



**DEKALB CITY COUNCIL AGENDA
FEBRUARY 10, 2020
5:00 P.M.**

DeKalb Municipal Building
City Council Chambers
Second Floor
200 S. Fourth Street
DeKalb, Illinois 60115

COMMITTEE OF THE WHOLE

A. CALL TO ORDER AND ROLL CALL

B. APPROVAL OF THE AGENDA

C. PUBLIC PARTICIPATION

D. CONSIDERATIONS

1. Consideration of Suggested Revisions to Chapter 23 “Unified Development Ordinance”, Article 13 “Signs”.

City Manager’s Summary: The City staff have been working on a thoroughgoing revision and updating of the City’s sign codes for many months. The attached, redlined version of Article 13 of the Unified Development Ordinance (UDO) illustrates the extensive revisions that were necessary. Dan Olson has led this review process and deserves credit for the detailed and sometimes tedious comparison of the City’s sign provisions with those of other Illinois communities.

The review of the City’s sign codes was prompted, in part, by the need to belatedly bring the codes in line with a Supreme Court ruling (*Reed v. Town of Gilbert*, 2015) that held content-based restrictions unconstitutional. For example, size restrictions for wall signs on buildings can’t be different for stores advertising pizzas and churches marketing Lenten services. In addition, the City can’t deny mattress stores moveable text LED signs while permitting banks to employ such signage to advertise interest rates.

The principal revisions are described in categorical fashion, below:

Content Neutrality. As noted above, the main intent of the amendments is to make the regulations content neutral, so they are in the line with the U.S.

Assistive services available upon request.

Hearing assistance devices are available in the Information & Technology Office, which is located to the right, just before entering Council Chambers.

Supreme Court's judgment. The proposed revisions approach this issue by basing the sign regulations (height, size, location, number) on the zoning district in which the sign is located or the type of activity that is occurring on the property (e.g. property for sale or lease or property with construction activity).

Easier to Understand Regulations. Language has been simplified, unnecessary definitions were eliminated or modified, and a chart was added that contains the permanent wall and ground sign regulations for easy reference.

Increase Allowable Wall Sign Area for Businesses. We have proposed a modest increase in the allowable wall signage size from 1 times the frontage of a building/tenant space to 1.5 times the frontage of the building/tenant space. This will allow increased visibility for businesses and should be helpful for businesses substantially back from a roadway. A few of the planned development ordinances along Sycamore Road already allow wall signs for businesses far from the roadway to be 1.5 times the frontage of the building/tenant space. Moreover, in the "CBD" Central Business District wall signs are currently allowed to be 2 times the building/tenant frontage. There are no changes proposed for the CBD wall sign regulations.

The City staff have also proposed that projecting signs be allowed in the "LC" Light Commercial and "GC" General Commercial Districts in response to business requests. They are currently allowed only in the "CBD" Central Business District. We are also suggesting that the maximum size for wall signs on gas station and drive-through canopies be increased from 10 sq. ft. to 12 sq. ft. and the number of allowable signs be increased from two to three. The fact is that national and regional gasoline marketers have for years bombarded their stations with signage. This allows a slight increase from a reasonable past norm, while limiting the pop-up signage so often seen.

Allow Electronic Changeable Copy Signs with a Permit. Currently, electronic changeable copy signs (digital display signs) are prohibited, except for gas station pricing and time/temperature displays. This very restrictive standard ignores today's technology and the ubiquity of digital signage options. The City has approved electronic changeable copy signs for four locations (Toyota of DeKalb, Littlejohn School, Hillcrest Covenant Church and Clinton Rosette School) through a special use permit since 2016. We propose electronic changeable copy signs be removed from the prohibited sign list and allowed with a sign permit within all zoning districts except the "CBD" Central Business District and any Residential Zoning District (except for non-residential uses in the SFR1, SZF2, TFR and RC-1 Districts) with certain conditions being met. The criteria for electronic changeable copy signs would include a "display-time" minimum on changing messages of at least 5 seconds, based on evolving industry standards. In addition, the electronic changeable copy sign could take up no more than 50% of the sign or 40 sq. ft., whichever is less. In addition, regulations are proposed that duplicate the operational standards the City has

added in the special use permits for the recent electronic changeable copy signs such as limits on how messages can change, no flashing light, limitations on light intensity, and no advertising of off-site commercial messages.

Exempt Certain Non-Commercial Temporary Signs (On-Site and Off-Site) from a Permit. The sign regulations currently break down temporary signs into three categories:

- government agency,
- commercial/industrial, and
- religious/community service provider/theatre arts

These all require permits from the City prior to display. The maximum size allowed is 40 sq. ft. per sign and there is a limit of 14 days per permit (up to 6 permits per year or 84 total days). The regulations for these signs are based on content and need to be modified. For example, temporary commercial/industrial signs are not allowed to be located off-premises; however, the other two categories of temporary signs can be located off the property. The short time limit for temporary signage demands more time than is available for the limited code enforcement staff to effectively police. It also aggravates local businesses that may run a sale for more than two weeks.

The City staff propose temporary non-commercial ground or wall signs not exceeding 16 feet on residential zoned properties and 40 square feet on commercial or industrial-zoned properties be exempt from a sign permit as long as they meet size, height and display duration standards. We are proposing these temporary non-commercial signs be displayed no more than 90 days in a calendar year (currently 84-day maximum) and removed no more than 7 days after the event they are advertising. This provision would technically allow off-site non-commercial signs and replicate the current allowance for government agencies and religious/community service provider/theatre arts organizations to have off-site temporary signs with a permit. This provision would also cover political campaign signs.

Temporary commercial signs will still require a permit and will be restricted to the property on which the business is located. The number of days temporary signage can be displayed per calendar year will be increased from 84 to 90 days.

Clarify Measurement for Wall Signs. In line with sign code provisions elsewhere, language is proposed that clarifies how the area of a ground sign and wall sign is calculated. Items such as the sign base, architectural features, framing, or the color background of a sign will not be included in the calculation of the allowable square footage of a sign. For cabinet or box wall signs, the entire area of the cabinet or box sign would be included in the overall square

footage of the sign. Images will be added to the code that visually describe how measurements are to be calculated.

Allow Variances for Signs Instead of a Special Use Permit or Planned Development. The sign regulations currently dictate there are no waivers (variances) to the sign code unless they are a condition of a Special Use Permit or Planned Development Ordinance. We propose that variances for signs should be administratively reviewed under the current variance procedures in Article 18 of the UDO. In conjunction with this amendment, we propose a change in Article 18 to add language allowing applications to vary sign height, size or location requirements.

Increase Allowable Window Signage. The current regulations allow window signs not to exceed 40% of a window area and only 25% of a window if it's a neon sign. This regulation has been hard to enforce and involves two different types of signs. We are proposing the maximum window sign coverage be raised to 50% for any sign and modified to make clear how the allowable window area is measured (e.g. all the window area vs. only the windowpane).

Recommendation

City Council direction is invited. With Council direction, the proposed text will be revised and a public hearing will be scheduled in front of the Planning and Zoning Commission. The Commission's recommendation after the hearing will be forwarded to the City Council for final action. The City staff will also share the proposed amendments with our business community for their review and comment. ([Click here for additional information](#))

E. EXECUTIVE SESSION

None.

F. ADJOURNMENT

[FULL AGENDA PACKET](#)