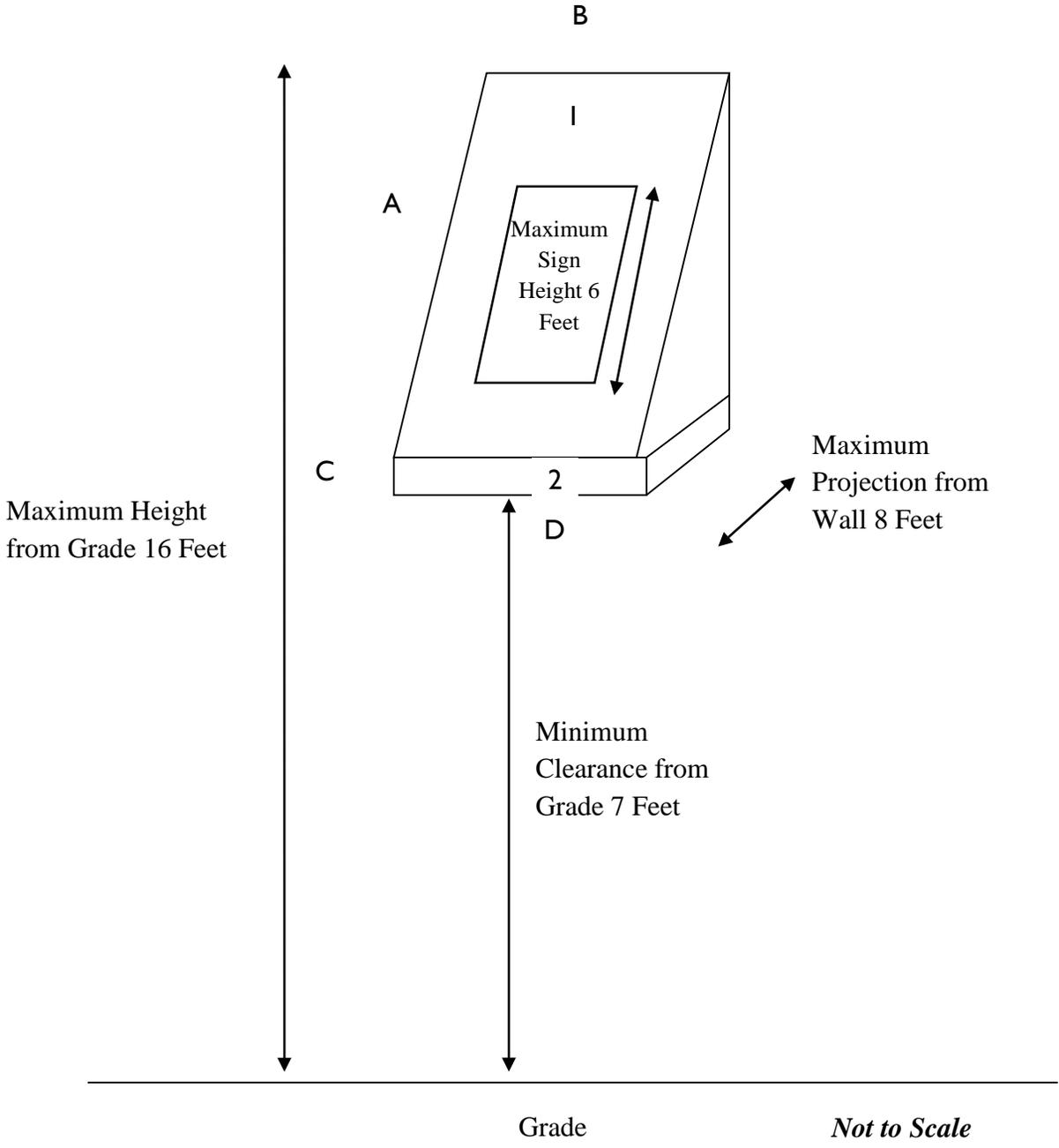
Side 2: B (4ft) x C (3ft) = 12 sq. ft.

T-Frame Vertical Height Diagram



B. Awning Signs and Awnings. All awning signs shall require a permit and shall be permitted subject to the following:

- i. Number. Not more than one (1) awning sign shall be permitted on each awning face and on each apron.
- ii. Sign Display Area. The sign shall not exceed 75 percent of the sign display area as defined in the diagram below.
- iii. Location. Signs may be affixed or applied to the awning surface mounted over entrances to an establishment or windows.
- iv. Height. The maximum height of an awning on the building from grade shall be sixteen (16) feet. The maximum height of the awning shall not exceed six (6) feet.
- v. Illumination. Awnings may be externally illuminated with architectural lighting or internally illuminated. Illumination shall be in accordance with the standards set forth in section 12.03.
- vi. Clearance. A minimum clearance of seven (7) feet shall be provided between finished grade and the lowest point of an awning.
- vii. Projection. No awning shall project more than eight (8) feet from the building wall, but shall not project into or over the roadway of any street or driveway.
- viii. Setback from Curb. No awning shall project within two (2) feet of the curb of a street or driveway.



Sign Display Area 1 = (A x B)

Sign Display Area 2 = (C x D)

Maximum Sign Area 1 (Main Awning Face) = (A x B) x .75

Maximum Sign Area 2 (Awning Apron, each apron is counted separately for determining Sign Display Area) = (C x D) x .75

C. Canopy Signs

i. Freestanding Canopy Signs

1. Definition: A sign that is mounted on a freestanding canopy or structural protective cover over an outdoor service area.
2. Three (3) signs on each canopy located on a site, the total area of which shall not exceed thirty (30) square feet per sign; only one (1) sign per canopy face; the signs shall not exceed three (3) feet in height; and the sign shall not be located higher than thirty (30) feet from grade.
3. Signs that are mounted to a permanent structure located underneath a canopy shall be a maximum of fifty (50) square feet and shall be no taller than ten (10) feet from grade. Each sign shall be located a minimum of nine (9) feet away from each other.

ii. Attached Canopy Signs

1. Definition: A sign that is mounted on a canopy or structural protective cover over an outdoor service area that is affixed or attached to a principal building.
2. Three (3) signs on each canopy located on a site, the total area of which shall not exceed twenty (20) square feet per sign; only one (1) sign per canopy face; the sign shall not exceed two (2) feet in height; and the sign shall not be located higher than thirty (30) feet from grade.

Notwithstanding the foregoing, sites that have drive-aisles located under the canopy shall be entitled to a sign located above each drive aisle in lieu of, not in addition to, the three (3) sign maximum set forth in the preceding paragraph. Each sign shall not exceed fifteen (15) square feet in area.

3. Signs that are mounted to a permanent structure located underneath a canopy shall be a maximum of fifty (50) square feet and shall be no taller than ten (10) feet from grade. Each sign shall be located a minimum of nine (9) feet from one another.

D. Ground Sign. Ground signs shall be permitted subject to the following restrictions.

Location. No ground sign shall be located closer than five (5) feet to a property line and shall be located outside of the sight triangle with the exception of perimeter signs.

All ground signs shall be allowed to be back-to-back signs. Back-to-back signs are defined as

follows: A structure with two parallel sign faces oriented in opposite directions. Ground signs with more than two faces and V-Types signs are prohibited.

Manual and Electronic Message Boards. Message board signs shall be permitted when incorporated into a ground sign subject to all applicable standards herein, and under the following conditions: i. No more than thirty-percent (30%) of the ground sign area provided shall be used as a message board sign. ii. Message boards shall be located on the lower half of the ground sign. iii. Electronic message boards shall stay static for a minimum of five (5) seconds. iv. Electronic message boards shall not scroll, flash, or display movement of any kind with the exception of a simultaneous transition from one image to another after the five (5) second interval. The sign must not exceed a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness.

Sign Landscaping. All ground signs shall be located in a landscaped area separated and protected from vehicular circulation and parking areas. Said landscaping area shall be landscaped and approved by the Director of Community Development.

i. Principal

1. Definition. A freestanding sign where the base of the sign structure is equal to or greater than the width of the sign.

2. Number of Signs. No more than one (1) principal ground sign per street frontage shall be permitted on a zoning lot. One (1) multi-building development sign shall be allowed per street frontage. A multi-building development shall be defined as two (2) or more lots that lie within the same subdivision that has been recorded with the County.

3. Size Restrictions.

a. Single tenant building: a) Maximum height of the sign, measured from the base grade, is eight (8) feet tall. b) Maximum square footage of the entire sign including the supporting structure is eighty (80) square feet.

b. Multiple tenant buildings and subdivision signs: a) Maximum Height of the sign, measured from the base grade, is fourteen (14) feet tall. b) Maximum square footage of the entire sign including the supporting structure is one-hundred forty (140) square feet.

c. Street elevation height adjustment: a) A ground sign can be elevated through the use of berms (elevating the base grade) or additional structural height in the event that the sign location is lower than the adjacent street by more than one (1) foot. In the event that a sign is located more than one (1)

foot below the grade of the adjacent street, measured at the edge of pavement closest to the sign location, the sign is allowed to be elevated and the sign height measurement will begin at the grade of the street. A sign is not allowed to be elevated do to the adjacent street elevation by more than five (5) feet.

ii. Interior

1. Definition. A freestanding sign supported by either a continuous base or a structural support pole and which is located in close proximity to the principal building.
2. Number of Signs. Two (2) signs shall be permitted per zoning lot.
3. Maximum Sign Size and Height. The sign shall not exceed seventy-five (75) square feet in area and shall not exceed a height of eight (8) feet.
4. Location. Interior parcel ground signs shall be located within twenty (20) feet of the principal building.
5. Illumination. Signs shall be internally illuminated. External illumination is prohibited.

iii. Perimeter

1. Definition. A freestanding sign supported by either a continuous base or a structural support pole and which is located in close proximity to the limits of the property.
2. Number of Signs. Six (6) signs shall be permitted per zoning parcel.
3. Sign Display Area and Sign Height. The maximum size of a perimeter sign is six (6) square feet and five (5) feet in height. If located in the sight triangle the maximum height is thirty (30) inches.
4. Location. Perimeter signs shall be located a minimum of twenty (20) feet away from the principal building.
5. Illumination. Signs shall be internally illuminated. External illumination is prohibited.

iv. Residential Ground Signs

1. All permanent residential ground signs shall be approved by the Village Board.

v. Off-Premises Signs

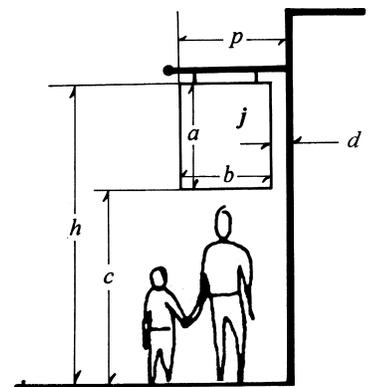
1. Billboard Signs. Billboard signs are prohibited.
2. Off-Premises Ground Signs.
 - a. Definition. A sign located on a parcel other than the parcel that the entity that owns the sign, and complies with the following provisions.
 - b. Number of Signs. One (1) off-premises sign is allowed per entity.
 - c. Maximum Sign Size and Height. The maximum size of an off-premises sign is forty (40) square feet and six (6) feet in height. (This provision is subject to change.)
 - d. Location. An off-premises sign shall be located within twenty (20) feet of a driveway that provides access to a parcel owned by the applicant. The sign shall be a minimum distance from the applicant's parcel of five hundred (500) feet.

E. Neon Signs.

- i. Neon signs shall be permitted to hang inside store front windows that face a public right-of-way. One (1) sign shall be allowed per window and a maximum of ten (10) square feet in area.

F. Projecting Signs.

- i. Number. Not more than one projecting sign per establishment, per wall provided no wall sign for the establishment is located on the same building wall.
- ii. Location. Projecting signs shall be affixed to the wall having the establishment's public entrance and shall not be located beyond the premises of a particular establishment.



Projecting Sign (j)

Where p = projection from building wall,
 h = height of sign
 c = clearance of sign
 j = area of sign ($a \times b$) and
 $d \neq 1$ foot

- iii. Height. No projecting sign shall extend above the roofline or the highest point of the wall of the building on which it is located or fourteen (14) feet from finished grade, whichever is less.
- iv. Sign Area. The area of a projecting sign shall not exceed twelve (12) square feet.
- v. Illumination. Projecting signs may be illuminated subject to the standards in Section 12.03.
- vi. Clearance. Projecting signs shall provide a minimum clearance of seven (7) feet between the finished grade below the sign to the lowest edge of the sign.
- vii. Projection. No projecting sign shall project from the building wall more than six (6) feet. The innermost edge of the projecting sign shall be no more than one (1) foot from the wall of the building to which it is attached. Projecting signs may swing, but all projecting signs shall be permanently attached to the building.
- viii. Setback from Curb. No projecting sign shall project within two (2) feet of the curb of a street or driveway.

G. Wall Signs

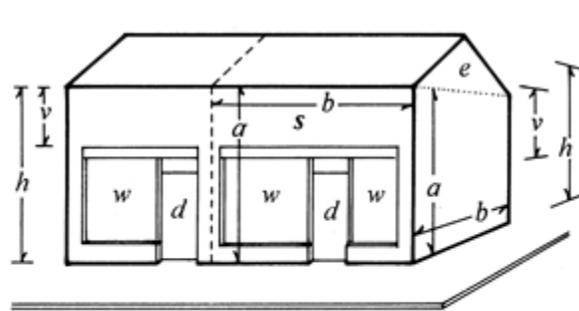
i. Principal

- 1. Definition. Wall signs shall be considered any permanent signage mounted (signs painted onto a building are prohibited) to the building wall, which shall be defined as a side of the building which acts as a support structure between the foundation and the roof and shall also include false walls and parapets extending above said wall, or visible from the exterior of the building.
- 2. Number and Location. Wall signs shall be affixed only to a building wall as defined above. Each user is allowed a maximum of six (6) signs on a building with a maximum of three (3) signs per wall. No wall signs shall be allowed for individual tenants in a multi-story or a multi-tenant building having no exterior building entrance for each tenant. Wall signs shall not extend more than eighteen (18) inches from the wall nor extend beyond any eave line of a gable, hip or gambrel roof, nor extend above the façade of a flat roof, nor above the deck line of a mansard roof or false wall or parapet.

3. Computation of Wall Sign Area of Individual Signs: The area of a sign face shall be computed by means of the smallest square, rectangle, or conjoining combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative wall when such wall otherwise meets all other applicable regulations and is clearly incidental to the display itself.
4. Vertical Dimension of Wall Signs. The maximum vertical dimension of the wall sign itself shall not exceed ten (10) feet.
5. Sign Display Area. Each wall sign shall be located within a selected sign display area. The sign display area shall be defined as indicated in the illustration below. The amount of the sign display area that is allowed to be consumed by signage varies depending on the length of the wall that it is affixed to and is indicated in the table below:

Length of wall attributed to the applicant's occupied space.	Percentage of sign display area allowed to be consumed by signage.
0-50 feet	30%
51-100 feet	20%
101 or greater feet.	15%

The sign area is in addition to any other sign types on the premises.



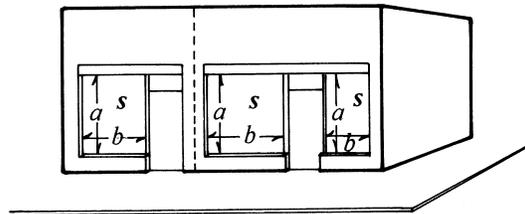
Wall Sign Display Area (s)

Where $s = ((a \times b) + (\text{area of } e)) - (\text{area of all } w + d)$
on each permitted wall, and $w = \text{windows}$, $d = \text{doors}$
maximum height of sign (h) = 30 feet.

- 6. Illumination. Wall signs may be internally illuminated or externally illuminated with architectural lighting subject to the standards herein.
- ii. Secondary. Eighteen (18) inches tall and fifteen square feet. Located above an entrance to the building.

H. Window Signs.

- i. Definition. A sign etched, affixed or applied to the interior window or door glass.
- ii. Location. Window signs may be displayed only in windows or glass doors facing a public street, or in windows or glass doors in a wall having a public entrance.
- iii. Sign Display Area. Each window sign shall be located within a selected sign display area. The window sign display area shall be the transparent exterior glass surface area of each permitted window and door, but excluding superficial borders or trim. Sign display area for permitted signs shall be calculated on an aggregate basis of multiple windows and doors.



Window Sign Display Area (s)

Where $s = a \times b$

- iv. Sign Area. The area of a window sign shall not exceed forty percent (40%) of a sign display area as defined in this Section.
- v. Illumination. Window signs may be illuminated externally with architectural lighting or internally with a screened light source and subject to the standards herein.

Section 12.10 of the Village Zoning Ordinance is hereby amended to read as follows. All other provisions shall remain in full force and effect:

12.10 RESERVED

Section 12.11 (Non-Conforming Signs) of the Village Zoning Ordinance is hereby amended to read as follows. All other provisions shall remain in full force and effect:

12.11 NON-CONFORMING SIGNS

1. All signs lawfully in existence, or holding sign permits issued prior to the date of adoption of this Ordinance, but which do not conform to one or more provisions of this ordinance shall be deemed to be a legal non-conforming use and may be continued only as provided in this ordinance.
2. Whenever a non-conforming sign has been discontinued for a period of three (3) consecutive months, or whenever there is evident a clear intent on the part of the owner to abandon a non-conforming sign, such sign shall not, after being discontinued or abandoned, be re-established and the sign hereafter shall be in conformity with the regulations of this ordinance.
3. Normal maintenance of a non-conforming sign is permitted, including necessary non-structural repairs or incidental alterations which do not extend or intensify the non-conforming features of the sign.
4. No structural alteration, enlargement or extension shall be made in a non-confirming sign, except in the following situation:
 - a. When the alteration is required by law.
 - b. When the alteration will actually result in eliminating the non-conforming use.
 - c. If a non-conforming sign is damaged or destroyed by any means to the extent to fifty percent (50%) or more of its reproduction value at that time, the sign can be rebuilt or used thereafter only for a conforming use and in compliance with the provisions of the code. In the event that the damage or destruction is less than fifty percent (50%) of its reproduction value, based on prevailing costs, the sign may then be restored to its original conditions and the use may be continued which existed at the time of such partial destruction until the non-conforming sign is otherwise abated by the provisions of this code. In either event, restoration or repair must be started within a period of three (3) months from the date of damage or destruction, and diligently prosecuted to completion.
 - d. Non-structural alterations are permitted that do not eliminate the non-conforming sign as long as the location of the sign does not change, the height of the altered sign does not exceed the standards set forth in Section 12.1(A)(2)(c) and the maximum sign area (as altered) does not exceed the limits set forth herein. Structural supports may not be altered, except to reduce the number or degree of a non-conformity as discussed in the above conditions (e.g. if the height of a non-conforming pole sign panel is reduced, the structural support above the sign panel may be removed without removing the remainder of the non-conforming sign). All such alterations require a permit.

e. Replacement of non-conforming sign faces, which is considered a non-structural repair, is permitted. Acquisition of a permit is required in order to replace sign faces. The installation of additional electrical equipment in conjunction of the replacement of sign faces is considered a structural addition, and therefore, is not allowed under the regulations of this section.

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 from 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 Montgomery, Kane and Kendall Counties, Illinois this ____ day of _____, 2016.

Matthew Brolley
President of the Board of Trustees of the Village of Montgomery

ATTEST:

Tiffany Francis
Clerk of the Village of Montgomery

	Aye	Nay	Absent	Abstain
Trustee Stan Bond	___	___	___	___
Trustee Pete Heinz	___	___	___	___
Trustee Steve Jungermann	___	___	___	___
Trustee Denny Lee	___	___	___	___
Trustee Doug Marecek	___	___	___	___
Trustee Theresa Sperling	___	___	___	___
Village President Matthew Brolley	___	___	___	___

Prepared By:
administrator

2016 Retail GMC Sierra 1500 4WD Crew Cab 153.0" TK15743

PRICING SUMMARY

PRICING SUMMARY - 2016 Retail TK15743 4WD Crew Cab 153.0"

	<u>MSRP</u>
Base Price	\$40,875.00
Total Options:	\$1,045.00
Vehicle Subtotal	\$41,920.00
Advert/Adjustments	\$0.00
Destination Charge	\$1,195.00
GRAND TOTAL	\$43,115.00

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 444.0, Data updated 6/21/2016
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June 30, 2016 11:02:17 AM

Customer File:



**VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: July 8, 2016

B of T Date: July 11, 2016

Subject: Sales Tax Incentive Agreement and Liquor License Request for Binny's Beverage Depot

Submitted By: Jeff Zoepfel, Village Administrator

Background/Policy Implications:

David Howat from Inland and a representative from Binny's will be present at the July 11th Board Meeting to present their request for a sales tax incentive agreement and a liquor license.

Describe Fiscal Impact/Budget Account Number and Cost:

Review:

Village Administrator Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Administrator by 12:00 noon, Thursday, prior to the Agenda distribution.