VILLAGE OF MONTGOMERY

Plan Commission Meeting Agenda
November 17, 2016 7:00 P.M.
Continued from November 3, 2016
Village Hall Board Room
200 N. River Street, Montgomery, IL 60538

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

IV. Approval of the Minutes of October 6, 2016

V. Public Comment Period

VI. Items for Plan Commission Action

a. 2016-032 Z Public Hearing and Consideration of an Annexation Located at 1726 Jericho Road – Aurora University.

b. 2016-033 Z Public Hearing and Consideration of a Special Use for a Planned Unit Development Located at 1700 Jericho Road, 1726 Jericho Road and 1750 Jericho Road – Aurora University.

c. 2016-025 Z Continuation of the Public Hearing and Consideration of a Text Amendment to Section 12 of the Zoning Ordinance Regarding Signs.

d. 2016-027 Z Public Hearing and Consideration of a Text Amendment to Section 12A.00 of the Zoning Ordinance Regarding Landscaping Requirements.

VII. Community Development Update/New Business

VIII. Next Meeting: December 1, 2016

IX. Adjournment building

Village of Montgomery

Plan Commission Meeting

October 6, 2016

I. CALL TO ORDER:

Chairman Hammond called the meeting to order at 7:00p.m.

II. PLEDGE OF ALLEGIANCE:

All present gave the pledge of allegiance.

III. ROLL CALL:

Tom Betsinger	Absent	John Francis	Present
Tom Yakaitis	Present	Mildred McNeal-James	Present
Patrick Kelsey	Absent	Butch Distajo	Present
Mike Hammond	Present		

Also present: Village Attorney Laura Julien; Senior Planner Jerad Chipman; Trustee Denny Lee; Village Engineer Tim Paulson; Executive Director of the Montgomery Economic Development Corporation Charlene Coulombe-Fiore and members of the audience.

IV. APPROVAL OF MINUTES:

MOTION: Motion was made by Commissioner Distajo to approve the minutes of the September 1, 2016 Plan Commission Meeting. Commissioner Yakaitis seconded the motion. Motion passed 4-0.

Ayes: Distajo, Yakaitis, Hammond, McNeal-James

Abstain: Francis

Nays: None

V. PUBLIC COMMENT PERIOD:

There were no comments from the public.

VI. ITEMS FOR PLAN COMMISSION ACTION:

a) 2016-025 Z Continuation of the Public Hearing and Consideration of a Text Amendment to Section 12 of the Zoning Ordinance Regarding Signs.

Senior Planner Jerad Chipman presented a draft of the text amendment to the signage section of the Zoning Ordinance. Chipman requested that the item be continued and discuss at next month's meeting.

Chairman Hammond opened the public hearing. There were no comments from the public. The hearing will remain open until November 3, 2016.

MOTION: Motion was made by Commissioner Francis to continue 2016-025 Z Public Hearing and Consideration of a Text Amendment to Section 12 of the Zoning Ordinance Regarding Signs until November 3, 2016 Plan Commission meeting and keeping the public hearing open until November 3, 2016. Commissioner Yakaitis seconded the motion. Motion passed 5-0.

Ayes: Francis, McNeal-James, Distajo, Yakaitis, and Hammond.

Nays: None

b) 2016-026 Z Public Hearing and Consideration of a Special Use for Outdoor Storage Including Alternative Surfaces Located at 1415 Bohr Avenue – Ruben Hernandez.

Senior Planner Chipman addressed the Commission, stating that the Petitioner is requesting approval of a special use for outdoor storage. The Petitioner has requested that the Village allow operations to take place on the current gravel surface. The Petitioner intends to build an industrial building on the property that would allow for one (1) to two (2) tenants, and the storage yard would be accessory to the potential tenants. The Petitioner is requesting several setback variances on the site that will be addressed in the Zoning Board of Appeals meeting.

Village Engineer Paulson reviewed and commented on the engineer report. A permit will be needed for the stormwater. The current gravel storage area does not meet the specifications in the zoning ordinance.

The Petitioner, Ruben Hernandez, addressed the Commission by proposing the construction of a building located on 1415 Bohr Avenue in Montgomery. The building would house his concrete company and the storage of left over gravel and dirt. Mr. Hernandez is proposing a gravel surface in the rear of the building due to the heavy equipment used in the business. The Petitioner also requested several variances to the Village's setback requirements.

John Tebrugge with Tebrugge Engineering responded to the comments regarding bulk standards, number of parking spaces landscaping, access and alternative surfaces.

Chairman Hammond opened the public hearing.

Dan Nagel, owner of 1375 Bohr Avenue would like to see the property paved with a hard surface.

Chairman Hammond closed the public hearing.

Chairman Hammond read through the findings of fact:

A. *That the establishment, maintenance or operation of the special use will not be detrimental to endanger the public health, safety, comfort or general welfare;*

The proposed gravel surface has the potential to affect the health, safety, comfort or general welfare of the surrounding properties, however, it is staff's opinion that the proposed restrictions and maintenance provisions will adequately mitigate the dust concerns;

B. *That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, not substantially diminish or impair property values within the neighborhood;*

This use should not be injurious or diminish property values as the proposed restrictions and maintenance provisions should adequately mitigate the dust concerns;

C. *That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*

The proposed use does not prohibit use of surrounding property and is normal and orderly;

D. *That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided;*

Adequate utilities, roads and drainage have been planned for;

E. *That adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in public streets;*

The property provides adequate ingress and egress with the potential exception of the truck dock turning movement; *and*

F. *That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board pursuant to the recommendations of the Plan Commission.*

All aspects of the proposed development that have been submitted to this point that do not meet the Zoning Ordinance have been discussed in the above report and recommendations have been made accordingly.

Village Attorney Julien clarified the recommendation is merely for the special use for the outdoor storage and alternative surface.

A lengthy discussion in regards to the special use and variances requested by the Petitioner ensued among the Commission.

Commissioner Distajo inquired into what the Petitioner intended to do with the additional space located behind the building as the Petitioner has indicated that there would only be a few bins for construction materials.

Mr. Hernandez intends to use the additional space behind the building to park three (3) trucks, one (1) trailer and one (1) bobcat.

The Commissioners felt that revised plans would be extremely helpful to see the extent of the outdoor storage area, vehicle parking and what is going to be used to contain the material.

Commissioner Distajo asked the Petitioner if he would be able to operate his business if denied the variances.

Mr. Hernandez replied without the variances he would be able to operate business but would be limited. The pre-fabricated steel building was ordered once Engineer Tebrugge spoke with Chipman who stated the size of the building should not be an issue to fit on the property. Mr. Hernandez would like the variance for the drive aisle on the west side of the building be approved to allow for a twenty four (24) foot driveway to access the rear of the site.

Commissioner Yakaitis asked if Mr. Hernandez bought the building prior to clarification from staff.

Senior Planner Chipman responded by stating that a preliminary conversation took place pending compliance with certain setbacks issues and additional plan review.

Commissioner Yakaitis feels this item should be denied and the Petitioner should return with a complete plan with the proposed changes.

Commissioner Distajo does not have an issue for allowing the outdoor storage as long as it's fully paved on a hard surface.

Commissioner Francis feels issues need to be discussed such as the six (6) foot fence rather than an eight (8) foot fence and landscape deficiency.

c) **MOTION:** Motion was made by Commissioner Francis to recommend denial of 2016-026 Z Public Hearing and Consideration of a Special Use for Outdoor Storage including alternative surfaces located at 1415 Bohr Avenue – Ruben Hernandez, however, if the petitioner updates the plans to comply with the setbacks the recommendation would be for approval. Commissioner Distajo seconded the motion. Motion passed 5-0.

Ayes: Francis, McNeal-James, Distajo, Yakaitis and Hammond

Nays: None

d) **2016-027 Z Public Hearing and Consideration of a Text Amendment to a Section 12A.00 of the Zoning Ordinance Regarding Landscaping Requirements.**

This item will be continued to the next meeting on November 3, 2016.

Chairman Hammond opened the public hearing. There were no comment from the public and the hearing was closed.

VII. COMMUNITY DEVELOPMENT UPDATE/NEW BUSINESS:

Senior Planner Chipman noted that 9ers Grill has opened for business, a permit for Old Dominion has been issued to break ground soon on Aucutt Road, Mattress Firm opened on Orchard Road and Route 30 and the AT&T store should open shortly. Senior Planner Chipman also informed the Commission that Inland Ogden Hill multi-tenant building is on the verge of starting construction and the issues with the drive through have been resolved.

VII. NEXT MEETING

November 3, 2016

VII. ADJOURNMENT

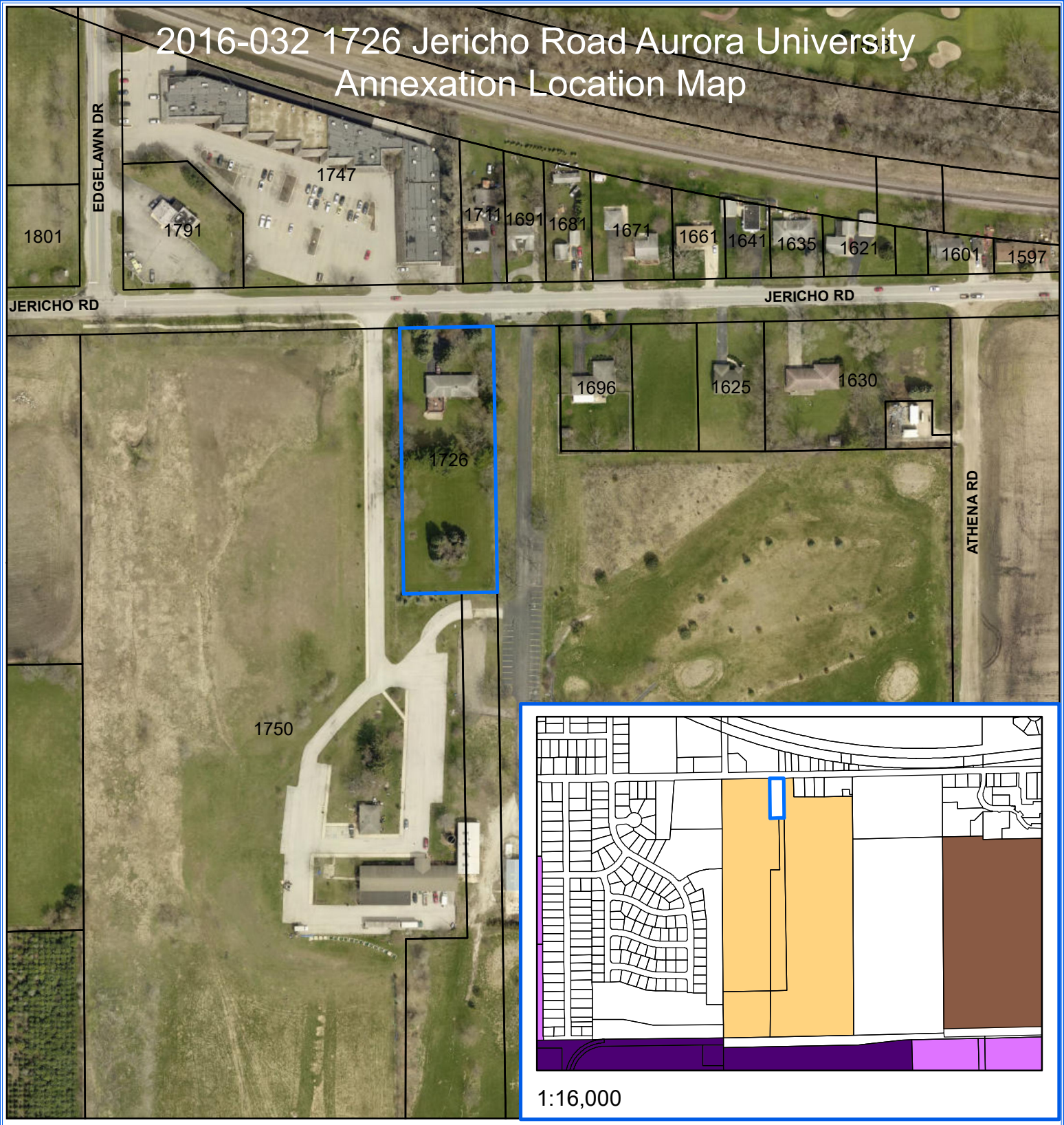
Having no further business to discuss, the meeting was adjourned at 8:07 p.m. by Chairman Hammond.

Respectfully submitted,

Toula Coffey

Toula Coffey
Administrative Assistant

2016-032 1726 Jericho Road Aurora University Annexation Location Map



Village of Montgomery

Village of Montgomery
200 N. River Street
Montgomery, IL 60538
630-896-8080

November 14, 2016

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Legend

- MD MILL DISTRICT
- B-1 LOCAL RETAIL BUSINESS DISTRICT
- B-2 GENERAL RETAIL BUSINESS DISTRICT
- B-3 GENERAL AUTOMOTIVE AND WHOLESALE BUSINESS DISTRICT
- FLOOD
- M-1 LIMITED MANUFACTURING DISTRICT
- M-2 GENERAL MANUFACTURING DISTRICT
- R-2 ONE-FAMILY RESIDENCE DISTRICT
- R-3 TRADITIONAL NEIGHBORHOOD RESIDENCE DISTRICT
- R-4 TRADITIONAL NEIGHBORHOOD RESIDENCE DISTRICT
- R-5A TWO-FAMILY RESIDENCE DISTRICT
- R-5B ATTACHED SINGLE FAMILY RESIDENCE DISTRICT
- R-6 MULTIPLE FAMILY RESIDENCE DISTRICT

This information is for reference purposes only and the Village of Montgomery is not responsible for its accuracy

PC *2016-032*
PLAN COMMISSION ADVISORY REPORT

To: Chair Hammond and Members of the Plan Commission

From: Jerad Chipman, AICP
Senior Planner

Date: November 14, 2016

Subject: *2016-032 A Annexation of 1726 Jericho Road – Aurora University.*

Petitioner: Aurora University

Location/Address: 1726 Jericho Road

Requests: Annexation

Current Zoning: Unincorporated Kane County

Comprehensive Plan: Single-Family Detached Residential

Surrounding Land Uses:

Location	Adjacent Land Use	Adjacent Zoning
North	Residential and Commercial	City of Aurora and Unincorporated
East	Residential and Open Space	R-3 and Unincorporated
South	Open Space	R-3
West	Open Space	R-3

Background:
The Petitioner is requesting annexation of 1726 Jericho Road. The property is currently used as a detached residential house. The Petitioner intends to combine the property into their larger proposed athletic campus that boarders the property on three sides.

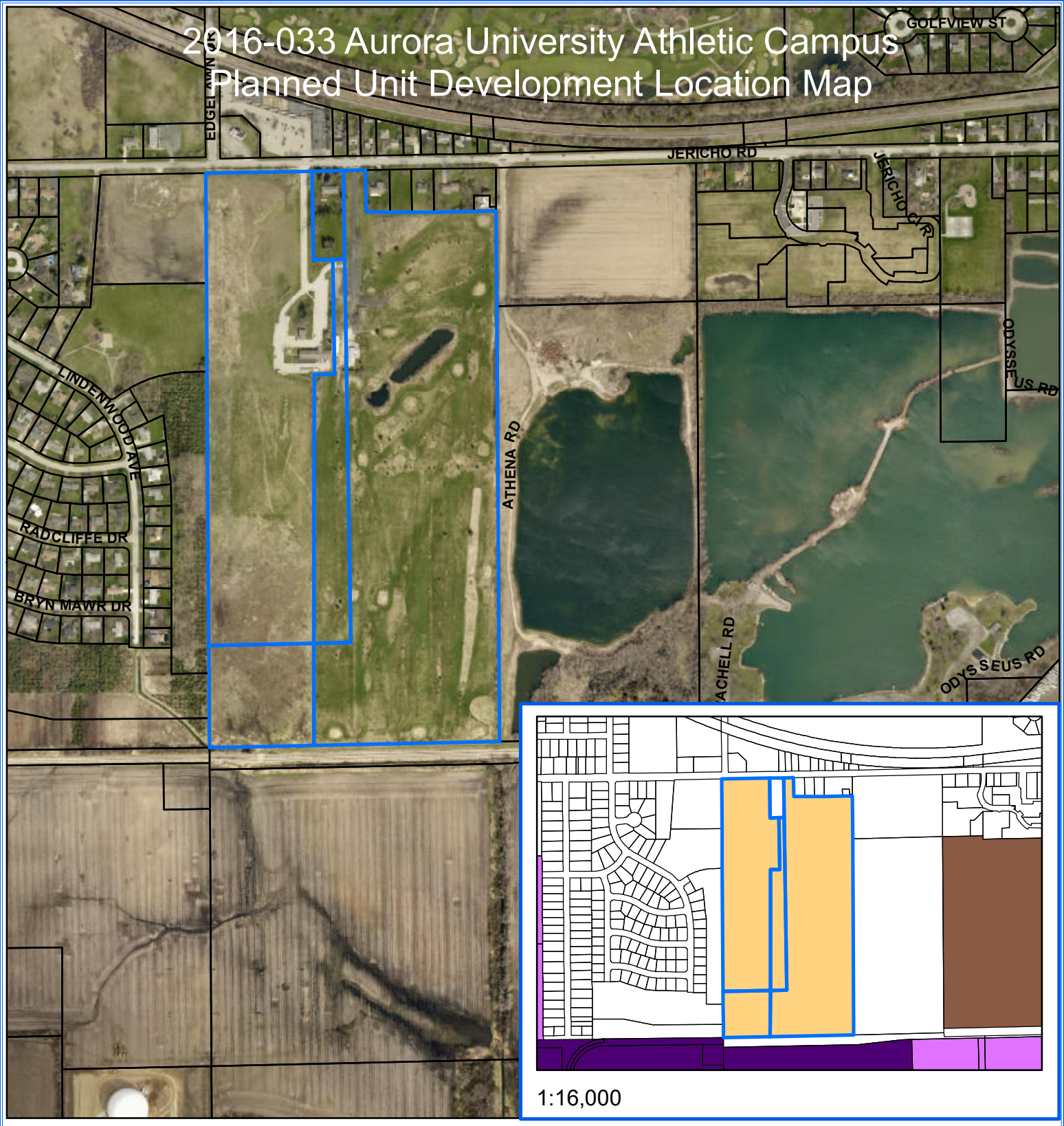
Conformance with the Comprehensive Plan:
The parcel is intended to be used as Open Space, and is indicated as Single-Family Detached Residential on the Comprehensive Plan. Even though the proposed use of this parcel does not comply with the Comprehensive Plan, the parcel is surrounded on three sides by Open Space and therefore staff is recommending that the proposed non-conformity be permitted.

Zoning:
The Petitioner is requesting that the property be zoned R-3 Traditional Neighborhood Residence District. The neighboring parcels in the Village are zoned R-3, and therefore, this property would conform to the surrounding parcels.

Plat of Annexation:
A plat of annexation shall be submitted and approved prior to the annexation being finalized.

Recommendation:
Staff recommends approval of the annexation of 1726 Jericho Road contingent upon review of the plat of annexation.

2016-033 Aurora University Athletic Campus Planned Unit Development Location Map



Village of Montgomery

Village of Montgomery
200 N. River Street
Montgomery, IL 60538
630-896-8080

November 14, 2016

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0 300 600 1,200 Feet

Legend

- MD MILL DISTRICT
- B-1 LOCAL RETAIL BUSINESS DISTRICT
- B-2 GENERAL RETAIL BUSINESS DISTRICT
- B-3 GENERAL AUTOMOTIVE AND WHOLESALE BUSINESS DISTRICT
- FLOOD
- M-1 LIMITED MANUFACTURING DISTRICT
- M-2 GENERAL MANUFACTURING DISTRICT
- R-2 ONE-FAMILY RESIDENCE DISTRICT
- R-3 TRADITIONAL NEIGHBORHOOD RESIDENCE DISTRICT
- R-4 TRADITIONAL NEIGHBORHOOD RESIDENCE DISTRICT
- R-5A TWO-FAMILY RESIDENCE DISTRICT
- R-5B ATTACHED SINGLE FAMILY RESIDENCE DISTRICT
- R-6 MULTIPLE FAMILY RESIDENCE DISTRICT

This information is for reference purposes only and the Village of Montgomery is not responsible for its accuracy

PC *2016-033*
PLAN COMMISSION ADVISORY REPORT

To: Chair Hammond and Members of the Plan Commission

From: Jerad Chipman, AICP
Senior Planner

Date: November 14, 2016

Subject: Aurora University Athletic Campus Located at 1700, 1726 and 1750 Jericho Road - *Special Use for a Planned Unit Development (PUD).*

Petitioner: Aurora University

Location/Address: 1700 Jericho Road
1726 Jericho Road
1750 Jericho Road

Requests: Special Use for a Planned Unit Development (PUD) for a University Athletic Campus.

Current Zoning: R-3 Traditional Neighborhood Residence District and an unincorporated parcel

Comprehensive Plan: Park/Open Space and Single-Family Detached Residential

Surrounding Land Uses:

Location	Adjacent Land Use	Adjacent Zoning
North	Residential and Commercial	City of Aurora and Unincorporated
East	Agriculture and Open Space	City of Aurora and Unincorporated
South	Industrial	M-2
West	Residential and Open Space	Unincorporated

Background:
Last autumn the Petitioner was granted a special use for a university athletic campus. Since that time, the Petitioner has acquired additional land adjacent to the original special use parcels. The property acquisition has prompted this request for a special use for a PUD that would include all of the parcels owned by the Petitioner. The first phase of development indicated on the plans includes a softball field,

soccer/lacrosse/field hockey field and an inflatable dome. The previously approved Master Plan has been revised and is attached to this advisory report. Staff has reviewed the submitted documents and has provided comments in the following report.

Conformance with the Comprehensive Plan:
The proposed land use for the majority of the site conforms to the Comprehensive Plan as it indicates that the location be utilized as Park/Open Space, and the construction of a university athletic campus would be consistent with the Park/Open Space land use designation. One of the additional parcel is an unincorporated residential parcel that the Petitioner acquired and intends to add into the proposed PUD. This parcel is indicated as Single-Family Detached Residential on the Comprehensive Plan. Even though the proposed use of this parcel does not comply with the Comprehensive Plan, the parcel is surrounded on three sides by Open Space and therefore staff is recommending that the proposed non-conformity be permitted.

Zoning:
The property is zoned R-3 Traditional Neighborhood Residence District and included in the special use section of the R-3 District are colleges and universities, indoor sports facilities and planned unit developments. The proposed use of the property falls within each of the above criteria.

One of the parcels is currently unincorporated, and the Petitioner has requested annexation and zoning of that parcel to conform to the rest of the parcels in the PUD.

Bulk Standards:
Front Yard: The required front yard setback for the R-3 District is twenty-five (25) feet. The proposed plan complies with the setback.

Side Yard: The required side yard setback for the R-3 District is fifteen (15) feet. The proposed plan complies with the setback. There is a minimum of fifteen (15) foot indicated on the west side of the plan and close to five hundred (500) foot on the east side of the plan.

Rear Yard: The required rear yard setback for the R-3 District is thirty (30) feet. The proposed plan complies with the setback.

Building Height Setback and Maximum Building Height:
The Petitioner is proposing a dome that would extend above the Zoning Ordinance's Maximum Building Height. Staff and the Petitioner have been working on a performance setback for the dome. That setback is one hundred (100) feet and the dome currently encroaches on the setback by ten (10) feet. A performance setback has also been proposed for the other structures.

Floor Area Ratio: The plans as proposed comply with the Village's standard.

Parking: Number of Spaces, Handicap Spaces, Drive Aisles & Dimensions:
Staff has concluded that more than three hundred (300) parking spaces is sufficient for the uses that are being proposed.

Additional accessible parking spaces are required per the Illinois Accessibility Code. Five (5) spaces are proposed and a minimum of eight (8) spaces are required for a location that has between 300-400 parking spaces.

Fence and Landscaping:
The Petitioner has indicated in the Plan Description that they wish to remove the perimeter landscaping requirement on the east, south and west sides of their property. It is staff's opinion that a phased approach could be taken to install a minimal landscaping of deciduous trees along the perimeter. The plans indicate a chain link fence to be installed around the perimeter of the proposed first phase. The Petitioner has agreed to buffer the residential neighbors to the north with landscaping, and screen with opaque fencing the locations that are affected by automobile headlights.

Additional landscape islands are required in the parking lot as the Zoning Ordinance requires a landscape island ever fifteen (15) parking spaces.

Lighting:
The Petitioner agrees to meet the same standard that Stuart Sports Complex was held to and to actively work toward limiting light spillage onto neighboring residential properties.

Access:
Two access points are proposed. One of the access points is the extension of Edgelawn Drive. The Petitioner has indicated Edgelawn right-of-way to be dedicated to the Village and a road extending to the athletic complex's main entrance. In the future, the Petitioner may extend the road further south for additional access, and the Village will have the authority to extend a road to the south to connect with the Village's street network. The second access point is indicated to be located on Jericho Road.

The Montgomery-Countryside Fire Protection District is currently reviewing the plans.

Utilities:
The Petitioner will continue to use the existing well for irrigation and will utilize City of Aurora water as potable water within their facilities. Additional watermain may need to be installed to service the proposed buildings and to provide sufficient fire protection per the Montgomery Countryside Fire Protection District. The Petitioner will use the existing Fox Metro sanitary sewer located on the property so long as the service complies with Fox Metro's requirements.

Engineering:
Attached is a review letter from Engineering Enterprises, Inc. (EEI) regarding the site engineering.

Special Use:
The Petitioner is requesting a special use for a University Athletic Campus. The Commission should consider whether the use is in keeping with the vision of the area and whether its impacts can be properly mitigated. According to the Montgomery Zoning Ordinance, whose language hereafter is in italics, "*no special use shall be recommended by the Plan Commission unless the Commission shall find that the following standards have been satisfied*:

Staff has provided findings of fact following the standards for the Plan Commissioner's consideration.

A. *That the establishment, maintenance or operation of the special use will not be detrimental to endanger the public health, safety, comfort or general welfare;*

Athletic lighting may affect neighboring property owners, however, the Petitioner has indicated their intention to mitigate impacts of lighting on the neighboring properties so that the use should not endanger the public health, safety, comfort or general welfare;

B. *That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, not substantially diminish or impair property values within the neighborhood;*

This use should not be injurious or diminish property values:

C. *That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*

The proposed use does not prohibit use of surrounding property and is normal and orderly;

D. *That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided;*

More detailed plans are required to determine if adequate utilities and drainage is being provided. Staff is of the opinion that the general plan that has been provided is adequate for the passage of the PUD, and that any utility issues will be addressed through subsequent site plans. Approval of those site plans shall be contingent upon the Montgomery-Countryside Fire Protection District, Fox Metro Water Reclamation District, and Village staff and consultants;

E. *That adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in public streets;*

Adequate ingress and egress has been planned for as there are two proposed access points with the possibility of an increased number of access points in the future.

F. *That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board pursuant to the recommendations of the Plan Commission.*

All aspects of the proposed development that have been submitted to this point that do not meet the Zoning Ordinance have been discussed in the above report and recommendations have been made accordingly.

The Plan Commission should discuss each of these criteria and make findings of fact as to whether the proposed use meets the criteria. If the Commission finds that the use should be permitted, they may impose additional conditions in order to mitigate any impacts of the proposed use.

Recommendation:
Staff recommends approval of the special use for a planned unit development for Aurora University pending the Fire Protection District's review and deficient items in this report and EEI's letter being addressed.

Engineering Enterprises, Inc.

November 15, 2016

Mr. Jerad Chipman
Senior Planner
Village of Montgomery
200 N. River Street
Montgomery, IL 60538

Re: Aurora University Athletic Fields
Concept Plan Review
Montgomery, Illinois

Dear Mr. Chipman,

We have reviewed the Preliminary Master Plan (1 sheet) dated November 2, 2016 and the Architectural Site Plan (1 sheet), dated November 1, 2016, for the Aurora University Spartan Athletic Fields.

Our review of these plans is to generally determine the plan's compliance with Village ordinances and whether the improvements will conform to existing Village systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans.

We offer the following comments:

1. The Concept Plans have addressed our previous concept review comments regarding site access and traffic circulation.

2. Engineering Plans must be submitted as the project moves forward. The engineering plans should include detailed grading and utility plans, soil erosion and sedimentation plans, site lighting, and construction details and specifications for the site work. The following comments should be incorporated into the engineering submittal where a more detailed review of the plans will occur.

3. A Stormwater Permit Application will be required for this project. The application and supporting calculations and documentation for detention, storm sewer, and site drainage should be submitted for review. EEI has provided the design engineer with the best available floodplain data from Kane County. This information needs to be considered as the project proceeds and the engineering design needs to be in compliance with the floodplain ordinance regulations.

52 Wheeler Road, Sugar Grove, IL 60554 ~ (630) 466-6700 tel ~ (630) 466-6701 fax ~ www.eeiweb.com

4. As Engineering proceeds the water supply and sanitary sewer requirements need to be defined and a service plan layout provided showing existing and proposed improvements.

5. The following permits are required for the project and should be provided to the Village at the appropriate stage of the project.
   a. IEPA NPDES construction permit (NOI)
   b. IEPA Water Main and Sanitary Sewer Construction Permits (if necessary)
   c. Fox Metro Sanitary Sewer Permit
   d. IDNR Endangered Species
   e. IHPA Historical Preservation

6. An engineer's estimate for construction cost should be provided for review with the engineering plans. The estimate should include any public improvements, stormwater improvements, erosion control items, and landscaping. The cost estimate will be used to determine the amount of the letter of credit or bond per Village ordinance requirements.

The above items should be considered as the project moves forward and Engineering Plans submitted for review as they are available. If you have any questions or need additional information, please contact our office.

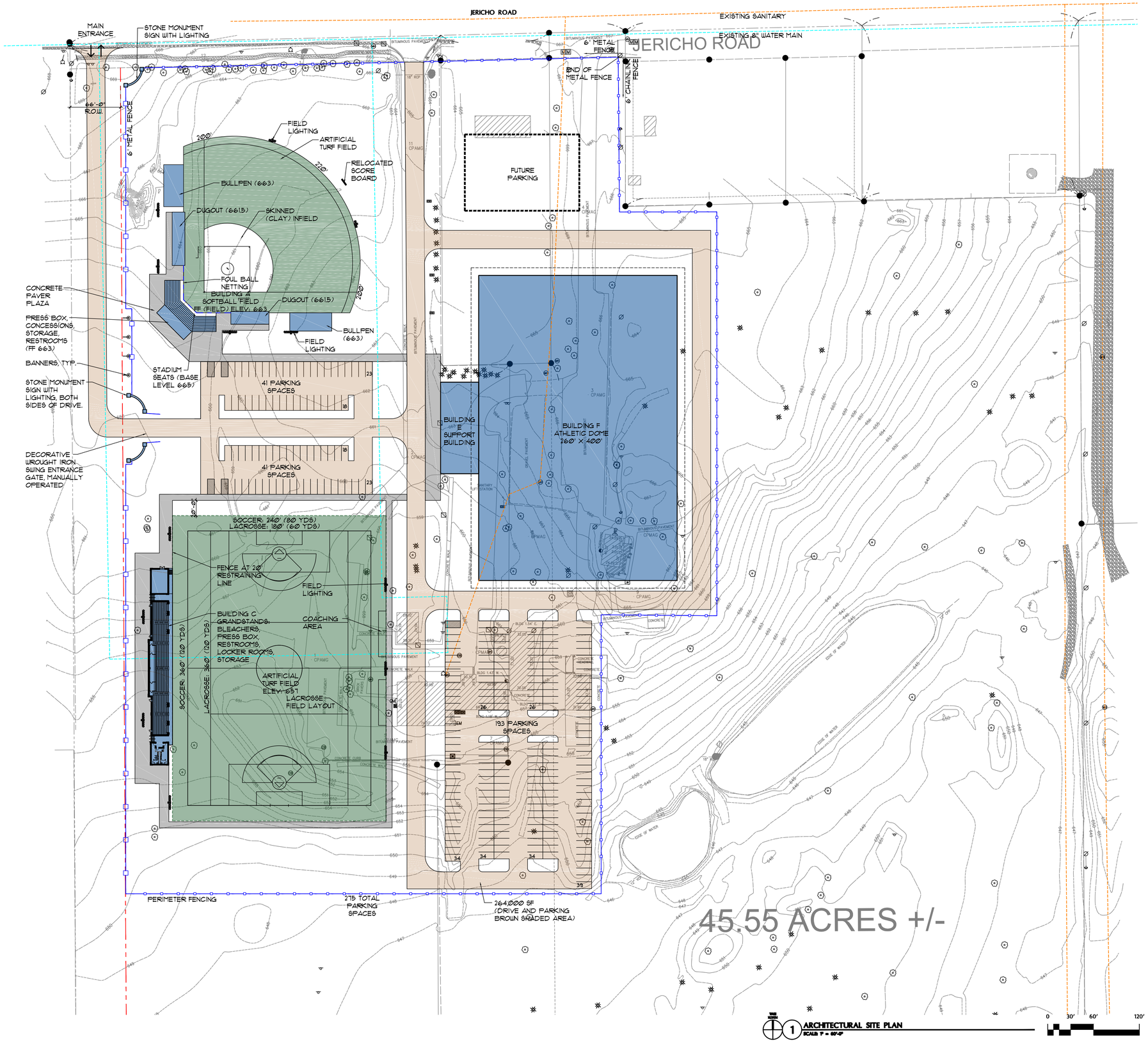
Respectfully Submitted

ENGINEERING ENTERPRISES, INC.

Timothy N. Paulson, P.E.
Project Manager

TNP/me

Pc: PGW, EEI



1 ARCHITECTURAL SITE PLAN
SCALE: 1" = 60'-0"

CORDOGAN, CLARK & ASSOCIATES INC.
ARCHITECTS · ENGINEERS
www.cordogancclark.com

CHICAGO
2136 WEST ROOSEVELT ROAD
CHICAGO, ILLINOIS 60608
TEL 312.943.7300
FAX 312.943.7317

AURORA
2000 WEST NEW YORK STREET
AURORA, ILLINOIS 60506
TEL 630.896.4878
FAX 630.896.4897

AU SPARTAN ATHLETIC FIELDS
AURORA UNIVERSITY
JERICHO ROAD
MONTGOMERY, IL 60538

ARCHITECTURAL SITE PLAN

JOB NUMBER 16352
DATE 11.01.16
REVISIONS
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PROGRESS REVIEW

SHEET A1.0

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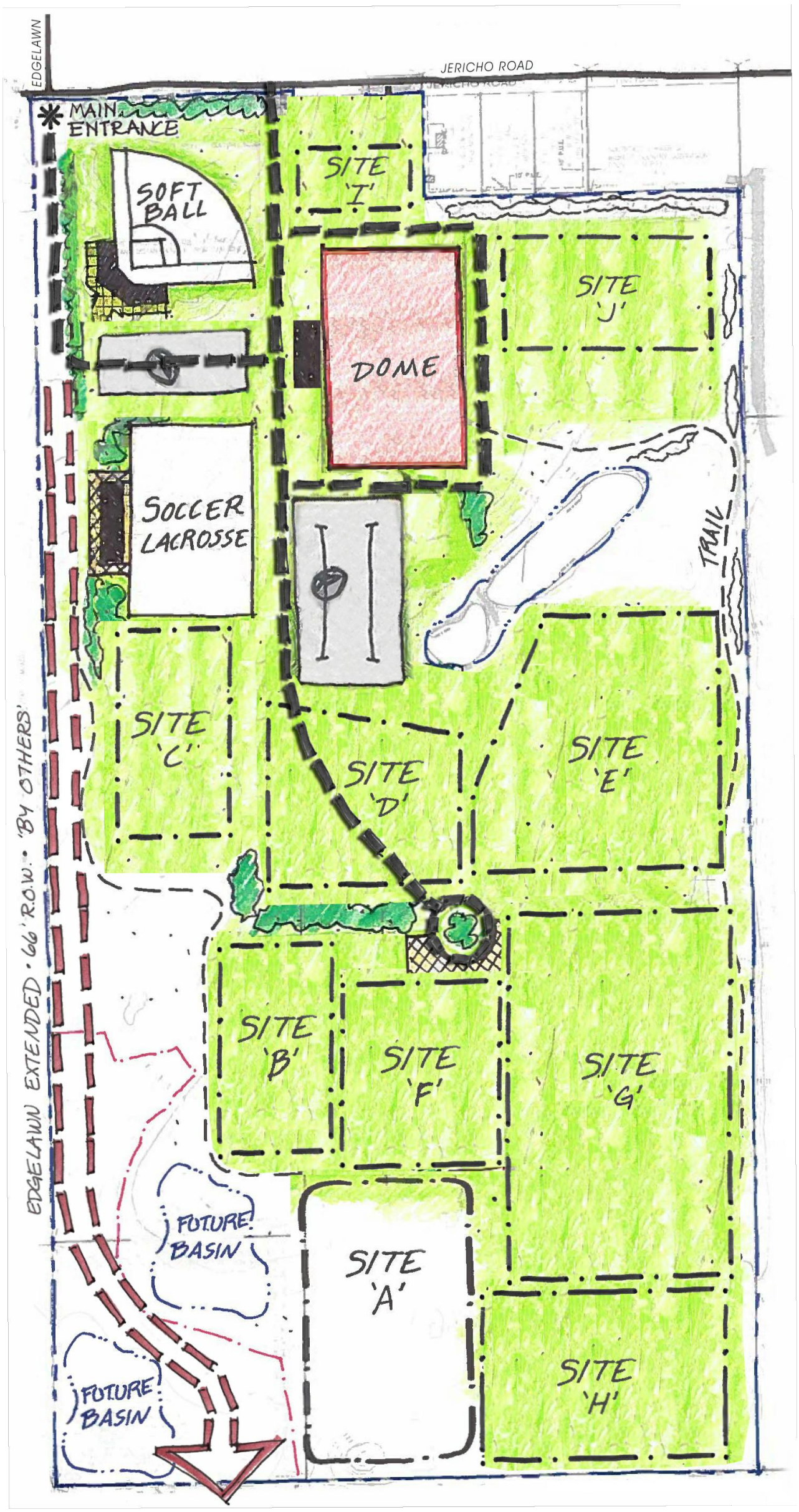
PRELIMINARY MASTER PLAN

POTENTIAL SITE PROGRAM:
- BASEBALL
- TRACK & FIELD
- TENNIS
- PARKING
- BUILDING (ACADEMIC/ RESIDENCE)



CORDOGAN CLARK & ASSOCIATES INC.
ARCHITECTS • ENGINEERS

ADAPTED FROM SGJJR SKETCH

PC *2016-025*
PLAN COMMISSION ADVISORY REPORT

To: Chair Hammond and Members of the Plan Commission

From: Jerad Chipman, AICP
Senior Planner

Date: October 27, 2016

Subject: *2016-025 Z Text Amendment to Section 12 of the Zoning Ordinance Regarding Signs.*

Attached is a proposed text amendment to the signage section of the Zoning Ordinance. This amendment is a combination of the previously approved excerpt of the sign ordinance and the remainder of the sign ordinance sections. The majority of the updates address content no longer deemed appropriate due to the recent Supreme Court Case, however, staff also took the opportunity to correct several provisions that required attention. The current ordinance has also been attached for purposes of comparison.

Staff recommends approval of PC 2016-025 Z Text Amendment to Section 12 of the Zoning Ordinance.

SECTION TWELVE: SIGN RESTRICTIONS

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:

1) 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.

2) 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.

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

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.

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.

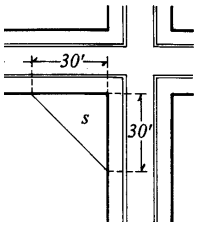
2. *Obstruction.* No sign shall be erected to block any required access way, roof access, fire escape,

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, 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.

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 owner of 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. If there is text located on the sign, then that text shall be legible.

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.

12.05 PERMITS FOR PERMANENT SIGNS

Permit requirements to erect new, alter existing or relocated existing permanent signs:

1) No permanent sign shall be erected, altered or moved until the person proposing to erect, alter, or move such sign shall have obtained a permit from the Village. Such permit shall be issued only when the sign complies with all of the applicable provisions of this section. The fees for all permanent signs shall be set by separate resolution of the Board of Trustees from time to time.

2) Any person desiring such a permit shall file application therefore upon a form which shall contain or have attached thereto the following information:

    a) Name, address, telephone and fax numbers and e-mail address (if available) of the applicant.

    b) The name of the person, firm, corporation, or association erecting, altering, or moving said sign.

    c) Written consent of the owner of the land on which the sign is to be erected, altered, or relocated.

d) A plat of survey, drawn to scale, showing the location of the buildings, structure, or lot to which the sign is to be attached or erected, and showing the position of the sign in relation to nearby buildings and thoroughfares.

e) A plan drawn to scale showing the design of the sign, materials used, method of construction, and means of attachment to the building or ground.

f) Any other information as the Director of Community Development shall require in order to show full compliance with this and all other applicable ordinances of the Village.

12.06 PERMITS FOR TEMPORARY SIGNS

1) *PERMIT REQUIRED*: All temporary signs, except those signs specifically exempted from a permit requirement in this Section 12.00, shall have a permit. Possession of a valid permit for a temporary sign shall entitle the owner to display such sign for the time period specified thereon.

2) *DURATION AND TYPE OF TEMPORARY SIGN*: The duration and limits of temporary signs shall be as follows:

a) Signs Erected by the Developer of a Residentially Zoned Property or the Builder of Multiple Parcels within a Residential Subdivision. Developer/Builder Erected On-Site Residential Signs. Temporary signs to be located at major entrances to residential subdivisions; shall not exceed one hundred and twenty (120) square feet in area and fifteen (15) feet in height. Number and location of these signs shall be approved by the Director of Community Development based on consideration of the following factors: location of the development; size of the development; visibility which the sign will achieve at the particular entrances at which signage is sought; proximity of existing residences; and size of the proposed signage both with regard to individual signs and with total signage requested. The signs shall not be located in an established sight triangle, and shall be setback from all property lines a distance at least equal to the height of the sign unless specifically approved by the Director of Community Development.

b) Developer/Builder Erected Off-Site Residential Signs. Temporary signs located off-site of a residential development, applied for by the developer or builder of multiple residential parcels may apply for temporary off-site residential signs for a period of up to twelve (12) months, renewable on a six (6) month basis thereafter. Each such sign shall not exceed one hundred twenty (120) square feet in area and shall not have a total height of more than fifteen (15) feet. Said signs must be removed upon the sale by the developer of the last units in said development. For purposes of this section only, a “development “ shall be defined as a parcel of property or tract of land being developed by a single developer (but may have multiple builders within same) at the same or substantially the same time and includes but is not limited to a PUD, a subdivision or other unified improvement of land. Specific location and construction techniques shall be approved by the Director of Community Development pursuant to the issuance of said permit(s). The signs shall not be located in an established sight triangle, and shall be setback from all property lines a distance at least equal to the height of the sign. Such signs may be located in any zoning

district on undeveloped property (used for agriculture or open space), provided that there is one-quarter (1/4) mile separation from each other, and that no such sign shall be closer to an existing residence than three hundred (300) feet.

c) Signs Erected Prior to the Occupancy of a Commercial Development. After a building permit has been issued for any building located in a Business or Manufacturing District, a sign may be granted by permit in accordance with the following conditions: 1) the temporary sign is no more than 120 square feet and 2) the temporary sign permit shall be granted for a six month period, renewable each six months until the occupancy permit or permanent freestanding ground sign permit is issued, whichever occurs first.

3) TEMPORARY SIGNS ERECTED BY THE OCCUPANT OF A BUSINESS OR MANUFACTURING DISTRICT. Temporary signs including but not limited to: banners, inflatable advertising devices, and flag signs, are permitted with the following conditions. A maximum of forty (40) square feet shall be allowed per temporary sign with the exception of flags, which are allowed to be forty (40) square feet. If ground mounted, the sign shall not be erected more than ten (10) feet above grade, with the exception of flags which have no maximum height. If the temporary sign is wall mounted the sign shall not be placed more than thirty (30) feet above grade. A maximum of twelve (12) temporary sign permits shall be permitted per business per year starting each January 1st, and the business applying for the permit is allowed to place signs on other zoning lots with the permission of the lot owner. Each permit is good for fifteen (15) days and shall expire after fifteen (15) days. Said permits may run concurrently or consecutively with each other.

a) APPLICATION: Application for a permit for a temporary sign shall be made on a form provided by the Building Division. A site plan showing the location of the sign on the property or building and a drawing, diagram or photo showing dimensions of the sign shall be provided. Permits for temporary signs must be kept on the premises where signs are displayed. Application for consecutive temporary sign permits may be made at one time upon one application. If one application is made for multiple periods, all required permit fees must be paid at the time of application for all periods covered by said permit (A single application covering consecutive permit periods must still pay the amount due for each separate permit fees up to a maximum of twelve (12) permits.)

b) FEES: The fees for all temporary signs shall be set by separate resolution of the Board of Trustees from time to time; provided, however, that such fees shall be waived for not-for-profit entities with an Internal Revenue Code 501(c) designation, and units of local government.

c) EXCEEDING PERMITTED DURATION OF PERMIT: In addition to all other penalties or enforcement authorized by the Village of Montgomery Zoning ordinance or other ordinances of the Village of Montgomery, in the event that a user of a temporary sign permit continues to display said sign in excess of the time period specified by said permit, any time period that said sign is displayed in excess of the said permit period shall be deducted from the allowable time authorized by any subsequent permit application. The same shall be true for signs that are displayed prior to issuance of a valid temporary sign

permit. The fifteen (15) day time frame of the permit shall start the first day the Village becomes aware of the sign, staff shall then notify the owner or lessee a permit is required.

12.07 PROHIBITED SIGNS AND SIGN TYPES

1) THE FOLLOWING SIGNS ARE EXPRESSLY PROHIBITED:

   a) Billboard signs.

   b) Pole or Pylon signs.

   c) Signs containing elements including but not limited to, moving, rotating, animated, or undulating, or light beams.

   d) Exposed light bulbs, flashing, blinking or traveling and similar signs and building adornment and illumination are not permitted, except as otherwise permitted herein.

   e) Signs may not be painted directly on any surface of a building without the approval of the Director of Community Development.

   f) Signs which are wholly dependent upon a building for support or mounted on the roof, which project more than six (6) inches above the highest point of a building or roof to which they are attached, unless permitted otherwise, herein.

   g) Signs which constitute a hazard to public health or safety.

   h) Signs displaying obscene, indecent or immoral matter.

   i) Signs mounted on trailers or motor vehicles for which the primary use is to provide signage rather than the operation of personal or business transportation uses.

   j) Signs, flyers, pamphlets (or similar) taped, stapled, glued or otherwise attached to street lights, light posts, utility poles, street signs, or other fixtures in the public right-of-way.

   k) Signs which make use of words such as “Stop,” “Look,” “One-Way,” “Danger,” “Yield,” or any similar word, phrase, symbol or light so as to interfere with or confuse pedestrian or vehicular traffic.

   l) Signs painted directly on trees, rocks and fences and other structures or objects or on any surface of a building.

   m) Signs on any antenna towers or personal wireless service facilities with the exception of equipment safety signs.

n) Signs located on a highway, within a street right-of-way, or within a prescriptive street easement except for signs erected by the jurisdiction with control over said highway. For purposes of this section, "highway" shall be defined as in 625 ILCS 5/1-126.

12.08 SIGNS ALLOWED WITHOUT A SIGN PERMIT

1) *ALL DISTRICTS WITHOUT PERMIT.* Signs listed in this section are permitted in all zoning districts and shall not require a sign permit. Signs in this list shall not be counted when calculating the number of signs on a premise. However, such signs shall conform to the general regulations, e.g., height, area, setback, clearance, etc.

   a) Name and address plates which give only the name and address of the resident of the building, and which is not more than one (1) square foot in sign area.

   b) Signs or tablets located at places of historical significance, no larger than five (5) square feet.

   c) "No trespassing" signs or other such signs regulating the use of a property, not more than two (2) square feet in sign area in the general residential zone and six (6) square feet in all commercial, office and industrial zones.

   d) Signs erected by a governmental body, or under the direction of such a body.

   e) A maximum of two (2) wall-mounted bulletin boards per occupant is allowed. Each bulletin board shall have a maximum sign area of no more than twelve (12) square feet, and a maximum height of no more than seven (7) feet. Said bulletin board must be protected from weather.

   f) Each property is allowed three flag poles.

2) *RESIDENTIAL DISTRICTS WITHOUT PERMIT.* The following signs are permitted without a permit in the residential zoning districts only.

   a) Name and address plates for buildings containing more than two (2) dwelling units, provided that such signs shall not be more than three (3) square feet in area.

   b) Sign located on a principal residential structure. No more than one (1) sign of a maximum size of one (1) square foot in area and the sign may not be illuminated. If a residence contains a registered home occupation then the residence is allowed no more than one (1) sign of a maximum of three (3) square feet in area and the sign may not be illuminated.

   c) Signs located on a residential parcel that are not attached to any residential structure shall be allowed a cumulative maximum of eighteen (18) square feet of signage, and no single sign shall be larger than six (6) square feet in area. Deviations to this provision of the Zoning Ordinance shall be at the discretion of the Director of Community Development.

3) *Business & Manufacturing Districts without Permit*. The following signs are permitted without a permit in the business, manufacturing and office research zoning districts only.

a) Signs located on or above an entrance or exit to a building shall be a maximum of eighteen (18) inches tall and fifteen square feet.

b) *Temporary Window*. Window signs that do not take up more than fifty percent (50%) of the total window area. Said signs must be displayed from the interior of the building, otherwise they will be considered as temporary signs in need of permit.

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**
P=Permitted							
NP=Not Permitted							
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

District	A&T-Frame	Awning	Canopy	Neon	Projecting	Wall	Window
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
P=Permitted						
NP=Not Permitted						
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

District	Principal	Interior	Perimeter	Residential	Billboards	Off-Premises
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.

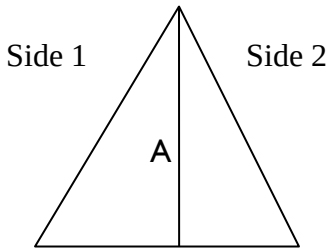
ii) Maximum Sign Size and Height. The sign shall not exceed a total of twelve (12) square feet per side and a vertical height of four (4) feet, see diagram below.

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.

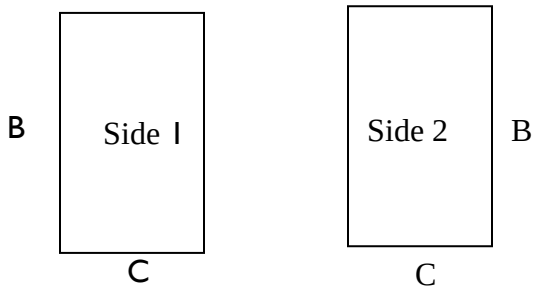
v) Sign Duration. A-Frame and T-Frame signs shall be movable and shall only be displayed during hours of operation of the establishment. The sign must be removed from the property or sidewalk and stored indoors when the establishment is closed.

A-Frame Vertical Height Diagram



A=4 feet (max vertical height)

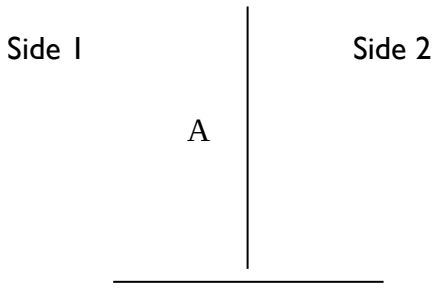
Sign Display Area Diagram



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 sing 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.

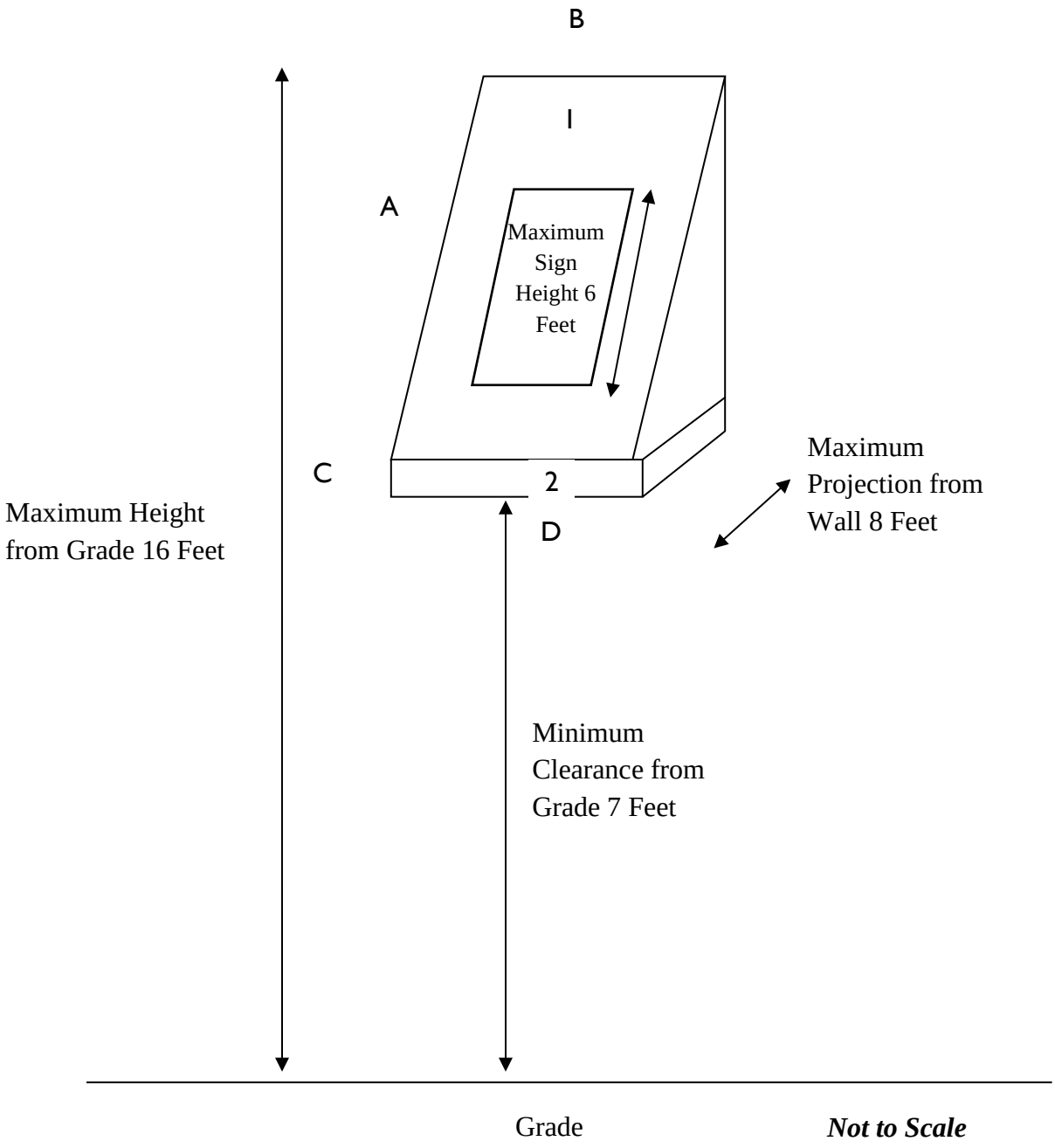
iv) Height. The maximum height of an awning on the building from grade shall be sixteen (16) feet. The maximum height of the awning shall not exceed six (6) feet.

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 forty (40) square feet per sign; only one (1) sign per canopy face; the signs shall not exceed four (4) 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 then (10) feet from grade. Each sign shall be located a minimum of nine (9) feet away from each other.

i) 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.

(3) 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.

(4) 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 sings 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 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 landscaping area shall be installed 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.

i. 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.

ii) Perimeter

(1) Definition. A freestanding sign supported by either a continuous base or a structural support pole(s) 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.

(a) Manufacturing Zoning Districts. The maximum size of a perimeter sign is eighteen (18) square feet and five (5) feet in height. If located in the sight triangle the maximum height is thirty (30) inches.

(b) Business Zoning Districts. 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.

(1) Location. Perimeter signs shall be located a minimum of twenty (20) feet away from the principal building.

(2) Illumination. Signs shall be internally illuminated. External illumination is prohibited.

iii) Residential Ground Signs

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

iv) 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.

(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.

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.

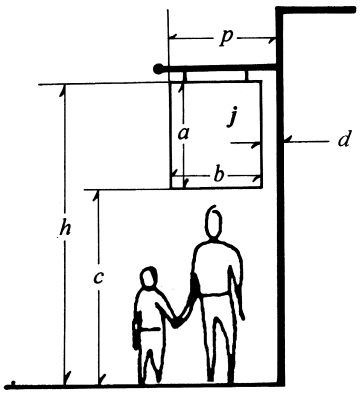
viii) Setback from Curb. No projecting sign shall project within two (2) feet of the curb of a street or driveway.

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.



Projecting Sign (j)

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

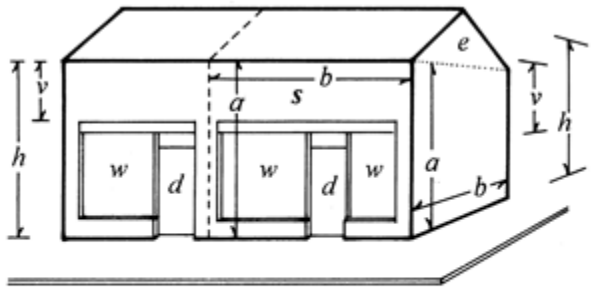
(3) Computation of Wall Sign Area of Individual Signs: The area of a sign face shall be computed by means of the smallest square, rectangle, or conjoining combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or 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	25%
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 x b) + (area of e)) - (area of all w + d) on each permitted wall, and w = windows, d= doors maximum height of sign (h) = 30 feet.

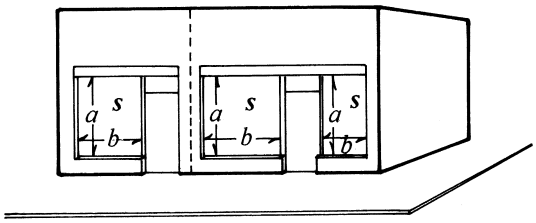
(6) Illumination. Wall signs may be internally illuminated or externally illuminated with architectural lighting subject to the standards herein.

h) Window Signs.

(1) Definition. A sign etched, affixed or applied to the interior window or door glass.

(2) 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.

(3) 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 x b

(4) Sign Area. The area of a window sign shall not exceed forty percent (40%) of a sign display area as defined in this Section.

(5) Illumination. Window signs may be illuminated externally with architectural lighting or internally with a screened light source and subject to the standards herein.

12.10 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.

Current Ordinance

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.

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.

12.03 GENERAL REQUIREMENTS

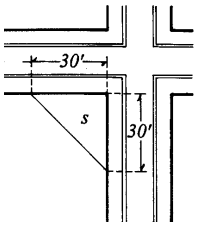
The provisions set forth in paragraph 12.03 shall apply to all signs, permanent or temporary.

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.

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 permitee 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.

12.05 PERMITS FOR PERMANENT SIGNS

Permits to build new, permanent signs or to alter or to move existing permanent signs:

a. No permanent sign shall hereafter be erected, altered or moved until the person proposing to erect, alter, or move such sign shall have obtained a permit from the Village. Such permit shall be issued only when the sign complies with all of the applicable provisions of this section. The fees for all permanent signs shall be set by separate resolution of the Board of Trustees from time to time.

b. Any person desiring such a permit shall file application therefore upon a form which shall contain or have attached thereto the following information:

i. Name, address, telephone and fax numbers and e-mail address (if available) of the applicant.
ii. The name of the person, firm, corporation, or association erecting, altering, or moving said sign.
iii. Written consent of the owner of the land on which the sign is to be erected, altered, or relocated.
iv. A plat of survey, drawn to scale, showing the location of the buildings, structure, or lot to which the sign is to be attached or erected, and showing the position of the sign in relation to nearby buildings and thoroughfares.

v. A plan drawn to scale showing the design of the sign, materials used, method of construction, and means of attachment to the building or ground.
vi. Any other information as the Director of Community Development shall require in order to show full compliance with this and all other applicable ordinances of the Village.

12.06 PERMITS FOR TEMPORARY SIGNS

1. *PERMIT REQUIRED*: All temporary signs, except those signs specifically exempted from a permit requirement in this Section 12.00, shall have a permit. Possession of a valid permit for a temporary sign shall entitle the owner to display such sign for the time period specified thereon.

2. *DURATION AND TYPE OF TEMPORARY SIGN*: The duration and limits of temporary signs shall be as follows:

a. RESIDENTIAL DEVELOPMENT MARKETING SIGNS (ON-SITE & OFF-SITE):

On-site Residential. Temporary residential marketing signs at major entrances to planned unit developments of residential subdivisions; not to exceed one hundred and twenty (120) square feet in area and fifteen (15) feet in height, containing the name of the overall development and the names of builders or units herein. Number and location of these signs shall be approved by the Director of Community Development based on consideration of the following factors: location of the development; size of the development; visibility which the sign will achieve at the particular entrances at which signage is sought; proximity of existing residences; and size of the proposed signage both with regard to individual signs and with total signage requested. The signs shall not be located in an established sight triangle, and shall be setback from all property lines a distance at least equal to the height of the sign.

Off-site Residential. Temporary residential marketing signs, off-site, pursuant to 12.15(6): The developer of a given real estate development may apply for temporary marketing signs for the residential development for a period of up to twelve (12) months, renewable on a six (6) month basis thereafter. Each such sign shall not exceed one hundred (100) square feet in area and shall not have a total height of more than fifteen (15) feet. Said signs must be removed upon the sale by the developer of the last units in said development. For purposes of this section only, a "development " shall be defined as a parcel of property or tract of land being developed by a single developer (but may have multiple builders within same) at the same or substantially the same time and includes but is not limited to a PUD, a subdivision or other unified improvement of land. Specific location and construction techniques shall be approved by the Director of Community Development pursuant to the issuance of said permit(s). The signs shall not be located in an established sight triangle, and shall be setback from all property lines a distance at least equal to the height of the sign. Such signs may be located in any zoning district on undeveloped property (used for agriculture or open space), provided that there is one-quarter (1/4) mile separation from each other, and that no such sign shall be closer to an existing residence than three hundred (300) feet.

b. COMMERCIAL DEVELOPMENT PRE-OCCUPANCY SIGNS. After a building permit has been issued on any commercial building, a pre-occupancy sign may be granted by permit in accordance with the following conditions: 1) the temporary sign is no more than 120 square feet and 2)

the temporary sign permit shall be granted for a six month period, renewable each six months until the occupancy permit or permanent freestanding ground sign permit is issued, whichever occurs first.

c. TEMPORARY ADVERTISING SIGNS. Temporary advertising signs including but not limited to: banners, inflatable advertising devices, flag signs, and portable reader board signs, are permitted with the following conditions. A maximum of 40 square feet shall be allowed per temporary sign with the exception of flags, which are allowed to be 80 square feet. If ground mounted, the sign shall not be erected more than ten (10) feet above grade, with the exception of flags which have no maximum height. If the temporary sign is wall mounted the sign shall not be placed more than thirty (30) feet above grade. A maximum of twelve (12) temporary sign permits shall be permitted per business per year starting each January 1st, and the business applying for the permit is allowed to place signs on other zoning lots with the permission of the lot owner. Each permit is good for fifteen (15) days and shall expire after fifteen (15) days. Said permits may run concurrently or consecutively with each other.

d. COMMUNITY EVENT SIGNS. Temporary community event signs are permitted on private property in residential zoning districts for use by property owners or residents of the property on which the sign is placed to advertise for community events. For the purpose of this ordinance, Garage Sales Signs, Political Signs, Real Estate Signs, and/or Temporary Contractor Signs are exempt. Banners, inflatable advertising devices, flag signs, and portable reader board signs shall not be permitted temporary sign types in residential areas.

1. *Display Standards:* A maximum of six (6) square feet shall be allowed per temporary sign. Ground mounted signs shall not exceed thirty-six (36) inches in height when measured from final grade adjacent to the sign placement. Temporary wall mounted signs shall not be permitted in residential districts. Illumination of temporary signs in residential area is not permitted.

2. *Number and Timeframe*: A maximum of one (1) sign per residential zoning lot at any one (1) time, not to exceed six (6) temporary sign permits per calendar year. The resident and/or property owner applying for the permit shall not be allowed to place signs on other zoning lots. Each permit is good for fifteen (15) days or twenty-four (24) hours after the conclusion of the event. Said permits may run consecutively with each other. Permit fees shall be waived.

3. APPLICATION: Application for a permit for a temporary sign shall be made on a form provided by the Building Division. A site plan showing the location of the sign on the property or building and a drawing, diagram or photo showing dimensions of the sign shall be provided. Permits for temporary signs must be kept on the premises where signs are displayed. Application for consecutive temporary sign permits may be made at one time upon one application. If one application is made for multiple periods, all required permit fees must be paid at the time of application for all periods covered by said permit (A single application covering five consecutive permit periods must still pay the amount due for five separate permit fees.)

4. FEES: The fees for all temporary signs shall be set by separate resolution of the Board of Trustees from time to time; provided, however, that such fees shall be waived for not-for-profit entities with an Internal Revenue Code 501(c) designation, and units of local government.

5. EXCEEDING PERMITTED DURATION OF PERMIT: In addition to all other penalties or enforcement authorized by the Village of Montgomery Zoning ordinance or other ordinances of the Village of Montgomery, in the event that a user of a temporary sign permit continues to display said sign in excess of the time period specified by said permit, any time period that said sign is displayed in excess of the said permit period shall be deducted from the allowable time authorized by any subsequent permit application. The same shall be true for signs that are displayed prior to issuance of a valid temporary sign permit. The fifteen (15) day time frame of the permit shall start the first day the Village becomes aware of the sign, staff shall then notify the owner or lessee a permit is required.

6. VILLAGE EXEMPTION: The Village of Montgomery shall be exempt from the requirements and limits on temporary signs delineated herein and shall be subject only to such requirements in the placement of signs as the Village staff or Board, in its discretion, shall impose.

12.07 PROHIBITED SIGNS AND SIGN TYPES

1. THE FOLLOWING SIGNS ARE EXPRESSLY PROHIBITED:

   a. Advertising and/or billboard signs.

   b. Pole or Pylon signs.

   c. Attention-getting devices including but not limited to, inflatable, moving, rotating, animated, or undulating signs, or light beams. This excludes traditional barber poles not exceeding two (2) feet in height and projecting not more than twelve (12) inches from the building, utilized only to identify a hair cutting establishment. In authorizing the latter exemption, the Corporate Authorities find it in the public interest to retain this historic symbol of American commerce.

   d. Exposed light bulbs, flashing, blinking or traveling and similar signs and building adornment and illumination are not permitted, except as otherwise permitted herein.

   e. Signs may not be painted directly on any surface of a building.

   f. Windows painted to attract attention except as otherwise permitted herein.

   g. Signs which are wholly dependent upon a building for support or mounted on the roof, which project more than six (6) inches above the highest point of a building or roof to which they are attached, unless permitted otherwise, herein.

   h. Signs which constitute a hazard to public health or safety.

   i. Signs displaying obscene, indecent or immoral matter.

   j. Signs mounted on trailers or motor vehicles or vehicles positioned so to effectively provide signage, except that signs only containing the name, address or business identification of the

owner or user shall be permitted on vehicles and trailers, but not used as temporary or permanent signage for a business premise.

k. Signs, flyers, pamphlets (or similar) taped, stapled, glued or otherwise attached to street lights, light posts, utility poles, street signs, or other fixtures in the public right-of-way.

l. Signs which make use of words such as "Stop," "Look," "One-Way," "Danger," "Yield," or any similar word, phrase, symbol or light so as to interfere with or confuse pedestrian or vehicular traffic.

m. Signs painted directly on trees, rocks and fences and other structures or objects or on any surface of a building.

n. Commercial advertising on any antenna towers, dishes or personal wireless service facilities.

o. Signs located on a highway except for signs erected by the jurisdiction with control over said highway. For purposes of this section, "highway" shall be defined as in 625 ILCS 5/1-126.

12.08 SIGNS PERMITTED WITHOUT A SIGN PERMIT

1. *ALL DISTRICTS WITHOUT PERMIT.* Signs listed in this section are permitted in all zoning districts and shall not require a sign permit. Signs in this list shall not be counted when calculating the number of signs on a premise. However, such signs shall conform with the general regulations, e.g., height, area, setback, clearance, etc.

   a. Name and address plates which give only the name and address of the resident of the building, and which is not more than one (1) square foot in sign area.

   b. Memorial signs or tablets and signs denoting the date or erection of buildings, no larger than five (5) square feet.

   c. "No trespassing" signs or other such signs regulating the use of a property, not more than two (2) square feet in sign area in the general residential zone and six (6) square feet in all commercial, office and industrial zones.

   d. Signs erected by a governmental body, or under the direction of such a body, and bearing no commercial advertising. The Village of Montgomery is exempt from all sign regulations herein.

   e. Wall-mounted bulletin boards for public, charitable, or religious institutions, used exclusively for non-commercial announcements when it has a sign area of no more than twelve (12) square feet, and no more than seven (7) feet in height. Said bulletin board must be protected from weather and enclosed as to prohibit posting of commercial announcements by third parties.

   f. The flag, pennant, or insignia of any government, or of any religious, charitable, or fraternal organization.

   g. Garage sales signs, not exceeding six (6) square feet in area, may be placed at the curb in residential areas on the day(s) of the sale and must be removed upon close of the sale.

h. Temporary signs no larger than thirty-two (32) square feet in area advertising political candidates or political questions. Such signs, on non-residential property, may remain for thirty (30) days and must be removed upon close of the event. Per Illinois Public Act 96-0904, signs on residential property shall not be subject to time restrictions and may remain on residential properties for an indefinite period of time.

i. Temporary signs no larger than six (6) square feet in area advertising a business whose trade is being carried out at a customers property (with the customer's consent) provided the sign may remain in place for the duration of the work being perform plus no more than fourteen (14) days thereafter and then must be removed.

2. *RESIDENTIAL DISTRICTS WITHOUT PERMIT.* The following signs are permitted without a permit in the residential zoning districts only.

a. Name and address plates for buildings containing more than two (2) dwelling units, provided that such signs shall not be more than three (3) square feet in area.

b. Real estate signs for residential uses, not exceeding six (6) square feet per side in sign area. Real estate signs for permitted non-residential uses within residential districts, not exceeding eighteen (18) square feet per side in sign area. Any such real estate signs shall be removed within ten (10) days after the premise or lot advertised has been sold, rented or leased.

c. Home occupation nameplate, no more than one (1) square foot in area which contains only the name of the occupant of the dwelling and the home occupation conducted therein and is attached to the dwelling and is not illuminated.

3. *BUSINESS & MANUFACTURING DISTRICTS WITHOUT PERMIT.* The following signs are permitted without a permit in the business, manufacturing and office research zoning districts only.

a. *Real Estate Signs*. One per street frontage; not to exceed thirty-two (32) square feet of sign area per face and not to exceed ten (10) feet in height. Said signage may alternately be provided as part of the permanent freestanding sign.

b. *Door Signs*. Direction or identification signs on or near secondary building entrances, such as exit, staff only, or business identification which do not exceed two (2) square foot in sign area.

c. *Hours of Operation and Contact Information*. Hours of operation, phone number, and website information may be displayed on or near the main entrance, but not exceed a total area of three (3) square feet.

d. *Menus*. Restaurants may display their current menu near any customer entrance provided that it is in a weather proof case, and is no larger than three (3) square feet.

e. *Temporary Window Advertisements*. Window signs of paper or similar material, provided that such signs are to be used to notify the public of special sales or current prices, and further provided that such signs do not take up more than twenty-five percent (25%) of the total window area. Said signs must be displayed from the interior of the building, otherwise they will be considered as temporary signs in need of permit.

f. *Flags.* One logo flag of a company shall be allowed per zoning lot provided that it is flown with and below the American Flag and shall not be larger than that American Flag.

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
P=Permitted							
NP=Not Permitted							
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

District	A&T-Frame	Awning	Canopy	Neon	Projecting	Wall	Window
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
P=Permitted						
NP=Not Permitted						
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

District	Principal	Interior	Perimeter	Residential	Billboards	Off-Premises
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.

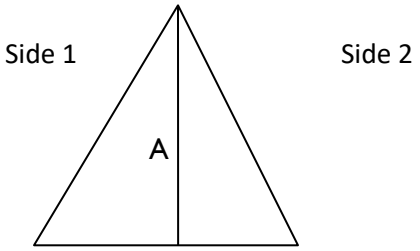
iii. Setback and Location. When located on private property there shall be a minimum setback from all property lines of one (1) foot. The location of the sign shall also comply with the sight triangle restrictions in section 12.03(3). A-Frame and T-Frame signs are permitted to be placed on public sidewalks 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.

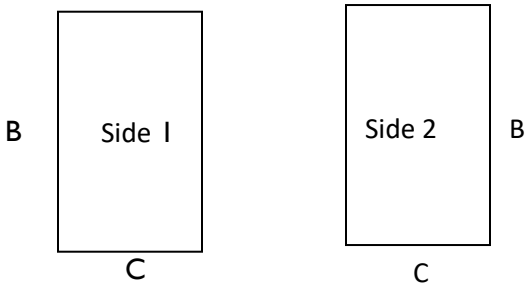
v. Sign Duration. A-Frame and T-Frame signs shall be movable and shall only be displayed during hours of operation of the establishment. The sign must be removed from the property or sidewalk and stored indoors when the establishment is closed.

A-Frame Vertical Height Diagram



A=4 feet (max vertical height)

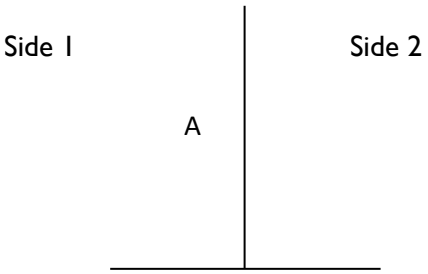
Sign Display Area Diagram



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 sing 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.

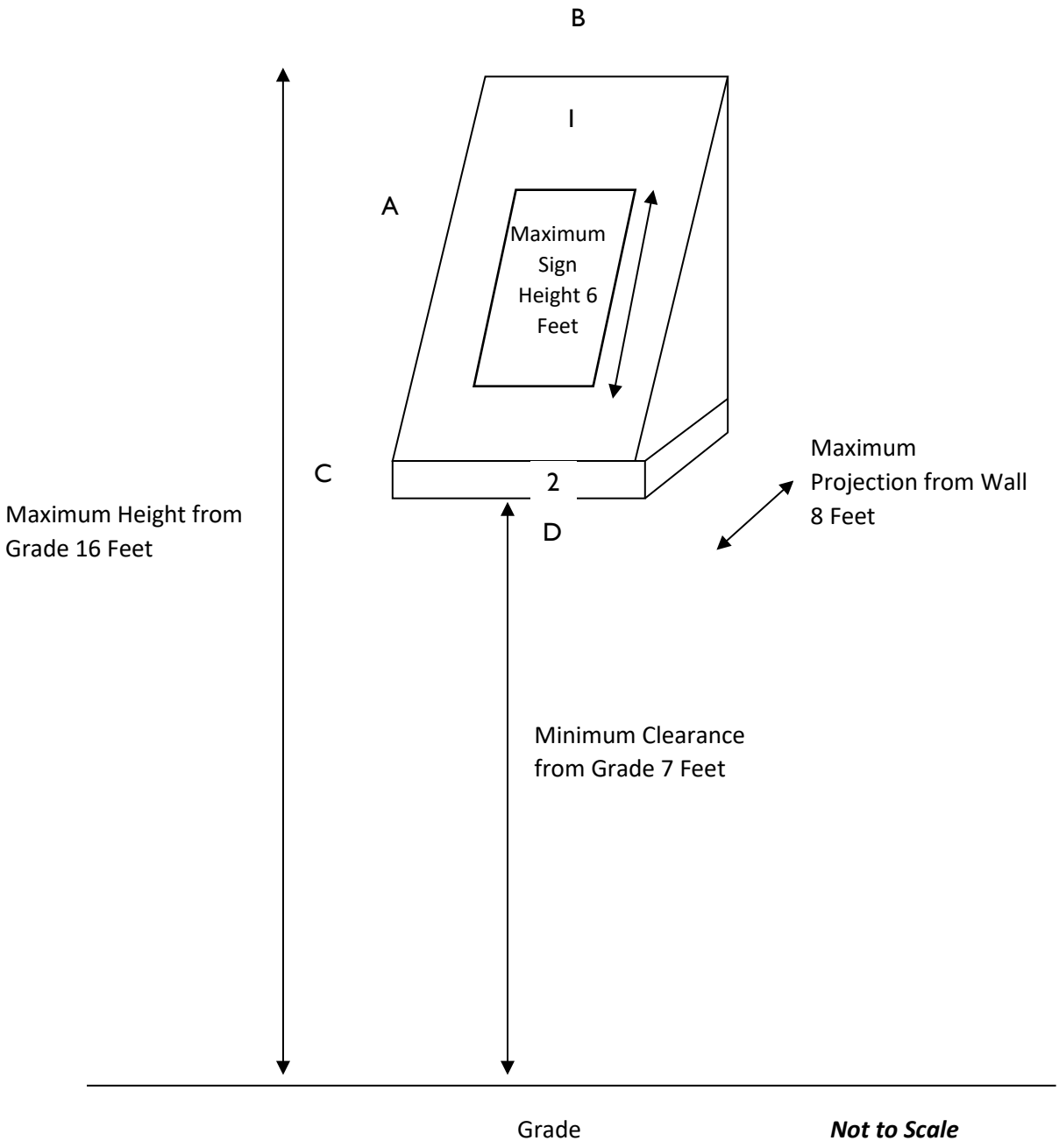
iv. Height. The maximum height of an awning on the building from grade shall be sixteen (16) feet. The maximum height of the awning shall not exceed six (6) feet.

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 sing; 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 then (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 sings 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 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 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.

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.

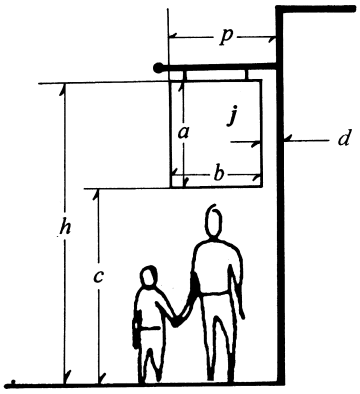
E. Neon Signs.

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 x b) and
d ≤ 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.

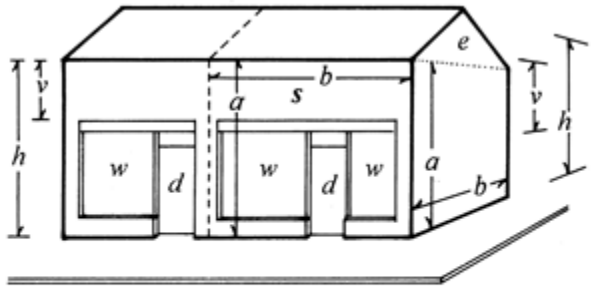
3. Computation of Wall Sign Area of Individual Signs: The area of a sign face shall be computed by means of the smallest square, rectangle, or conjoining combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or 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 x b) + (area of e)) - (area of all w + d) on each permitted wall, and w = windows, d= 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.

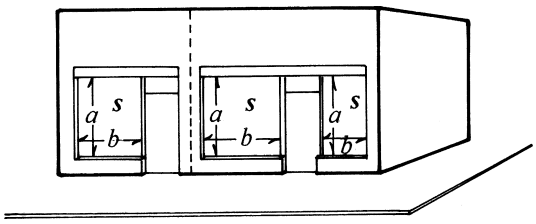
ii. Secondary. Eighteen (18) inches tall and fifteen square feet. Located above an entrance to the building.

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 x 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.

12.10 RESERVED

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.

PC *2016-027*
PLAN COMMISSION ADVISORY REPORT

To: Chair Hammond and Members of the Plan Commission

From: Jerad Chipman, AICP
Senior Planner

Date: October 27, 2016 Updated on November 14, 2016

Subject: *2016-027 Z Text Amendment to Section 12A of the Zoning Ordinance Regarding Landscaping.*

There have been several updates to the tree list since it was originally distributed in late October. In addition, the possibility of updating the landscape ordinance with a reference to the Village's tree list has been brought to staff's attention. In this case staff would keep a tree list that did not need to be updated by ordinance every time a tree species would need to be added or removed from the list. Staff encourages discussion of this concept at the Plan Commission Meeting.

The Village's list of permitted and prohibited trees in out of date. The Village Arborist and consultant Planning Resources, Inc. has created the attached list. The list is broader than the old list and includes updates including the placement of Ash trees on the prohibited list. Additionally, staff is proposing updates to the Administrative section of the Ordinance to allow the Director of Community Development to approve deviations to landscape plans in keeping with the intent of the Landscape Ordinance. In the event that the Director of Community Development does not approve the deviation, a petitioner may request the deviation of the Plan Commission. In this scenario the Plan Commission would make the final decision.

Revised Tree List

It is staff's intention to insert this tree list and the associated provisions into the Landscape Ordinance and refer to the list throughout the ordinance rather than stating it in multiple locations as the current Ordinance does.

Approved Parkway Trees Plant List

Acer x freemanii "Autumn Blaze"*	Autumn Blaze Maple
Acer miyabei "Morton"	State Street Maple
Acer cultivars	Maple cultivars
Acer platanoides	Norway Maple, select varieties with Village approval
Acer saccharum 'Green Mountain'*	Green Mountain Sugar Maple
Aesculus glabra	Ohio Buckeye
Alnus x spaethii	Spaeth Alder
Alnus hirsuta	Manchurian Alder
Carpinus betulus	European Hornbeam
Celtis occidentalis 'Chicagoland'*	Chicagoland Hackberry
Cercidiphyllum japonicum	Katsura tree
Cladrastis kentukea	Yellow Wood
Corylus colurna	Turkish Hazelnut
Eucommia ulmoides	Hardy Rubber tree
Ginko biloba	Ginko (male)
Gleditsia triancanthos var. *inermis* cultivars*	Honey Locust cultivars
Gymnocladus dioicus "Espresso"	Kentucky Coffee Tree (male), other varieties as approved by the Village
Liquidamber styraciflua	Sweet Gum
Liriodendron tulipifera	Tulip tree
Nyssa sylvatica	Black Gum
Platanus x acerifolia "Morton Circle"*	London Plane tree
Quercus alba	White Oak
Quercus bicolor	Swamp White Oak
Quercus imbricaria	Shingle Oak
Quercus macrocarpa	Bur Oak
Quercus macrocarpa x robur	Heritage or English Oak
Quercus muehlenbergii	Chinkapin Oak
Quercus rubra	Red Oak
Styphnolobium japonicum	Japanese Scholar tree
Taxodium distichum	Bald Cypress
Tilia americana "Redmond"*	Redmond Linden
Tilia cordata	Little Leaf Linden
Tilia tomentosa	Silver Linden
Ulmus davidiana v. japonica 'Morton'	Accolade Elm
Ulmus spp (resistant cultivars)	Elms, cultivars as approved by the Village
Zelkova serrata	Japanese Zelkova

All parkway trees shall be single stem trees.

Small Trees

Acer campestra	Hedge Maple
Aesculus pavia	Red Buckeye
Alnus incana "rugosa"	Speckled Alder
Amelanchier arborea	Juneberry
Amelanchier laevis	Alleghany Serviceberry
Cornus mas	Cornelian Cherry Dogwood
Crataegus crus-galli var.inermis	Cockspur Hawthorn (Thornless)
Crataegus viridis 'Winter King*	Winter King Hawthorn
Malus 'Prairiefire'*	Prairie fire Crabapple
Ostraya virginiana	Ironwood
Syringa reticulata	Japanese Tree Lilac

Prohibited Trees for Street Trees and Landscape plantings

Acer negundo	Box Elder Maple
Acer saccharinum	Silver Maple
Ailanthus altissima	Tree-of-Heaven
Morus species	Mulberry species
Fraxinus species	Ash species
Populus species	Aspen, Cottonwood, Poplars
Pyrus species	Flowering Pear
Salix species	Willow species
Sorbus species	Mountain Ash
Fruit trees	
Evergreen trees***	

Trees for open spaces (not street trees)

Betula nigra	River Birch
Carya ovata	Shagbark Hickory
Catalpa speciose	Catalpa
Cercis Canadensis	Redbud
Fagus species	Beech species
Juglans nigra	Black Walnut
*Pinus strobus***	Eastern White Pine
Platanus occidentalis	Sycamore
Evergreen trees***	

* Denotes "improved" cultivar of a species native to Illinois. Can substitute with other disease resistant cultivars
** Sensitive to road salts and pollutants, plant away from streets
***Evergreen trees shall not be utilized as street trees, however are acceptable within open space on a property.

This list is intended to be a general list of approved trees. Other tree species may be approved by the Village Arborist or Landscape Consultant.

All trees planted within the parkway or required planting zones shall have a minimum trunk diameter of 2.5 inches. Diameters shall be measured 6-inches above finish grade. All trees shall be first grade nursery stock with straight trunks, straight and live central leader and full well developed crown consistent with the species/variety.

It is in the Village's best interest to minimize the customization of landscaping that occurs around the base of parkway trees. The improper mounding of mulch, construction of planter boxes, the installation of paver or concrete edging around parkway trees and other improvements of such nature may be detrimental to the tree, and therefore, the Village Arborist shall have the authority to remove such improvements or require the removal of the improvements by the adjacent property owner at the property owner's expense. The property owner shall receive written notice of the violation and be provided five (5) days to correct the violation prior to removal by the Village Arborist.

12A.03(K)

K. ADMINISTRATION OF LANDSCAPING AND TREE PRESERVATION REGULATIONS.

1. *APPROVAL OF PLANS.* The Director of Community Development shall be responsible for approval of all plans required by this section. Any appeal from an order of the Director of Community Development shall be made to the Zoning Board of Appeals in accordance with the appeals section in Section 14 of the Zoning Ordinance.

2. *DEVIATIONS FROM REQUIREMENTS OF THIS SECTION.* The Village recognizes that, because of the wide variety of types of developments and the relationships between them, some flexibility in applying standards set forth in Sections 12A.02 and 12A.03 are appropriate as long as the intent of specified requirements are met. Whenever the Village allows or requires a deviation from the requirements set forth in this Section, such deviation should be included on the landscape plan, including the reasons for allowing or requiring the deviation from the requirements of this Section. Any requested deviations from the standards specified herein, must be approved by the Director of Community Development. If in the opinion of the Director of Community Development the deviation does not meet the intent of this Section, then a request for deviation shall be filed for the next available Plan Commission meeting. The Plan Commission shall make the final determination on the deviation request.

Recommendation:

Staff recommends approval of the proposed text amendment to the Landscaping section of the Zoning Ordinance.