

ORDINANCE NO. F-1445

AN ORDINANCE ESTABLISHING REGULATIONS THAT LIMIT THE PLACEMENT OF PLACARD SIGNS TO THE C-2 AND C-4 ZONING DISTRICTS (DOWNTOWN) AND THE C-1 ZONING DISTRICT (COLLEGE AVENUE) COMMERCIAL AREAS IN THE CITY OF WHEATON

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the public health, safety, durability, morals and general welfare of the citizens of the City to amend the City Zoning Ordinance to establish regulations that limit the placement of placard signs to the C-2 and C-4 Zoning Districts (Downtown) and the C-1 Zoning District (College Avenue).

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Wheaton City Council, acting as a hearing body on August 28, 2009 to consider said amendments establishing regulations that limit the placement of placard signs to the C-2 and C-4 Zoning Districts (Downtown) and the C-1 Zoning District (College Avenue) commercial areas in the City of Wheaton.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The Wheaton Zoning Ordinance text is amended by deleting Articles 23.8 and Article 23.9 in their entirety and replacing them with the following:

23.8 Additional Requirements of the C-2 and C-4 Zoning Districts.

The purpose shall be to create an environment for downtown shopping and business recognizing the different needs of the downtown as it pertains to property values, traffic control, business climate, public interest, and historical value.

1. **Additional Standards.** In addition to the foregoing requirements recited in this Article, the following additional standards shall also apply to the C-2 and C-4 Zoning Districts.
 - a. **Sign Color and Materials.** The color and materials of any sign shall be compatible and harmonious with the color, materials and age of the building identified by the sign, according to the reasonable approval of the City Manager.
 - b. **Internal Illumination.** All internally-illuminated signs shall have opaque background with only letters and logo illuminated. All internally-illuminated signs shall be mounted flush to the surface of the wall.
 - c. **Window Signs.** All permanent and temporary signs shall be limited to a total of twenty percent (20%) of the total window area, except for grocery stores/drug stores and vacant stores.
 - d. **Projecting Signs.** One (1) non-illuminated sign projecting more than twelve (12) inches from a building shall be permitted subject to the following standards:

- (1) The sign extends no more than four (4) feet from the building face.
- (2) Sign face does not exceed twelve (12) square feet on either side and has an area of no more than twelve (12) square feet.
- (3) Maintains a free clearance to grade of at least seven (7) feet.
- e. Ground Signs. Ground signs shall not exceed a height of fourteen (14) feet above grade.

2. Placard Signs. Businesses in the C-2 and C-4 Zoning Districts may display one (1) placard signs provided that:

- a. The sign portion of the placard is no larger than four (4) square feet and stands no higher than four (4) vertical feet.
- b. Placard signs shall be placed inside the principal structure before the close of the business day.
- c. Placard signs shall not be placed:
 - (1) Within fifteen (15) feet of any fire hydrant, emergency facility, intersecting driveway, alley or street;
 - (2) At any location where the width of paved area for the pedestrian passage is reduced to less than five (5) feet; or within five (5) feet of any marked crosswalk.
 - (3) On or within any parkway or median within any public right-of-way.

23.9 Temporary Signs.

No temporary sign shall be installed outdoors except under the following conditions:

1. Special Events Signs: On-Site. Temporary signs, banners, and displays for special events sponsored by churches, schools, or other similar institutions are permitted but must be located on property owned or controlled by the church, school, or institution, and may be displayed only during a period commencing thirty (30) days prior to and ending three (3) days after the scheduled event.
2. Special Events Signs: Off-Site. Temporary off-site signs advertising special events of community service organizations shall be permitted on property not controlled by the organization subject to the following regulations:

- a. A community service organization is defined as an entity, no part of the income of which is distributable to its members, directors, or officers and whose principal purpose is to provide services, financial assistance, or personnel for the benefit of the residents of the City of Wheaton.
- b. Signs for special events held within the City of Wheaton, sponsored by community service organizations, are permitted on private property other than public right-of-way, with the permission of the owner.
- c. The total number of signs shall not exceed ten (10), with each limited to sixteen (16) square feet.
- d. Each sign shall be securely affixed to the ground or maintained such that it cannot easily be removed.
- e. The signs may be displayed only during a period commencing thirty (30) days prior to, and ending three (3) days after, the scheduled event.
- f. There shall be not more than one (1) sign per lot, except that on a corner lot two (2) signs, one (1) facing each street, shall be permitted.
- g. A permit shall be obtained from the City of Wheaton prior to display. Written permission from the owner or owners of the property on which the sign is displayed shall be submitted with the application for the permit.
- h. The applicant for the permit shall pay a deposit of ONE HUNDRED DOLLARS (\$100.00) to the City of Wheaton as a condition precedent to the issuance of the temporary sign permit. In the event all temporary signs are removed within the time period provided for in the permit, the deposit fee shall be refunded to the applicant. In the event all temporary signs are not removed within the time period provided for in the permit, the City of Wheaton shall remove the temporary signs; and the deposit fee shall be forfeited by the applicant.

3. Real Estate Signs. Where more than six (6) dwelling units (or lots for dwelling purposes), located in the same subdivision, are offered for sale or rental by the same party, or where more than 2,500 square feet of a commercial or industrial building or lot is offered for sale or rent, there shall be permitted one (1) non-illuminated sign facing each public street providing access to the property being offered. Each such sign shall not exceed 32 square feet in area and must be devoted solely to the sale or rental of the property being offered. Signs shall be removed when less than six (6) units or 2,500 square feet remain for sale or lease.
4. Construction Signs. In connection with the construction of six (6) or more dwelling units or the construction or remodeling of a building of two thousand five hundred (2,500) square feet or more there shall be permitted one (1) non-illuminated sign not exceeding thirty-two (32) square feet in area indicating the names of any or all of the owners and future occupants and of the architects, engineers, and contractors engaged in the construction; on corner lots two (2) signs, one facing each street, shall

be permitted. Construction signs shall be removed at the time a permanent sign is installed or a certificate of occupancy is issued, whichever occurs first.

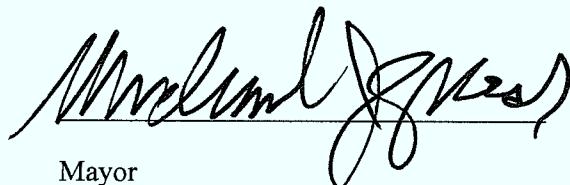
5. **Banners**. No banner or other fabric sign of any type may be installed except with a valid sign permit and in compliance with the following regulations:
 - a. All banners shall be constructed of heavy fabric with hemmed edges and metal grommets.
 - b. Horizontal banners of no more than thirty (30) feet long and no more than four (4) feet high shall be allowed on commercial structures provided that:
 - (1) No more than one banner shall be permitted at any given time and no more than one banner permit shall be issued within any consecutive six (6) month period to any single business.
 - (2) Banner is mounted abutting and flush to the building wall and secured at all four corners.
 - (3) Banner is removed thirty (30) days after the issuance of a sign permit.
 - c. Vertical banners, ornamental rather than informational nature, are permitted provided that:
 - (1) Banners shall be no larger than eight (8) feet long by three (3) feet wide and provide a minimum vertical clearance of nine (9) feet.
 - (2) Banners are secured by metal braces or frames running the width of the sign at the top and the bottom.
 - (3) Frames are secured to permanently mounted standards, such as a light pole.
 - (4) Banners carry no information on merchandise or price.
6. **Placard Signs**. Businesses in C-1 Commercial district may display one (1) placard sign provided that:
 - a. The sign portion of the placard is no larger than four (4) square feet and stands no higher than four (4) vertical feet.
 - b. Placard signs shall be placed inside the principal structure before the close of the business day.
 - c. Placard signs shall not be placed:
 - (1) Within fifteen (15) feet of any fire hydrant, emergency facility, intersecting driveway, alley or street;
 - (2) At any location where the width of paved area for the pedestrian passage is reduced to less than five (5) feet; or within five (5) feet of any marked crosswalk.

(3) On or within any parkway or median within any public right-of-way.

Section 2: This ordinance shall be cumulative of all provisions of the ordinances of the City of Wheaton, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 3: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST: Emily M. Donahue

Roll Call Vote:

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| Ayes: | Councilman Scalzo Councilman Suess Councilwoman Corry Councilman Levine Councilman Mouhelis Mayor Gresk Councilman Prendiville |
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Nays: None

Absent: None

Motion Carried Unanimously

Passed: September 8, 2009
Published: September 9, 2009