



VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org

Meeting Agenda

Committee of the Whole

Village President Keith Pekau

Village Clerk John C. Mehalek

*Trustees, Kathleen M. Fenton, James V. Dodge, Jr., Daniel T. Calandriello,
William R. Healy, Cynthia Nelson Katsenes, and Michael R. Milani*

Monday, October 5, 2020

6:00 PM

Village Hall

A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES

[2020-0659](#) Approval of the September 21, 2020, Committee of the Whole Minutes

Attachments: [Draft Minutes](#)

D. ITEMS FOR SEPARATE ACTION

1. [2020-0656](#) 2020 Land Development Code Amendments II

Attachments: [2020 LDC II Amendment Report](#)
[Exhibit A](#)
[Exhibit B](#)

2. [2020-0682](#) Ordinance Amending Title 7 Chapter 16 (Raffles) of Orland Park Village Code

Attachments: [Ordinance](#)

3. [2020-0673](#) Picnic Tables/Super Cooker/Barricade Rentals

E. NON-SCHEDULED CITIZENS & VISITORS

F. ADJOURNMENT

DATE: October 5, 2020

REQUEST FOR ACTION REPORT

File Number:	2020-0659
Orig. Department:	Village Clerk
File Name:	Approval of the September 21, 2020, Committee of the Whole Minutes

BACKGROUND:

BUDGET IMPACT:

REQUESTED ACTION:

I move to approve the Minutes of the Regular Meeting of the Committee of the Whole of September 21, 2020.

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Meeting Minutes

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*Trustees, Kathleen M. Fenton, James V. Dodge, Jr., Daniel T. Calandriello,
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CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:01 P.M.

Present: 7 - President Pekau; Trustee Fenton; Trustee Dodge; Trustee Calandriello; Trustee Healy; Trustee Nelson Katsenes and Trustee Milani

PLEDGE OF ALLEGIANCE**APPROVAL OF MINUTES****2020-0634 Approval of the September 8, 2020 Committee of the Whole Minutes**

I move to approve the Minutes of the Regular Meeting of the Committee of the Whole of September 8, 2020.

A motion was made by Trustee Fenton, seconded by Trustee Calandriello, that this matter be APPROVED. The motion carried by the following vote:

Aye: 7 - President Pekau, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

ITEMS FOR SEPARATE ACTION**2020-0618 Pocketed Annexation - Review of Unincorporated Property**

In 2007, the Development Services Department conducted an analysis of unincorporated land within and adjacent to the Village's boundaries. The goal of the study was to determine if there was value in annexing additional properties. The properties were evaluated on a set of criteria that included an analysis of existing conditions, including: available utilities, floodplain, floodway, access, existing topography, wetlands, property maintenance issues, and whether the property could be voluntarily or involuntarily annexed.

The Illinois Compiled Statutes set out numerous provisions that can be utilized to involuntarily annex adjoining properties. If any of these conditions are applicable, the Village can annex the qualifying property without the consent of the owner. However, if this takes place the Village cannot impose conditions on the property and must allow the current use to exist until such time that the property is redeveloped or changes use.

If an owner chooses to voluntarily annex, then the Village has the opportunity to impose specific conditions of annexation that would bring the property into compliance with current Village code requirements.

The Development Services Department recently reviewed the results of the previous annexation study to determine if there were properties still available for

annexation that would benefit the Village. Properties were ranked based upon their priority and benefit to the Village. They are ranked as either high priority, medium priority or do not pursue.

High priority annexations include properties that are candidates for involuntary annexation which would also create a more unified boundary for the Village. Medium priority annexations would include areas that could be annexed, but would not necessarily provide significant benefit to the Village. This would include properties that may already be a part of ComEd right-of-way and are thus undevelopable. The do not pursue category identifies properties that could be annexed, but would bring with them specific issues that would cause the Village to expend additional resources in order to bring the properties into compliance. These do not pursue properties may also come with long-term maintenance costs.

The analysis removed those properties that were already annexed since 2007. Staff is seeking direction from the Committee of the Whole to pursue a full updated analysis. In addition to Development Services, this analysis would need to include cooperation with other Village departments (PW, Finance, Police, etc.) in order to determine the availability of utilities and the potential revenue increase from annexing the property.

After the analysis is completed, the Development Services Department will prepare reports for the Plan Commission and provide recommendations for each of the listed properties. These properties will then be presented to the Village Board of Trustees to approve formal recommendations and direct staff to pursue voluntary or involuntary annexation for each respective property.

Trustee Dodge and Mayor Pekau made comments. (refer to audio)

Development Services Director Ed Lelo presented the item. (refer to audio)

Trustee Dodge made a comment. (refer to audio)

Director Lelo responded to Trustee Dodge's comment. (refer to audio)

Trustee Milani asked a question. (refer to audio)

Director Lelo responded to Trustee Milani's question. (refer to audio)

Trustee Dodge and Director Lelo made comments. (refer to audio)

Trustee Calandriello and Director Lelo made comments. (refer to audio)

Mayor Pekau made comments. (refer to audio)

I move to direct staff to analyze and update the 2007 annexation plan and present

the findings to the Village of Orland Park Plan Commission for formal presentation and recommendation to the Village Board of Trustees.

A motion was made by Trustee Dodge, seconded by Trustee Healy, that this matter be APPROVED. The motion carried by the following vote:

Aye: 7 - President Pekau, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

2020-0648 First Amendment to the Oak Lawn Regional Water System

As the Board is aware, the Oak Lawn Regional Water System (RWS) delivers Chicago water to the Village of Orland Park and other local southwest and southeast communities through the Village of Oak Lawn. In 2013, the RWS Supply and Service Agreement between the Village of Oak Lawn and the communities to which Oak Lawn provides water was finalized. This agreement included the design and construction of a fully redundant secondary transmission line which will deliver water needs to the southwest and southeast communities in the event of a catastrophic failure of the present transmission line, as well as other improvements to the water distribution system. It also provides the participating communities the ability to meet future water demands. Engineering and construction of several segments of the project have already been completed or are currently under way.

On September 9, 2020, as part of an update for participating customer communities, staff participated in a RWS meeting. The purpose of the meeting was to inform the Mayors of each of the respective customer communities on project status, as well as to discuss a much-needed amendment to the existing agreement in order to complete engineering and construction of the RWS approved improvements. To date, the RWS approved program cost is approximately \$216 million; however, due to multiple factors and delays, the project requires additional capital infusion to complete as intended.

Attached to the Committee packet is a copy of the handout presentation and supplemental documentation for the project. The presentation provides more details regarding the project, and the specifics to the amendment needed to move forward.

The following are the next steps for this project:

1. Approval of ordinances by each customer community to the RWS Water Sale, Purchase and Service Agreement. This ordinance needs to be approved prior to the deadline for amendment approval is October 31, 2020.
2. The Project Design Team will continue to complete various design packages and solicit bids.
3. The anticipated overall project completion timeline is 2024.

Village Manager George Koczwara presented an overview of the item. (refer to audio)

Programs and Engineering Services Director Khushid Hoda presented current status of item. (refer to audio)

Village Manager Koczwara made comments. (refer to audio)

Trustee Dodge made a comment and asked a question. (refer to audio)

Director Hoda responded to Trustee Dodge's question. (refer to audio)

Mayor Pekau asked a question and Director Hoda responded. (refer to audio)

Amrou Atassi of C.D.M. Smith made a comment and responded to Mayor Pekau's question. (refer to audio)

Director Hoda made a comment. (refer to audio)

Trustee Dodge made additional comments. (refer to audio)

Mayor Pekau made a comment. (refer to audio)

I move to recommend to the Village Board approval of the First Amendment to the Oak Lawn Regional Water System.

A motion was made by Trustee Healy, seconded by Trustee Nelson Katsenes, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

ADJOURNMENT: 6:34 P.M.

A motion was made by Trustee Fenton, seconded by Trustee Healy, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 7 - President Pekau, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

2020-0655 Audio Recording for the September 21, 2020, Committee of the Whole Meeting

NO ACTION

/LI

Respectfully Submitted,

John C. Mehalek, Village Clerk

REQUEST FOR ACTION REPORT

File Number: **2020-0656**
Orig. Department: **Development Services Department**
File Name: **2020 Land Development Code Amendments II**

BACKGROUND:

QUICKFACTS

Project

2020 Land Development Code Amendments II - 2020-0656

Petitioner

Development Services Department

Purpose

The purpose of the proposed amendments is to update and clarify the Land Development Code.

Requested Actions: Land Development Code Amendments

Topics

Update to the Sign Code
Update to Outdoor Seating Area Requirements
Update to Sanitary Manhole Installation Requirements
Update to As-Built Electronic Data Requirements
Update to Storm Sewer and Storm Water Detention Design Standards for Rainfall Intensity
Update to Allow Unshielded Accent Lighting on Non-Residential Properties Facing Interstate 80
Update to Fence Requirements
Update to Establish Requirements for Privately-Owned Detention Ponds for New Developments

Project Attributes (Sections to be Amended)

Section 2-102 Definitions
Section 5-112 Development and Subdivision Requirements
Section 6-207 BIZ General Business District,
Section 6-210 COR Mixed Use District
Section 6-211 ORI Mixed Use District
Section 6-212 Village Center District
Section 6-302 Accessory Structures and Uses
Section 6-307 Signs
Section 6-308 Design Standards
Section 6-310 Fences
Section 6-315 Exterior Lighting
Section 6-408 Sanitary Sewer System
Section 6-409 Storm Sewers and Storm Water Detention

Exhibits

Exhibit A - Section 6-307 Signs - Proposed Amendments
Exhibit B - Table 6-302.C.1 (A) - Attached Accessory Structures and Table 6-302.C.1(B) - Detached Accessory Structures

OVERVIEW AND BACKGROUND

The second round of Land Development Code Amendments for 2020 is presented in the attached Amendment Report to the Plan Commission. The Amendment Report, titled “2020 Land Development Code Amendments II - Amendment Report to the Plan Commission”, contains various amendments to the sections identified above.

The Amendment Report contains the full narrative explanation for each amendment followed by the respective Code changes. Language with a strike-out indicates elimination from the Code. In all cases, language that is bolded and in red (**red**) indicates proposed addition to the Code.

PLAN COMMISSION DISCUSSION

A public hearing was held before the Plan Commission on September 29, 2020. There were no members of the public present. A summary of the items discussed at the public hearing is included below:

Flagpoles and Flags

Staff presented the proposed amendments to flagpole regulations. Commissioner Zomparelli asked if there were any regulations for lighting flags and flag poles. Staff commented that the Land Development Code currently includes general lighting standards, such as prohibiting flashing lights or strobe lights. Commissioner Zaatar asked what the formal process is for staff to review proposed flag poles on properties to ensure the Village’s code requirements are met. Staff has revised the proposed regulations to include a reference that requires flags and flag poles to meet the existing lighting standards listed in Section 6-315 (Exterior Lighting) and Section 6-307 (Signs). Lighting must be shielded and directed away from the public right-of-ways and adjacent properties. The proposed amendments have also been updated to state that all new freestanding, ground-based flagpoles shall be reviewed and approved administratively via an Appearance Review by the Development Services Department in accordance with Section 5-106 (Appearance Review) or approval of Elevations in accordance with Section 5-101 (Development Review Procedures). A building permit shall be obtained through the Development Services Department prior to the installation or construction of any freestanding, ground-based flagpole.

Sign Code

Staff provided an overview of the amendments to the Sign Code and clarified questions from the Commission. There was a discussion if the proposed changes to temporary signs included real estate signs and political signs. Staff commented that those types of signs are currently included in signs exempt from obtaining a permit subject to meeting the regulations listed in the Sign Code. The proposed changes are for temporary signs requiring a permit from the Development Services Department. The proposed changes are intended to provide stronger content-neutral regulations that do not violate the Supreme Court Decision in *Reed v. Town of Gilbert*.

The Commission also asked for clarification on the proposed changes to prohibited signage on commercial vehicles. The proposed amendment is intended to assist with code enforcement and clarify regulations for signage on commercial vehicles used for daily operations or during the regular course of business versus vehicles not used for daily operations and are just parked or stored on-site as a means to display a sign or advertise for a business. The proposed changes will allow for commercial signs displayed on vehicles used for the daily operations of a

business provided that the vehicles are parked or stored on private property in a location farthest away from the public right-of-way or in the least visible location from the public right-of-way, as determined by the Development Services Department.

Unshielded Accent Lighting (LED Rope and Band Lighting) for Non-Residential Properties Abutting Interstate 80

Commissioner Zomparelli asked for clarification on the type of unshielded lighting proposed. Staff presented sample photos showing the proposed LED rope lighting provided by the commercial developer of a building currently under construction that abuts I-80 and who has requested an amendment to allow for unshielded LED rope lighting. Commissioner Paul asked for clarification on the proposed regulations to allow LED rope or banding lighting to only be installed horizontally on a building façade and that all unshielded accent lighting shall not be allowed to outline building elements, such as doors and windows. The intent of the proposed regulations is to ensure that the unshielded rope lights are utilized only as an accent and will not outline every single portion of a building's architectural features or elements. The proposed language also intends to ensure that only continuous, non-blinking light sources that highlight a building facade or other architectural features are allowed.

There was a discussion on if the proposed changes should only be limited to the I-80 area or should be allowed in other areas of the Village. The proposed changes are being presented by staff for discussion as a result of a request from a commercial developer of a building currently under construction that abuts I-80. Staff stated that the intent of the code amendment is to allow for a pilot program for unshielded rope lights in a specific area of town to evaluate the impacts of the proposed amendment. The code change would also help to draw more attention specifically to the I-80 corridor.

Several Commissioners suggested that allowing unshielded LED rope lighting in other commercial areas of the Village should be considered. There was a discussion that LED rope lighting was previously installed at Palos Hospital, which was included on their plan set, but was missed during the review. One of the Commissioners noted that this lighting was attractive and done nicely.

Commissioner Murphy noted that LED rope lighting can be done tastefully, however, there may be issues with tenants using different colors or designs of lights in the same multi-tenant shopping center. The proposed language has been revised to include an additional requirement that a unified, consistent, and harmonious light design and color shall be applied to all eligible facades on a building. Individual tenants within a multi-tenant building shall not install different types, designs, or colors of unshielded LED ropes or bands.

Commissioner Zaatar also commented that the proposed code language could also be revised to require a review on a case by case basis to ensure all code requirements are met. The proposed language has been revised to state that all unshielded LED rope lighting shall be reviewed and approved administratively via an Appearance Review by the Development Services Department in accordance with Section 5-106 (Appearance Review) or approval of Elevations in accordance with Section 5-101 (Development Review Procedures).

Establish Requirements for Privately-Owned Detention Ponds for New Developments in the Village

Staff provided an overview of the proposed amendments to require new detention ponds to be privately-owned and maintained for all new developments and clarified questions from the Commission.

The Village's standard practice has been to accept ownership and long-term maintenance of detention ponds for residential subdivisions after final acceptance of the pond by the Village. After the construction of a detention pond, it is inspected for compliance and must adhere to the 3-year maintenance and monitoring plan. If the inspections are passed in each of the first 3 years, the Village will accept ownership and long-term maintenance of the pond for a residential project.

The proposed code changes state that the Village will no longer take ownership of detention ponds for new developments. Detention ponds will be approved based on the same process and criteria currently held by the Village, however, they will not be accepted by the Village for long-term maintenance. The maintenance will be the responsibility of the property owner. A home owner's association (HOA) and a special service area (SSA) must be established for new subdivisions for the maintenance of stormwater drainage facilities. In the event that the HOA, for any reason, not be able to fulfill the maintenance responsibilities, the required work will be completed by the Village and the costs will be recouped when the SSA is activated. Staff will evaluate how to ensure privately-owned ponds are continually maintained over time, potentially through regular inspections or documentation provided by an HOA.

The intent of the code is to reduce the long-term maintenance costs accepted by the Village for future developments. The Village is one of the only communities that continues to accept ownership and maintenance of new ponds. The proposed changes would not apply to existing developments.

Commission Zaatar commented that many of the new developments have not been able to meet the Village's code requirements for pond slopes or setbacks. Developers have consistently asked for variances to the code to accommodate the proposed plans. These variances have been evaluated on a case by case. There was a discussion if the code requirements should be re-evaluated if most developments cannot or do not meet the code requirements.

PLAN COMMISSION MOTION

On September 29, 2020, the Plan Commission moved, by a vote of 6-0, to recommend to the Village Board of Trustees to accept as findings of fact of the Plan Commission the findings of fact set forth in the staff report, dated September 29, 2020, and recommended to approve the Land Development Code amendments for Section 2-102, Section 5-112, Section 6-207, Section 6-210, Section 6-211, Section 6-212, Section 6-302, Section 6-307, Section 6-308, Section 6-310, Section 6-315, Section 6-408, and Section 6-409, as presented in the attached Amendment Report titled "2020 Land Development Code Amendments II - Amendment Report to the Plan Commission" and associated exhibits, prepared by the Development Services Department and dated September 29, 2020.

This case is now before the Committee of the Whole for recommendation prior to final consideration by the Board of Trustees.

BUDGET IMPACT:

REQUESTED ACTION:

I move to recommend to the Village Board of Trustees approval of the 2020 Land Development

Code Amendments II, as recommended at the September 29, 2020, Plan Commission meeting, and as fully referenced below.

THIS SECTION FOR REFERENCE ONLY - (NOT NECESSARY TO BE READ)

I move to recommend to the Village Board of Trustees to approve the Land Development Code amendments for Section 2-102, Section 5-112, Section 6-207, Section 6-210, Section 6-211, Section 6-212, Section 6-302, Section 6-307, Section 6-308, Section 6-310, Section 6-315, Section 6-408, and Section 6-409, as presented in the attached Amendment Report titled “2020 Land Development Code Amendments II - Amendment Report to the Committee of the Whole” and associated exhibits, prepared by the Development Services Department and dated October 5, 2020.

2020 LAND DEVELOPMENT CODE AMENDMENTS II

Amendment Report to the Committee of the Whole
Development Services Department
October 5, 2020

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EXHIBITS

Exhibit A – Section 6-307 Signs – Proposed Amendments

Exhibit B - Table 6-302.C.1(A) - Attached Accessory Structures and Table 6-302.C.1(B) – Detached Accessory Structures

KEY

- Text with ~~strikethrough~~ to be deleted.
- Text in **red and bolded** to be added.

AMENDMENT SUMMARY

SECTION 6-307 (SIGNS)

- Language is deleted and added to provide new regulations for temporary signs
- Language is revised to clarify requirements for signs on commercial vehicles
- Language is added to clarify the required sign base material for permanent ground signs
- Language is revised to clarify requirements for branding without copy, including murals and public art
- Language is added to include regulations for exempt incidental and miscellaneous information signs
- Language is revised to clarify electrical code requirements and components

SECTION 6-302.C.12 (ACCESSORY STRUCTURES AND USES)

- Language is revised to update the regulations for flag poles and flag sizes on residential and non-residential lots

SECTION 6-102 (DEFINITIONS)

- Language is deleted to remove old definitions used under the previous sign code and now replaced in Section 6-307

AMENDMENT EXPLANATION

The proposed amendments to Section 6-307 clarify regulations within the Sign Code. After reviewing sign permit applications using the new Sign Code, staff found that some regulations required clarification for consistent administration of the code. Revisions are added for clarifying requirements for electrical fixtures and components, tenant panels in multi-tenant signs in each sign district, construction materials for permanent ground signs, branding without copy, prohibited signage on commercial vehicles, and directional signage. Language is also deleted from Section 6-102 (Definitions) to remove old definitions used under the previous sign code and that were previously replaced in Section 6-307.

A new sign type, incidental signs and miscellaneous information signs, are added to the list of signs exempt from obtaining a sign permit. Incidental signs shall be no larger than four (4) square feet in size and shall not include commercial advertising intended to be viewed off the premises on which the sign is located.

The requirements for flags and flag poles are also revised under Section 6-302.C.12. Currently, the Land Development Code has the following provision regarding flagpoles in the Village: Flagpoles, May be permitted in front, side, or rear setbacks, but no more than ten feet (10') from the front of a building, no higher than eighteen (18) feet, and the flag shall be no larger than twenty-five (25) square feet. No more than one (1) flagpole is permitted per residential lot. Recently, the Village has received several requests from commercial developers to install flag poles that are taller and flags that are larger than what is currently allowed. Allowing increased height and flag area would be appropriate for the commercial corridors and would make the Village's regulations consistent with what is allowed in other municipalities.

Additionally, new regulations are proposed for temporary signage based on a discussion for possible amendments to the Sign Code held at the Committee of the Whole meeting on July 20, 2020. Per Section 6-307.G, the following temporary signs are allowed with a valid temporary sign permit: 1) Wall Signs (Banners), and 2) Ground Signs (Banners/Temporary Dual Post Sign or Inflatables). Each type of temporary sign is subject to additional regulations based on if they are associated with residential or non-residential land uses, including maximum number, size, height, and other design requirements. The allowable duration for the display of each type of temporary signs is based on specific types of circumstances, including coming soon, grand opening, store closing, temporary or seasonal use, prior to installing a permanent sign, and special events.

In 2015, the United States Supreme Court Decision in *Reed v. Town of Gilbert*, clarified that the Village has the authority to regulate signage based solely only upon time, place, and manner restrictions unless the regulation furthers a compelling government interest. Signs may not be regulated based on the content of the message contained on the sign. Therefore, it is appropriate to revisit the regulations in the current sign code to confirm that the Village is not violating the First Amendment, or the precedent created by this Supreme Court ruling. The current code requirements have made it difficult to interpret specific circumstances for all situations and as a result have added to review times.

The proposed amendment removes the existing language that regulates the allowable duration that temporary signs can be displayed based on specific criteria or circumstances. Under the proposed amendment, the categories for circumstances for temporary signage are removed. All residential and non-residential uses will be granted six (6) permits located on the same lot within the calendar year. A temporary sign permit shall be valid for a maximum period of seven (7) days. A temporary sign displayed for less than seven (7) days constitutes a one-week period. Such permits may be issued in any combination not to exceed eight (8) permits per calendar year for a total of forty-two (42) days running concurrently. Only (1) temporary sign shall be permitted for and displayed by the same business, establishment, or single residential lot at any one point in time. There are no proposed changes to the size and height requirements previously adopted for temporary wall signs (banners) and temporary ground signs (dual post signs / banners).

Under the current code, a business would be allowed to post a coming soon sign (14 days), grand opening sign (14 days), and sign prior to installing a permanent sign (14 days) within the same year, amounting to total of forty-two (42) days. Temporary signs for store closings, special events, or temporary/seasonal uses are granted additional display time. If the business closes, they store closing sign is allow for 30 days. Special event signs are currently allowed for the duration of the special event. Temporary or seasonal uses are allowed to post a sign for 90 days or the duration of the use, whichever is less.

To account for special events, temporary or seasonal uses, and grand openings, the proposed amendments include exceptions for allow additional display time. For example, signage for a seasonal use or special event (such as a Halloween store or Christmas tree sales) may require additional time beyond the forty-two (42) days allowed for all temporary signs due to the nature of the business or event. The Development Services Department may extend the allowable duration of display for special events and temporary or seasonal uses depending on the duration of that use. A letter requesting additional display time must be submitted as part of the temporary sign permit application.

Some municipalities also allow additional time for a new business to post a grand opening sign in addition to the standard duration for temporary signs allotted per calendar year, including the Village

of Schaumburg which allows for an additional two (2) weeks. As part of the proposed amendments, one (1) additional temporary grand opening sign may be granted for a maximum of fourteen days (14) after a new business opens for the first time at a physical location within the Village and receives a Certificate of Occupancy per calendar year. A grand opening sign must be applied for and erected within sixty (60) days immediately following the issuance of a full or temporary Certificate of Occupancy. Currently, inflatable signs are allowed as part of a grand opening sign and may be permitted for a maximum of fourteen (14) days. The regulations included in the code amendment will continue to allow inflatable signs only as part of an approved grand opening sign permit.

PROPOSED AMENDMENT TEXT

SECTION 6-307 (SIGNS)

The proposed amendments to Section 6-307 are displayed in **red text** within the attached **Exhibit A - Section 6-307 Signs - Proposed Amendments** dated 9/29/2020.

SECTION 6-302.C.12 (ACCESSORY STRUCTURES AND USES)

~~12. **Flagpoles:** May be permitted in front, side, or rear setbacks, but no more than ten feet (10') from the front of a building, no higher than eighteen (18) feet, and the flag shall be no larger than twenty five (25) square feet. No more than one (1) flagpole is permitted per residential lot.~~

12. Flagpoles and Flags. Flags may be erected and maintained only in accordance with the following:

a. General Requirements.

1. Flags shall be of a permanent nature and displayed on flagpoles designed and constructed specifically and exclusively for flag display. No flag shall be displayed or attached in any manner to light poles, sign poles, trees, or similar structures or objects.
2. Flagpoles shall be permitted in the front, side, or rear setbacks.
3. Flagpoles shall maintain a minimum setback of ten (10) feet from any property line.
4. Flags shall be displayed in such a manner that no portion of the flag shall project over any property line or contact any structure when fully extended.
5. Flags shall not be roof-mounted.
6. Flags shall be maintained in an orderly fashion and in good condition. Tattered or torn flags shall be removed or replaced.
7. Federal, state, and local government agencies are exempt from the provisions of this Section.
8. Flags may be externally illuminated in accordance with the requirements listed in Section 6-315 (Exterior Lighting) and Section 6-307 (Signs). Lighting shall be shielded and directed away from public right-of-ways and adjacent properties.
9. For all lots, a maximum of four (4) wall-mounted flags shall be permitted. Wall-mounted flag poles shall not exceed ten (10) feet in length, and such poles shall not extend above the roofline.

- b. Approval Process. All new freestanding, ground-based flagpoles shall be reviewed and approved administratively via an Appearance Review by the Development Services Department in accordance with Section 5-106 (Appearance Review) or by approval of Elevations in accordance with Section 5-101 (Development Review Procedures). A building permit shall be obtained through the Development Services Department prior to the installation or construction of any freestanding, ground-based flagpole.

- c. Residential Lots. A maximum of one (1) freestanding, ground-based flagpole shall be permitted per residential lot. The height of the flagpole shall not exceed twenty (20) feet. The gross surface area of a flag shall not exceed twenty-four (24) square feet in size.
- d. Non-Residential Lots. A maximum of three (3) freestanding, ground-based flagpoles shall be permitted per non-residential lot. The height of the flagpole shall not exceed thirty-five (35) feet. The gross surface area of a flag shall not exceed sixty square (60) square feet in size.

SECTION 6-102 (DEFINITIONS)

- ~~**Attention-Getting Device** means a flag, propeller, spinner, streamer, search light or similar device or ornamentation which is designed or used for the purpose of promoting, advertising, or attracting attention for commercial purposes.~~
- ~~**Bulletin Board** means a freestanding sign which displays public messages.~~
- ~~**Copy Area** means the area in square feet of the smallest geometric figure which describes the area enclosed by the actual copy of a sign. For fascia signs the copy area limits refer to the message, not to the illuminated background.~~
- ~~**Nameplate** means a sign which displays only the name and/or street address of the occupant.~~
- ~~**Sign** means any object, device, display or structure, or part thereof, which is used primarily to advertise, identify, display or direct or attract attention to an object, person, establishment, product, service, event or location by any means including, without limitation, words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images, visible beyond the boundaries of the lot or parcel on which they are situated or visible from any public thoroughfare or right of way. This includes, but is not limited to, wall signs, freestanding signs, ground signs, window signs, awning or canopy signs, marquees, changeable copy signs, message boards, illuminated signs, moving signs, temporary signs, portable signs, pennants, banners, streamers or any other attention-getting device, flag, or other display, whether affixed to a building or erected elsewhere on the premises. The term "sign" excludes those features of a building which are an integral part of the building's design and structure.~~
- ~~**Sign, Animated** means any sign which includes action or motion.~~
- ~~**Sign, Banner** means a temporary non-rigid sign composed of lightweight material on the wall of the building's tenant space, mounted in the ground, or securely attached to the existing ground sign. (Ord. 4574 – 7/6/10; Amd. Ord. 4610 – 12/20/10)~~
- ~~**Sign, Canopy or Awning** means any sign which is affixed to, painted on or suspended from a roof-like shelter, either permanent, retractable, or removable, which is self-supporting and provides protection from sun, rain, snow and other elements.~~
- ~~**Sign, Copy, Changeable or Message Board** means a time and temperature sign on which the copy changes automatically on a lampbank, or any sign whose copy is changed manually in the field in or upon the surface area of the sign. (Ord. 2746 – 6/5/95)~~
- ~~**Sign, Directional** means a sign which directs or guides persons to an establishment or to facilities intended to serve the public, including entrances, exits, restrooms, public telephones, walkways, parking areas, full-service and self-service gasoline pumps, and similar facilities, but which does not identify the establishment itself or other goods or services available at the establishment and does not contain other advertising messages.~~
- ~~**Sign, Flashing** means any sign which contains an intermittent or flashing light source, or which produces the illusion of intermittent or flashing light.~~
- ~~**Sign, Freestanding** means a sign which is completely or principally supported by one (1) or more post or other support of which 30% is visually or physically attached to the ground, which is not attached to the principal building on the property, and is anchored in or upon the ground. This shall include, but not be limited to, signs attached to poles or supports for lights, canopies, and other items or structures. (Ord. 3281 – 8/16/99)~~

- **Sign, Height** means the vertical distance measured from the natural grade at the base of the sign support to the highest point of the sign.
- **Sign, Hologram** means a three-dimensional picture that is made on a photographic film or plate without the use of a camera, that consists of a pattern of interference produced by a split coherent beam of light and which for viewing is illuminated with a coherent light from behind.
- **Sign, Identification** means a sign which states the name of the business or establishment, including either the national company or local proprietor, and/or the address of a building.
- **Sign, Illuminated** means any sign which emanates light either by means of exposed tubing or lamps on its surface or by means of illumination transmitted through the sign lettering only. (Ord.2959 -11/18/96)
- **Sign, Indirectly Illuminated** means any sign which reflects light from a source intentionally directed upon it, for example by means of a flood light.
- **Sign, Nonconforming** means any sign which was lawfully erected and maintained prior to the adoption and effective date of these regulations and any amendments hereto, which fails to conform to all applicable regulations and restrictions of this Code, or a sign previously deemed to be nonconforming for which a special permit has been issued.
- **Sign, Off-Premises (Off-Site Sign)** means any sign that identifies a business, person, activity, goods, products, services or facilities or that directs persons to a different location from where the sign is located.
- **Sign, On-Premises (On-Site Sign)** means any sign that identifies a business, person, activity, goods, products, services or facilities that is located on the same premises as the sign itself.
- **Sign, Portable** means any sign that is not permanently attached to the ground, a structure, or a building and which is designed to be transported to another location.
- **Sign, Projecting** means any sign that is attached to a wall in a perpendicular manner.
- **Sign, Public** means a sign of a non-commercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of a public duty, such as official signs and notices of any public or governmental agency, or erected by or on the order of a court or public officer, including official traffic signs authorized by the Illinois Revised Statutes or the Illinois Vehicle Code.
- **Sign, Temporary** means a sign which contains information which is not of a permanent character. Such signs include, but are not limited to, political signs, garage sale signs and real estate signs.
- **Sign, Wall or Facia** means any sign attached to or erected against a wall of a building or structure with the exposed face of the sign in plane approximately parallel to the plane of the wall.
- **Sign, Window** means a sign that is installed inside, painted upon or placed against a window for purposes of viewing from outside the premises, not including merchandise located in a window display.
- **Sign Area** means the entire area of all sign faces, cumulatively, including sign faces on which no copy is currently displayed.
- **Sign Face** means that part of the sign which is or can be used to identify, to advertise, to communicate information, or for visual representation which attracts the attention of the public for any purpose. This shall include any background material, panel, trim, color, and direct or self-illumination that differentiates the sign from the building, structure, backdrop surface, or object upon or against which it is placed. This shall not include any portion of the support structure for the sign, provided that no message, symbol, or any of the aforementioned sign face criteria is placed on or designed as part of the support structure.

AMENDMENT SUMMARY

Section 6-207.B.21 and 6-207.C.20 (BIZ GENERAL BUSINESS DISTRICT)

- Language for outdoor seating area requirements is removed

Section 6-210.B and 6-210.C (COR MIXED USE DISTRICT)

- Language for outdoor seating area requirements is removed

Section 6-211.B and 6-211.C (ORI MIXED USE DISTRICT)

- Language for outdoor seating area requirements is removed

Section 6-212.E.6 (VCD VILLAGE CENTER DISTRICT)

- Language for outdoor seating area requirements is removed

Section 6-302.C (ACCESSORY USES AND STRUCTURES)

- Outdoor seating areas is added to Table 6-302.C.1(A) - Attached Accessory Structures and to Table 6-302.C.1(B) – Detached Accessory Structures (Proposed Amendments included in **Exhibit B**)

Section 6-302.C.I (ACCESSORY USES AND STRUCTURES)

- A new subsection is added to the list of Accessory Structures and Uses for outdoor seating areas that will provide for rules and regulations, as well as consolidate requirements previously located in different zoning districts

AMENDMENT EXPLANATION

An amendment is proposed to remove the requirements for outdoor seating areas listed in the BIZ, OOH, COR, ORI, and VCD Districts and consolidate the regulations in Section 6-302 (Accessory Structures and Uses). The intent of this update is to reorganize the requirements into a singular location to provide for greater clarity and ensure consistency between districts with regards to updating outdoor seating area requirements.

Currently in the code, outdoor seating area requirements are found within each of the commercial-oriented zoning district sections under permitted and special uses. Outdoor seating requirements would be better suited in Accessory Structures and Uses to provide for greater clarity and consistency when updating the requirements. One example of consolidation of requirements to Section 6-302 is outdoor storage where it is listed as a permitted or special use within the zoning district sections with requirements being listed in Accessory Structures and Uses. The new regulations to be included in Section 6-302 provide regulations for permanent and temporary outdoor seating areas. Proposed amendments are also show in Exhibit B, which includes outdoor seating areas to be included in Table 6-302.C.1(A) - Attached Accessory Structures and Table 6-302.C.1(B) – Detached Accessory Structures.

PROPOSED AMENDMENT TEXT

Section 6-207.B.21

21. Restaurants, and outdoor seating for restaurants, greater than 300 feet of a residential parcel. ~~Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.~~ (Ord. 3837 – 12/1/03; Amd. Ord. 4664 – 8/1/11; Amd. Ord. 4738 – 6/18/12; Amd. Ord. 4769 – 12/3/12; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5017 - 8/17/15; Amd. Ord. 5126 - 9/19/16)

Section 6-207.C.20

20. Restaurants, and outdoor seating for restaurants, within 300 feet of a residential parcel. ~~Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.~~ (Ord. 3354 – 4/17/00; Amd. Ord. 3837 – 12/1/03; Amd. Ord. 4738 – 6/18/12; Amd. Ord. 4769 – 12/3/12; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5017 - 8/17/15)

Section 6-210.B.15

15. Restaurants, and outdoor seating for restaurants, greater than 300 feet of a residential parcel. ~~Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.~~ (Ord. 2420 7/6/93; Amd. Ord. 4044 – 7/5/05; Amd. Ord. 4664 – 8/1/11; Ord. 4738 – 6/18/12; Amd. Ord. 4769 – 12/3/12; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5017 - 8/17/15)

Section 6-210.C.20

20. Restaurants, and outdoor seating for restaurants, within 300 feet of a residential parcel. ~~Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.~~ (Ord. 3354 – 4/17/00; Amd. Ord. 3837 – 12/1/03; Amd. Ord. 4044 – 7/5/05; Ord. 4738 – 6/18/12; Amd. Ord. 4769 – 12/3/12; Amd. Ord. 4839 – 9/16/13; Amd. Ord. 5017 – 8/17/15; Amd. Ord. 5061 – 1/18/16)

Section 6-211.B.18

18. Restaurants, and outdoor seating for restaurants, greater than 300 feet of a residential parcel. ~~Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than twenty-four (24) inches in height and not greater than forty-eight (48) inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.~~ (Ord. 4044 – 7/5/05; Amd. Ord. 4664 – 8/1/11; Amd. Ord. 5017 - 8/17/15; Amd. Ord. 5126 - 9/19/16; Amd. Ord. 5221 – 9/18/17)

Section 6-211.C.14

14. Restaurants, and outdoor seating for restaurants, less than or equal to 300 feet of a residential parcel. Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than twenty-four (24) inches in height and not greater than forty-eight (48) inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended. (Ord. 3354 – 4/17/00; Amd. Ord. 4044 – 7/5/05; Amd. Ord. 5017 - 8/17/15; Amd. Ord. 5221 – 9/18/17)

Section 6-212.E.6

6. Outdoor Seating.

Outdoor seating shall have aisle widths of 36 inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will also require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended. (Ord. 5017 - 8/17/15)

Section 6-214.G.8

8. Outdoor Seating.

Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than twenty-four (24) inches in height and not greater than forty-eight (48) inches in height. The service of liquor will also require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.

Section 6-302

L. Outdoor Seating Areas. Outdoor seating areas shall be located in the front, side, or rear of the principle building in the OOH, COR, ORI, VCD, BIZ, and RMC Districts.

1. Permanent Outdoor Seating. Permanent outdoor seating shall be located within an attached patio or sidewalk area and meet the following requirements:
 - a. Outdoor seating shall have aisle widths of thirty-six (36) inches or more.
 - b. Any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than twenty-four (24) inches in height and not greater than forty-eight (48) inches in height.
 - c. The service of liquor will also require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.
2. Temporary Outdoor Seating. Temporary outdoor seating, in the case that governmental agencies issue a mandate that limits the occupancy of restaurants, may be permitted via a Special Event Permit, to be determined by Development Services Director, and shall meet the requirements of Title 7, Chapter 22 of the Village Code.

EXHIBIT B - The proposed amendments to **Table 6-302.C.1(A) - Attached Accessory Structures** and **Table 6-302.C.1(B) - Detached Accessory Structures** are displayed in **red text** within the attached **Exhibit B**.

SUBSTANTIVE AMENDMENT: **UPDATE TO SANITARY MANHOLE INSTALLATION REQUIREMENTS**

AMENDMENT SUMMARY

SECTION 6-408.D.6.e

- Language is added to require the external sealing of the grade adjustment ring area of a manhole.

AMENDMENT EXPLANATION

The proposed amendment creates the requirements for the installation of external seal on sanitary manholes to eliminate water and soil infiltration and provides additional protection to the manhole.

PROPOSED AMENDMENT TEXT

SECTION 6-408.D.6.e

e. All sanitary manholes will require the installation of external sealing such WrapidSeal™ Manhole Encapsulation System or Infi-Shield External Uni-band or approved equal.

AMENDMENT SUMMARY

SECTION 5-112.F.1.ae

- Language is changed to require as-built data for GIS system in a Shape File (.shp) or Geodatabase (.gdb) format.

AMENDMENT EXPLANATION

The proposed amendment updates the requirements for electronic as-built data to be given to the Village at the time acceptance of a development.

PROPOSED AMENDMENT TEXT

SECTION 5-112.F.1.a

a. The applicant's engineer shall provide to the Village Engineer one (1) hard copy and one (1) copy in electronic format (Shape File (.shp) or Geodatabase (.gdb) format) compatible with current Village software of "as built" drawings. All utilities and public improvements located within the development, including right-of-way lines, lot numbers, lot lines, geographic positioning system coordinate data of all utilities, and development mapping data (Shape File (.shp) or Geodatabase (.gdb) format) compatible with the current Village geographic information system shall be included as overlay maps for the purposes of review.

(Ord. 4412 - 9/2/08)

SUBSTANTIVE AMENDMENT: **UPDATE TO STORM SEWER AND STORM WATER DETENTION DESIGN STANDARDS FOR RAINFALL INTENSITY**

AMENDMENT SUMMARY

SECTION 6-409.E.2

Language is amended to reference latest rainfall data approved and provided by the Illinois State Water Survey (ISWS). This language will update the rainfall data (Bulletin 70 or other relevant and applicable bulletins) used for detention/retention volume calculations to the latest data approved by ISWS.

AMENDMENT EXPLANATION

The proposed amendment will reference the latest rainfall data approved and provided by the Illinois State Water Survey and will be worded so it will not have to be updated going forward with future bulletin releases. This will ensure that the latest rainfall data is used by the developers and/or developers' consultants to calculate storm water detention/retention will always be used for development in the Village.

PROPOSED AMENDMENT TEXT

SECTION 6-409.E.2

2. **Rainfall Intensity**. The rainfall data source for computations of hydraulic and hydrologic analysis shall be based upon Frequency Distributions and Hydroclimatic Characteristics of Heavy Rainstorms in Illinois **and the latest rainfall data source approved by the Illinois State Water Survey (ISWS) shall be used.** (~~Bulletin 70 State of Illinois (Northeast Section)~~), known commonly as ~~Bulletin 70~~. The average rainfall intensity used for design shall be selected from a Rainfall Intensity Duration curve, as follows:

- a. Underground storm sewer water conduits and swales shall be determined from the ten (10) year storm event curve.
- b. Surface streams and open channels shall be determined from the one hundred (100) year storm event curve.
- c. The elapsed duration time used in selecting a specific point on the rainfall intensity curve shall be equal to the time of concentration, defined as inlet time, plus the time of flow between the most distant inlet and the point in the system under consideration.

SUBSTANTIVE AMENDMENT: UPDATE TO ALLOW UNSHIELDED ACCENTING LIGHTING ON NON-RESIDENTIAL PROPERTIES ABUTTING INTERSTATE 80

AMENDMENT SUMMARY

Section 6-307

- Language is added that provides an exception to the prohibition of unshielded lights

Section 6-308

- Language is added to permit the use of unshielded LED rope or band lighting to be added

Section 6-315

- Language is added providing design standards for unshielded LED rope or band lighting for commercial properties facing Interstate 80

AMENDMENT EXPLANATION

At the request of a commercial property owner, an amendment is proposed to allow for unshielded LED rope lighting for non-residential properties directly abutting Interstate 80 (I-80). The proposed eligible for accent lighting all are located directly to the north of I-80. The intent of this update is to increase visibility of established businesses from I-80 and promote greater attention to the corridor.

Many municipalities allow for shielded accent lighting to be installed as part of the overall development, with elevation approval from the respective decision-making bodies. For example, the Village of Schaumburg has created an attractive Highway and Interstate presence by allowing buildings that meet certain criteria to incorporate architectural accent lighting. However, they require that such lighting either be integral to the architectural design of the building or be shaded and the Village Board has the final authority to accept or reject an applicant's proposed exterior lighting design and layout.

Currently in the code, exterior accent lighting is restricted per Section 6-307 (Signs). Per this section of the Land Development Code, "displays of lights along property lines, sales areas, doors, windows, edges of a building, or similar" and "signs or displays which contain bare, unshielded lights or tubes (including neon) which are visible from a public right-of-way or a private residence" are prohibited. As part of this code amendment, Section 6-307 (Signs) will be altered to include a reference to an exception for properties facing I-80. Section 6-308 (Design Standards) and Section 6-315 (Exterior Lighting) will be amended to regulate exterior LED rope and band lighting used as an architectural accent for commercial buildings.

PROPOSED AMENDMENT TEXT

Section 6-307.E.2.r

r. Signs or displays which contain bare, unshielded lights or tubes (including neon) which are visible from a public right-of-way or a private residence unless otherwise provided for in this Section. **The use of unshielded LED rope lights or tube lights may be permitted as an architectural accent on non-residential properties directly abutting Interstate 80, subject to the rules and regulations of Section 6-315.**

Section 6-308.L

L. Lighting. Outdoor lighting, where provided, should enhance the building design and the adjoining landscape. Lighting standards, fixtures and all exposed accessories shall comply with the provisions of Section 6-104 (Bulk Regulations), Section 6-307 (Signs), Section 3-15 (Exterior Lighting), and Section 6-407 (Lighting) and ~~6-301(B) (Bulk Regulations)~~ of these regulations, and shall be of a design and size that are harmonious with the design of the building and adjacent areas. If external spot or flood lighting is used, the light source should be shielded and restrained in design. Excessive brightness, flashing lights, and brilliant colors shall not be permitted.

Section 6-315.A.2.e

e. Standards for Architectural Accent Lighting - Unshielded LED Rope / Band Lighting. The illumination of commercial buildings with facades facing Interstate 80 is intended to highlight the Village's skyline and differentiate the geographical location of the community from that of surrounding municipalities. Architectural lighting of commercial buildings, when incorporated into a structure's overall design, will help to identify, complement, and aesthetically enhance the architectural attributes of the community. Unshielded LED rope or band lighting shall be permitted as an architectural building accent on buildings located on non-residential properties directly abutting Interstate 80, subject to the following rules and regulations:

1. All lighting shall meet the requirements listed in Section 6-315.
2. Unshielded lighting shall only be constructed of LED ropes or bands.
3. Unshielded LED rope or band lighting shall be permitted on the south elevation of commercial buildings that have a minimum height of thirty (30) feet or three stories, whichever is lower. Unshielded LED rope or band lighting shall not be permitted on the north elevation of buildings nor shall they be permitted on a façade located within three-hundred (300) feet of a residential property.
4. Unshielded LED rope or band lighting shall only be installed horizontally on a building façade. Unshielded accent lighting to outline building elements, such as doors and windows, is prohibited.
5. Exterior lighting shall consist of continuous, non-blinking light sources that highlight a building facade or other architectural features, and in no way shall be used to spell out letters, names, symbols, or numbers.
6. A unified, consistent, and harmonious light design and color shall be applied to all eligible facades on a building. Individual tenants within a multi-tenant building shall not install different types, designs, or colors of unshielded LED ropes or bands.
7. Unshielded LED rope or band lighting shall be reviewed and approved administratively via an Appearance Review by the Development Services Department in accordance with Section 5-106 (Appearance Review) or by approval of Elevations in accordance with Section 5-101 (Development Review Procedures). A building permit shall be obtained through the Development Services Department prior to the installation or construction of any new lighting.

AMENDMENT SUMMARY

SECTION 6-310.C.5

- Language is amended to require fences be elevated three (3) inches or higher above the existing ground elevation to allow for stormwater drainage to flow underneath fences

AMENDMENT EXPLANATION

The proposed amendment clarifies requirements how high a fence must be above the existing ground elevation to allow for stormwater drainage to flow underneath.

PROPOSED AMENDMENT TEXT

SECTION 6-310.C.5

C. General Construction Requirements.

1. Every fence to be erected within the Village shall be designed and constructed to resist and withstand a wind pressure of at least twenty (20) pounds per square feet of the gross proposed area of the fence, less any openings from any angle of approach.
2. All fence posts used in the construction of a fence shall be buried in the ground to a depth of at least one-third (1/3) of the total length of said fence post.
3. All fence parts, anchors, and shavings of wood or other organic materials shall be treated with a chemical treatment to protect them from deterioration when they are placed in or upon the ground.
4. Alterations to the existing grade level preceding the use of a fence for the purpose of altering the height of the fence shall not be permitted.
5. No fence shall be constructed in such a manner as to impede or alter the natural surface water drainage of the property upon which the fence is constructed or any adjoining property. **A minimum of three (3) inches in height is required as measured from the natural surface elevation (grade) to the bottom of the fence to allow for proper stormwater drainage. Any height greater than three (3) inches as measured from the natural surface elevation (grade) to the bottom of the fence shall be determined and approved by the Director of Engineering. The required height to allow for proper stormwater drainage shall not be counted toward the overall height of the fence.**
6. If a fence is to be painted, it shall be painted with a non-lead base paint.
7. The finished side of all fences shall face the street and neighboring properties.

(Ord. 4610 – 12/20/10)

SUBSTANTIVE AMENDMENT: **UPDATE TO ESTABLISH REQUIREMENTS FOR PRIVATELY-OWNED DETENTION PONDS FOR NEW DEVELOPMENTS**

AMENDMENT SUMMARY

SECTION 6-409.H.1

- Language is revised to state that ponds will no longer be accepted by the Village for new developments. Detention ponds will be approved based on the same process and criteria currently held by the Village, however, they will not be accepted by the Village for long-term maintenance. The maintenance will be the responsibility of the property owner.

Section 6-409.H.3

- Language is revised to require the establishment of a home owner's association (HOA) for the purposes of perpetual pond maintenance. The establishment of home owner's association shall be in accordance with Section 5-112.G of the Land Development Code. Section 5-112.G outlines the provisions for applicants and developers that construct privately-owned improvements.
- Language is added that requires the developer of any property in the Village of Orland Park to create a dormant special service area (SSA) for the maintenance of a privately-owned pond in the event that the HOA does not maintain the pond according the specific regulations or disbands. The SSA will only be activated in this instance and the Village will use the SSA to recover the expended maintenance cost.

AMENDMENT EXPLANATION

The proposed amendment is meant to require the long-term maintenance and ownership of a detention pond to be privately held. Currently, after the construction of a detention pond, it is inspected for compliance and must adhere to the 3-year maintenance and monitoring provisions included in Section 6-305 (Landscape and Tree Preservation Standards). If the inspections are passed in each of the first 3 years, the Village will accept ownership and long-term maintenance of the pond for a residential project.

Ponds are very expensive to maintain and the costs remain in perpetuity. The likelihood that a pond is constructed and maintained appropriately increases when a pond is built to the Village's standards. However, given that the Village is approximately 80% built-out, often-times variances are requested to the pond standards (such as to required setbacks) in order allow more development area on a site to combat increased land costs and make a project feasible. This can lead to higher maintenance costs.

The Village would like to encourage development, but the long-term costs to maintain detention ponds are not sustainable. Given the current cost burden that the Village incurs on a yearly basis, the proposed amendment will require that ponds in new developments are maintained by private-owners. This amendment is intended to cover all new detention ponds for residential development and not just those that request variations to the Village standards.

Research has shown that a majority of municipalities do not own and perpetually maintain detention ponds. In most instances ponds are owned and maintained by a home owner's association and a back-up SSA is established to cover costs if the HOA cannot maintain the pond appropriately. In this

instance the Village is the outlier and continuing on this path will lead to costs and maintenance responsibilities that are not sustainable for the Village.

There are already provisions in this code section that require a maintenance agreement for the storm water system be submitted to the Development Services Department for review and approval. In addition, the maintenance agreement must be recorded against the property so it will be applicable to all future owners.

PROPOSED AMENDMENT TEXT

Section 6-409

H. Acceptance of Storm Sewers and Storm Water Detention.

1. Once the storm sewer system has been completed according to the specifications set forth in this Section, the Director of Engineering shall, upon the request of the developer, inspect the system and prepare a list of items for repair (punch list). The list shall be given or sent to the developer and when repairs have been made, the Director of Engineering shall accept the system for operational use only. During the time after the acceptance by the Village for maintenance, the developer shall be responsible for any delinquencies incurred within the system, including but not limited to siltation within the pipe, manholes and inlets, adjustment to manhole frames and leaking joints. Upon reaching approximately eighty (80) percent development of building construction, the Director of Engineering will reinspect the storm sewer system for any delinquencies which may have occurred and prepare a list of items for repair. The list shall be given or sent to the developer and when the repairs have been made to the satisfaction of the Director of Engineering, the Director shall ~~accept~~ **approve** the system for the Village. (Ord. 2570 5/2/94)
2. All construction shall meet the requirements and acceptance by the Metropolitan Water Reclamation District of Greater Chicago prior to the acceptance by the Director of Engineering. (Ord. 2570 5/2/94)
3. Maintenance of stormwater drainage facilities located ~~on private property~~ **within the Village** shall be the responsibility of the owner of that property. Before a permit is obtained from the Village, the applicant shall execute a maintenance agreement with the guaranteeing that the applicant and all future owners of the property will maintain its stormwater drainage system. The maintenance agreement shall also specifically authorize representatives of the Village to enter onto the property for the purpose of inspections and maintenance of the drainage system. Such agreement shall be recorded with the Recorder of Deeds of Cook and Will Counties in Illinois. The maintenance agreement shall include a schedule for regular maintenance of each aspect of the property's stormwater drainage system and shall provide for access to the system for inspection by authorized personnel of the Village. The maintenance agreement shall also stipulate that if the Village notify the property owner in writing of maintenance problems which require correction, the property owner shall make such corrections within 30 (thirty) calendar days of such notification. If the corrections are not made within this time period the Village may have the necessary work completed and assess the cost to the property owner.

The Village has the option of requiring a bond to be filed by the property owner for maintenance of the stormwater drainage system.

4. The applicant or developer shall create a home owner's association (HOA) for the maintenance of all residential stormwater drainage facilities in the Village of Orland Park. The creation of home owner's association and maintenance of private improvements shall be in accordance with Section 5-112 of the Land Development Code. The applicant or developer is required, in conjunction with the Village of Orland Park, to establish a special service area (SSA) for the maintenance of stormwater drainage facilities, should the HOA, for any reason not be able to fulfill the maintenance responsibilities. The required work will be completed by the Village and the costs will be recouped when the SSA is activated.

EXHIBITS A and B

SECTION 6-307. SIGNS.**A. Purpose.**

The purpose of this Section is to establish equitable regulations and promote excellence in design for communication through signage within the Village of Orland Park. These regulations were developed with the following intentions:

1. To preserve and promote the public health, safety, and welfare through the reasonable, orderly, and effective display of all signs.
2. To confirm that signs may cause harm to the public by creating obstructions, providing distractions to motorists, displacing alternative land uses, decreasing property values and aesthetics, and endangering the safety of person and property.
3. To establish the Village's substantial and compelling interest in regulating signs in a manner as to reduce the effects and impacts signs have on the public health, safety, and welfare.
4. To preserve property values within the Village by regulating and directing the design, location, construction, and maintenance of signs.
5. To protect the Village's physical appearance by encouraging a sense of aesthetic appreciation for the visual environment and compatibility with the surroundings.
6. To support the Village's economy by recognizing the need for adequate site identification and maintaining effective communication between signs and the public.
7. To protect the general public, pedestrians, and motorists within the Village by assuring the design, location, construction, and maintenance of signs allow safe navigation and travel throughout the Village and ensure signs do not create distractions, obstructions, and hazards.
8. To enhance the physical appearance of site identification to be in harmony with the visual character of the Village and for the signage to be an integral part of the aesthetic of the site and be cohesive with the architectural style of associated buildings.
9. To encourage signs that support adopted Village guidelines, standards, and plans or the principles within said documents.

B. Applicability.

The regulations within this Section apply to all properties within the Village's municipal boundaries except for those properties owned, used, leased, or controlled by the Village. Village signage on Village property is exempt due to the inherent public purpose of such messaging and sign copy. All signs on the exterior of a property, building, or structure, and interior signs visible from exterior windows are subject to the regulations within this Section.

C. General Standards.**1. Village Codes.**

Signs shall meet all applicable Village codes, including the Building Code, as amended from time to time.

2. Interpretation.

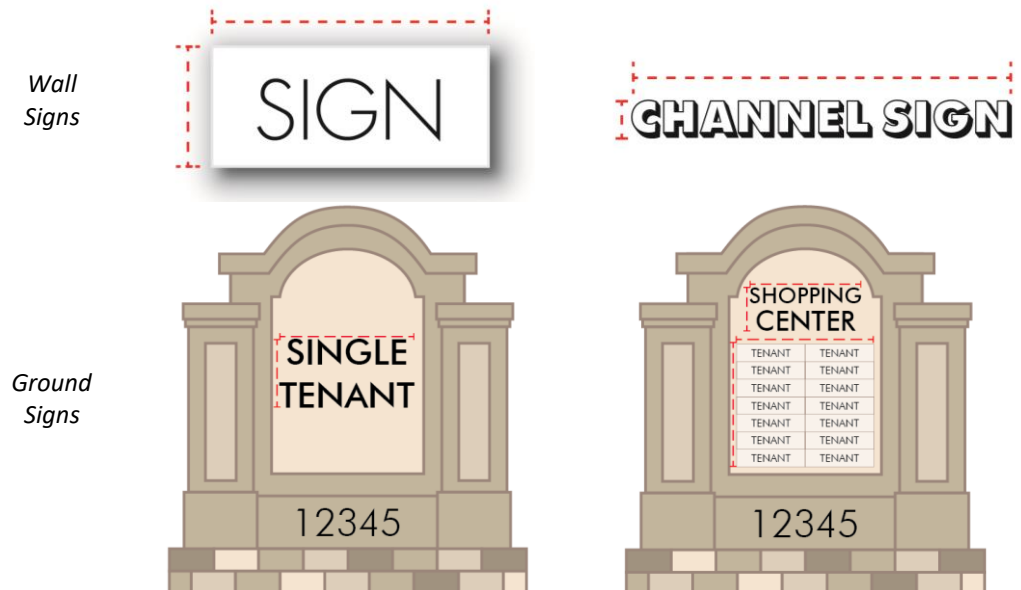
All regulations within this Section shall be interpreted by the Development Services Department. An interpretation may be appealed to the Plan Commission for a final decision.

- a. **Conflict.** In the event of a conflict within this Section and/or between this Section and any provision within another Village Code, the most restrictive regulation shall apply.
- b. **Substitution Clause.** To the extent the regulations of this Section 6-307 permit commercial signs, such regulations are also to permit non-commercial signs.
- c. **Minimum and Maximum.** All provisions herein shall be interpreted as maximum allowable regulations unless otherwise noted.

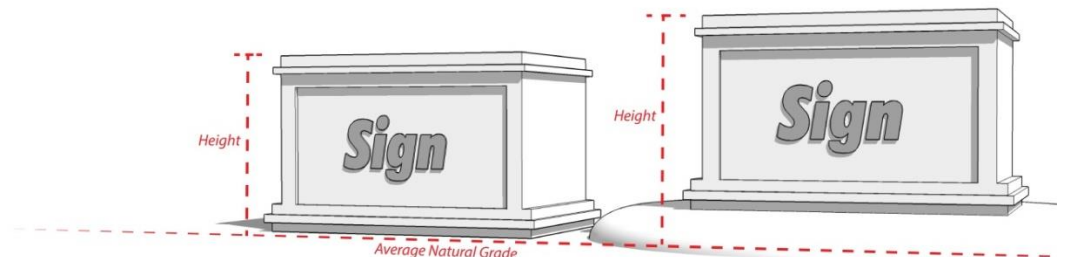
d. **Measurement and Calculation.**

1. **Sign Face Area.** The sign face area (SFA) shall be the entire area of the sign face(s) on an individual wall, ground, or other type of sign. The area of a sign face shall be determined by calculating the area within a single continuous perimeter encompassing the entire advertising copy or art designed to attract attention. The area within the single continuous perimeter shall be calculated by determining the area of the smallest measurable square, circle, rectangle, or triangle within the single continuous perimeter, including the background.

For ground signs with multiple faces: when two identical ground sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure, the sign face area shall be the area of one side of the sign. In all other circumstances, the sign face area of a ground sign shall be the total sign face area of all sign faces on the ground sign. The background color of a wall sign is included within the measurement of sign face area for wall signs unless otherwise considered an architectural feature by the Development Services Department.



2. **Sign Height (Ground Sign).** A ground sign shall be measured vertically from the adjacent average natural grade to the top of the sign. The measurement includes the full height of the sign, including the base or support structure and any design element surrounding or enclosing the sign face.



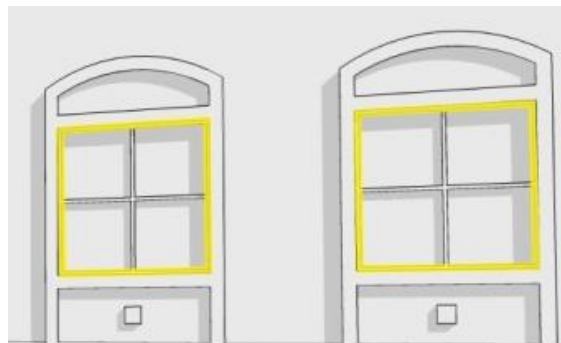
3. **Roof Signs.** The roof is measured from grade to the highest point of the roof line, parapet, or fascia of the building. Signs shall be located below this point.
4. **Tenant Frontage.** The tenant frontage is measured horizontally between the limits of the tenant's leasable space.



5. **Clearance.** Sign clearance is measured vertically from grade to the bottom of the sign.



6. **Window Signs.** The sign face area of window signs shall be measured by individual windows.



3. **Accessory Structure/Use.**

Signs shall be accessory structures/uses and shall not be principal structures/uses. As such, all signs must be accessory to an occupant of the land (or development) on which the sign is located.

4. Distractions, Obstructions, and Hazards.

Signs shall not cause distractions, obstructions, or hazards and shall abide by the following requirements:

- a. **Legibility.** All letters and characters on each sign shall be legible from the public right-of-way and/or the parking spaces closest to the sign. The edges of the letters and characters shall be cleanly defined, unfaded, and maintain a clear contrast with the background.
- b. **Conflict with Traffic and Pedestrian Signs.** Signs shall not conflict with traffic or pedestrian signs. Signs and/or illumination shall not resemble emergency lighting or signals.
- c. **Ingress/Egress.** No sign shall be erected so as to prevent free ingress to or egress from any door or window, or any other point of access into a building required by the Village Building Code or Fire Protection District regulations, or any amendments thereto, nor shall any sign be erected so as to impair access to the roof of a building.
- d. **Americans with Disabilities Act (ADA).** No sign shall be erected so as to obstruct accessibility requirements per the Illinois Accessibility Code, Village Building Code, and any amendments thereto.
- e. **Construction and Attachment.** All signs shall be designed and constructed as required in the Village Building Code and other applicable Village ordinances, as amended from time to time. Signs shall be securely attached to a wall, structure, or the ground at all times.
- f. **Line-of-Sight.** Signs shall not cause visibility obstructions.

5. Location.

- a. **Public Property.** Signs shall not be erected on public property, including the public right-of-way, except for Governmental Signs per Section 6-307.D.1.a.1.
- b. **Private Property.** Signs may be located within private property lines on the premises identified by the signs. For multi-tenant and/or multi-story buildings, wall signs shall be located within the tenant's lease lines.
- c. **Parkways.** Signs shall not be erected within parkways, except for Governmental Signs per Section 6-307.D.1.a.1.
- d. **Drainage.** Signs shall not be constructed in a manner that negatively impacts drainage.
- e. **Utility Poles.** Signs shall not be located on public or private utility poles.
- f. **Sidewalks and Paths.** Signs shall not be erected so as to obstruct sidewalks or paths.
- g. **Parking Spaces.** Signs shall not be erected so as to obstruct parking spaces.
- h. **Loading Areas.** Signs shall not be erected so as to obstruct loading areas.
- i. **Trees and Landscaping.** Signs shall not be attached to trees or other landscaping.
- j. **Required Setback.** All ground signs shall be set back a minimum of five feet (5') from property lines, drive aisles, parking spaces, loading areas, sidewalks, and paths.

6. Materials.

- a. **Permanent Signs.** Permanent signs shall be constructed of materials that can withstand the elements in an outdoor environment. Acceptable materials for permanent signs include, but are not limited to: acrylic, polycarbonate, marine grade plywood (MDO), aluminum, or aluminum composite materials (ACM). The base of a sign ~~may also include, but is not limited to:~~ **shall be constructed of brick, stone, or concrete, or a similar masonry material.** Similar permanent sign materials may be approved by the Development Services Department.
- b. **Temporary Signs.** Temporary signs may be constructed of materials including, but not limited to: paper (interior window signs only), cloth, canvas, vinyl, wallboard, wood, or metal. Similar temporary sign materials may be approved by the Development Services Department.

7. Illumination.

Internally or externally illuminated signs shall be permitted unless otherwise noted, provided that the sign meets the following requirements:

- a. Signs shall be illuminated only by steady, stationary, shielded, or shaded light sources directed solely at the sign or the sign may be internally lit.
- b. Changes in illumination shall only occur a maximum of one (1) time within a twenty-four (24) hour period.
- c. Exposed reflective-type bulbs, strobe lights, or incandescent lamps shall not be used on the exterior surface of any sign.
- d. Illuminated signs shall produce no more than thirty (30) foot candles of illumination when measured four feet (4') from the sign.
- e. Whenever external illumination is used for a sign, the source of light shall be located, shielded, and directed in such a manner that the light source is not visible from a public right-of-way or private residence.
- f. Illumination shall comply with the exterior lighting standards within Section 6-315 of the Land Development Code.
- g. **All electrical fixtures, devices, circuits, conduits, raceways, or similar features must be installed and maintained in compliance with the current electrical code adopted by the Village. Conduits and other components of a sign illumination system must be designed as an integral part of the overall sign structure and shall be obscured from public view.**

8. Maintenance.

The owner of a sign shall be required to maintain the sign, the sign structure, and its surrounding landscaping, if applicable, in a neat and attractive condition and in compliance with the following standards:

- a. **General.** The sign and sign supports must be kept painted to prevent rust, rot, or deterioration. If a sign becomes rusted, rotted, or deteriorated the sign must be immediately repaired or replaced. Painting, repainting, cleaning, or other normal maintenance and repair of a sign (not exceeding 50% of the value of the sign) for which a permit has been previously issued is allowed without a permit, provided that the sign is not otherwise modified in any way.
- b. **Damage.** If a sign is damaged it shall be repaired within two (2) weeks of the reported date of the damage.
- c. **Landscaping.** Landscaping at the base of ground signs shall be regularly maintained.
- d. **Animals.** Signs shall be free of nesting animals.

- e. **Restoration After Wall Sign Removal.** When a wall sign is removed from the façade of a building and replaced with a new sign, the facade shall be restored to like new condition. Previous sign mounting holes and the like shall be filled and painted to match the façade and ghosting images shall be removed. The façade shall be cleaned and/or repainted if necessary in order to match the existing condition of the building.

9. **No Discrimination Against Non-Commercial Signs or Speech.**

The owner of any legal sign may substitute non-commercial copy within the allowable sign face area of the sign in lieu of any other commercial or non-commercial copy in accordance with the following:

- a. The substitution of copy must adhere to all applicable Village codes and may be executed without any additional approval or permitting from the Village.
- b. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message.
- c. This provision does not create a right to increase the total amount of signage on a parcel or allow the substitution of an off-site commercial message in place of an on-site commercial message.

D. Procedures.

1. **Permit Requirement.**

A permit shall be obtained through the Development Services Department prior to the installation or display of any sign.

a. **Exemptions.**

The following signs meeting the criteria within Section 6-307.D.1.a. are exempt from the requirement to obtain a sign permit. Such signs shall meet the Appearance Standards within Section 6-307.F.1.b. unless determined inapplicable by the Development Services Department.

- 1. **Governmental Signs.** Governmental signs incidental thereto for identification, information, directional, or public safety purposes erected or required by governmental bodies, or authorized for a public purpose by any law, statute or ordinance, such as traffic control signs and legal notices, including those located in the public right-of-way.
- 2. **Address Sign.** An address sign is required for each property/tenant space and shall be installed in compliance with the Building Code and Fire Code and any amendments thereto.
- 3. **Sign on Residential Property.** One (1) non-illuminated sign is allowed per residential property, provided that:
 - a. The sign meets all General Standards within Section 6-307.C. of the Land Development Code;
 - b. The sign is no larger than four (4) square feet in area (total of all sign faces visible from the public right-of-way);
 - c. The sign(s) shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives;
 - d. The sign(s) shall not exceed three feet (3') in overall height when measured from grade; and
 - e. The sign is not above the roof line when located on a building.

4. **Political Campaign Signs.** In accordance with 65 ILCS 5/11-13-1-12, as amended from time to time, political signs meeting the following requirements are allowed:
- The sign(s) shall meet all General Standards within Section 6-307.C. of the Land Development Code;
 - The sign(s) shall be located on private properties with permission from the property owner;
 - The sign(s) may be Yard (Pin) Signs or a type of allowable sign,
 - The sign(s) shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives;
 - The sign(s) shall not exceed five feet (5') in overall height when measured from grade;
 - The sign shall not be installed above the roof line when located on a building; and
 - The total sign face area (for all signs combined) allowed per property shall be in accordance with the following table:

<u>Land Area/Location</u>	<u>Maximum Allowable Total Sign Face Area (all signs combined)</u>
Less than one (1) acre and not located on a major/minor arterial road or major collector road	Six (6) square feet
Less than one (1) acre and located on a major/minor arterial road or major collector road	Forty (40) square feet
One (1) to ten (10) acres	Forty (40) square feet
Greater than ten (10) acres	Sixty-four (64) square feet

5. **Real Estate Signs.** Sign(s) meeting the following requirements shall be permitted on real property which is actively being offered for sale or lease:
- The sign shall meet all General Standards within Section 6-307.C. of the Land Development Code;
 - The sign shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives;
 - One (1) sign is allowed per frontage along a public right-of-way;
 - Sign(s) shall be removed no later than seven (7) days after the close of the transaction of the sale or rental;
 - The sign shall not be installed above the roof line when located on a building;
 - The maximum sign height shall not exceed six feet (6') when located on the ground in a residential zoning district or ten feet (10') in a non-residential or mixed-use zoning district; and
 - The maximum sign face area (for each sign) shall be in accordance with the following table:

<u>Land Area/Location</u>	<u>Maximum Allowable Sign Face Area (per sign)</u>
Less than one (1) acre and not located on a major/minor arterial road or major collector road	Six (6) square feet
Less than one (1) acre and located on a major/minor arterial road or major collector road	Forty (40) square feet
Greater than one (1) acre	Forty (40) square feet

6. **Replaceable Copy.** Changing of the sign copy or message on a manual changeable sign.
7. **Window Signage.** Changes in the copy of window signage, provided that it does not cover more than fifty percent (50%) of any single window. Window signs shall be located on the interior side of the window and shall not be located on spandrel glass.



8. **Historical Marker/Integral Signs.** Such signs shall have a maximum sign face area of six (6) square feet and meet all General Standards within this Section.
9. **Flags.** Flags on flagpoles are allowed, provided that the flag and flagpole are in compliance with Section 6-302.C.12. of the Land Development Code.
10. **Light Pole Banners.** Banners on light poles are allowed within Sign District #3 in accordance with the following provisions:
 - a. There shall be no more than two (2) banners per pole; and
 - b. The size of each banner shall not exceed ten (10) square feet.
11. **Business Status Sign.** One (1) sign may be displayed near the entrance to the business on the inside of a window or door, provided that the sign is no greater than four (4) square feet in area. Such sign may be internally-illuminated with a steady, motionless light source.
12. **Outdoor Bulletin Boards.** One (1) bulletin board shall be allowed per tenant, provided that the sign is no greater than four (4) square feet in area and is attached to the exterior wall within six feet (6') of the entrance to the building.
13. **Sandwich Boards/A-Frames.** Sandwich boards/A-frames are allowed in accordance with the following provisions:
 - a. The sign meets all General Standards within Section 6-307.C. of the Land Development Code, except sandwich boards may be located on private sidewalks provided that a minimum of thirty-six inches (36") is clear for pedestrians;
 - b. One (1) sandwich board/A-frame is allowed per tenant;
 - c. The sign shall be constructed of wood or aluminum and not plastic;
 - d. The sign face area shall not exceed a maximum of seven (7) square feet per side;
 - e. The height shall not exceed a maximum of fifty-four inches (54") tall;
 - f. The sign shall be located within fifteen feet (15') of the tenant's entrance to the building;
 - g. The sign shall be securely anchored to withstand weather conditions; and
 - h. The sign shall not be displayed outdoors while the business is closed.
14. **Branding Without Copy.** Brand elements without sign copy do not require a sign permit but instead shall be reviewed administratively by the Development Services Department through an Appearance Review and/or approval of Elevations. Murals and public art shall be considered branding without copy, provided such signs do not contain any commercial messaging, advertising, logos, or business identification messages.

15. **Window Displays.** Shall be allowed provided that prohibited signage is not within the window display. Window displays shall not cover more than fifty percent (50%) of any single window.

16. **Incidental Signs and Miscellaneous Information Signs.** Small signs, not exceeding four (4) square feet in area, displayed on private property for the purposes of providing general site-specific information, instructions, directives, safety information, or restrictions to the public. Incidental signs shall not include commercial advertising intended to be viewed off the premises on which the sign is located.

2. **Permit Application.**

An application for a sign permit must be submitted to the Development Services Department on forms furnished by the Department. The Applicant must provide information to determine if the proposed sign is allowed under this Code and other applicable laws, regulations, and ordinances. Village Staff will review the application to determine if the proposed sign is permissible. The Applicant shall pay a sign permit fee in accordance with Title 5, Chapter 2 of the Village Code, as amended from time to time, when the permit is issued to the Applicant.

3. **Installation.**

Signs shall not be installed unless a valid sign permit has been issued for a sign or a sign meets the criteria for exemption from the permit requirement. A sign with a valid sign permit must be installed within six (6) months of permit issuance or else the permit becomes invalid. Signs shall be installed per the approved drawings and any supplementary information provided in the sign permit application.

4. **Removal.**

The Village reserves the right to require removal of signs, at the owner's expense, in the following circumstances:

- a. When a sign is erected without a valid permit;
- b. When a permit is invalidated or revoked;
- c. When a permit for a temporary sign has expired;
- d. When a sign becomes obsolete and no longer identifies a bona fide business conducted or a product sold on the premises where said sign is located. Such sign shall be removed immediately by the owner, agent, or person having the beneficial use of the building, structure, or property upon which said sign may be found.
 1. If the sign to be removed is located on a multi-panel ground sign, the obsolete panel must be completely replaced with a blank panel consistent in color with other existing panels.
 2. If the sign to be removed is within a fixed cabinet on a façade, the obsolete panel must be completely replaced with a blank panel consistent in color with other existing panels or the entire cabinet must be removed and the façade must be restored.
- e. When any sign is deemed unsafe, insecure, or a danger to the public, or has been constructed, erected, or maintained in violation of the provisions of this Section, the Development Services Department shall give written notice to the permittee thereof requesting removal of the sign. If the permittee fails to remove or alter the structure so as to comply with the standards herein set forth within five (5) days after such notice, the Development Services Department may declare such sign to be a public nuisance and remove such sign at the owner's expense. The Village may immediately remove illegal signs located within the public right-of-way.

5. **Noncompliance.**

When a sign is not in compliance with an approved permit or the provisions of this Section the Village shall issue citation(s) to the owner of such sign and/or the owner of the premises on which the sign is located.

E. Sign Types. The following sign types are expressly allowed or prohibited within the Village. Sign types are defined within Section 6-307.K. of the Land Development Code. In the event that a proposed sign is not classified as allowable or prohibited the Development Services Department shall determine if the sign will be allowed.

1. Allowable Signs.

Wall Signs

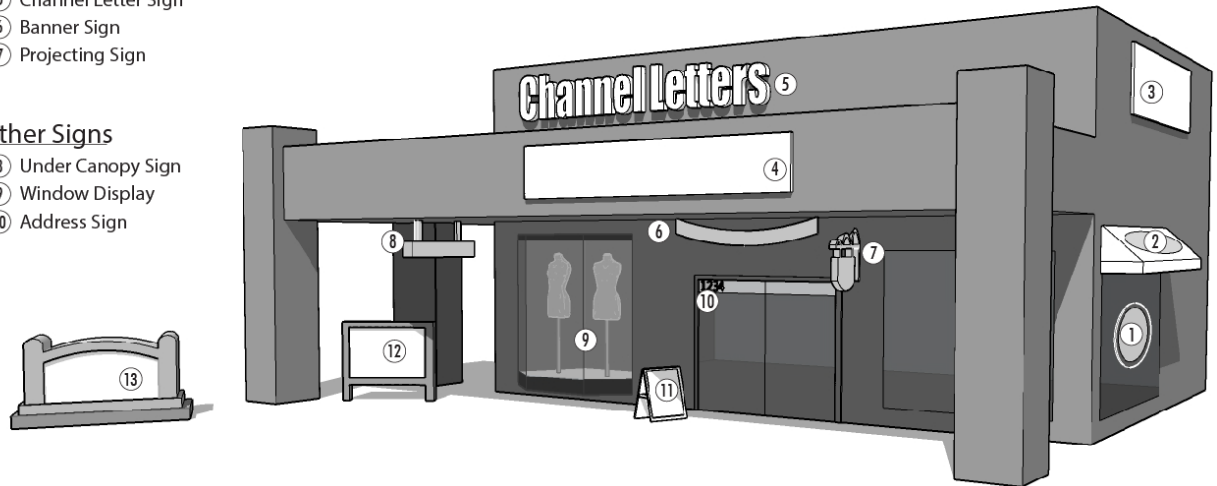
- ① Window Sign
- ② Awning Sign
- ③ Wall Sign
- ④ Canopy Sign
- ⑤ Channel Letter Sign
- ⑥ Banner Sign
- ⑦ Projecting Sign

Ground Signs

- ⑪ Sandwich Board Sign
- ⑫ Dual Post Sign
- ⑬ Monument Sign

Other Signs

- ⑧ Under Canopy Sign
- ⑨ Window Display
- ⑩ Address Sign



*Graphic: Example of Allowable Signs
(Note: Not all sign types are pictured.)*

a. Types of Wall Signs

- 1. Wall Sign (Permanent)
- 2. Channel Letters (Permanent)
- 3. Cloud Sign (Permanent)
- 4. Push-Thru Letters (Permanent)
- 5. Awning Sign (Permanent)
- 6. Canopy Sign (Permanent)
- 7. Projecting Sign (Permanent)
- 8. Window Sign (Permanent or Temporary)
- 9. Banner Sign (Temporary)

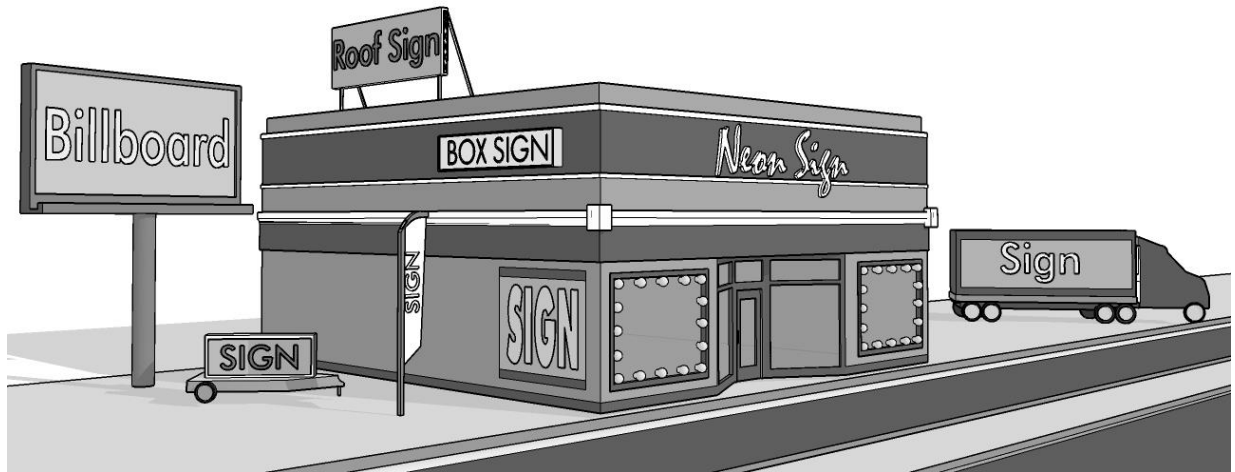
b. Types of Ground Signs

- 1. Monument Sign (Permanent)
- 2. Directional Sign (Permanent)
- 3. Dual Post Sign (Permanent or Temporary)
- 4. Banner Sign (Temporary)
- 5. Sandwich Board Sign (Temporary)

c. Other Types of Signs

- 1. Under Canopy Sign (Permanent)
- 2. Address Sign (Permanent)
- 3. Manual Changeable Sign (Permanent)
- 4. Window Display (Permanent or Temporary)
- 5. Inflatables (Temporary)

2. **Prohibited Signs.** Except as specifically provided otherwise within Section 6-307 of the Land Development Code, the following signs and displays shall be strictly prohibited throughout the Village:



*Graphic: Example of Prohibited Signs
(Note: Not all sign types are pictured.)*

- a. Any sign which constitutes a hazard to public health or safety, including dangerous construction or sight obstructions, as determined by the Development Services Department.
- b. Signs which by color, location, or design resemble or conflict with traffic control signs or signals.
- c. Signs which contain advertising matter which is untruthful, objectionable, or obscene, as determined by the Development Services Department.
- d. Signs which emit an audible sound, odor, or visible matter such as smoke.
- e. Signs which contain radio/microwave transmitters.
- f. Abandoned or obsolete signs, including the posts or other supports therefor, that are no longer being properly maintained by the owner of the sign.
- g. ~~Commercial signs on a vehicle where said vehicle is parked adjacent to or near the right-of-way for the purposes of identifying or calling attention to the business, such as utilizing directional signage, and is not used for daily operations or during the regular course of business, or is not licensed, insured, or operational.~~

Commercial signs on a vehicle for the purposes of advertising a product or service, or for identifying or calling attention to a business or activity located on or off the premises, where said vehicle is parked on the public right-of-way, adjacent to or near the right-of-way, is not used for daily operations or during the regular course of business, or is not licensed, insured, or operational. Commercial signs displayed on vehicles used for the daily operations of a business are permitted provided that said vehicles must be parked or stored on private property in a location farthest away from the public right-of-way or in the least visible location from the public right-of-way, as determined by the Development Services Department.

- h. Any signs or attention getting devices visible from the public right-of-way that rotate, revolve, or have any visible moving parts or that gives the appearance of movement, including, but are not limited to: searchlights, electronic screens, spinners, streamers, balloons (other than temporary inflatable signs with a valid permit), and other similar devices, or ornamentation designed for purposes of attracting attention, promotion or advertising, unless otherwise provided for in this Section. However, such signs may be permissible and exempt from permit requirements if the sign or attention getting device is:
 1. Displayed through the interior side of a window;
 2. No closer than five feet (5') to said window;
 3. Comprises no more than 50% of the area of the window(s) that it is viewed through; and
 4. The building is set back at least thirty feet (30') from a public right-of-way.

- i. Box (Cabinet) Signs, unless subordinate to a primary allowable sign type and meeting the following conditions:
 - 1. Shall not exceed 25% of the sign face area; and
 - 2. Shall have an opaque background so only lettering is illuminated.
- j. Off-Premise Signs.
- k. Roof Signs.
- l. Electronic Changeable Signs, or signs that feature blinking, flashing, or holograms.
- m. Yard (Pin) Signs, except Political Signs may be Yard (Pin) Signs.
- n. Feather/Flag Signs.
- o. Pennants.
- p. Signs which are painted directly onto any exterior wall of any building or structure.
- q. Signs which are incorporated directly into a ground surface, including tiles and pavers.
- r. Signs or displays which contain bare, unshielded lights or tubes (including neon) which are visible from a public right-of-way or a private residence unless otherwise provided for in this Section. **The use of unshielded LED rope lights or tube lights may be permitted as an architectural accent on non-residential properties directly abutting Interstate 80, subject to the rules and regulations of Section 6-315.**
- s. Displays of lights along property lines, sales areas, doors, windows, edges of a building, or similar.

F. Permanent Signs.

1. Appearance Standards.

a. **Review.** Signs shall be reviewed administratively for appearance by the Development Services Department.

b. **Standards.**

1. Every sign shall be designed as an integral architectural element of the building, structure, or site to which it principally relates.
2. The colors, materials, and lighting of the sign shall be harmonious with the building, structure, and/or site to which it principally relates.
3. Every sign shall have appropriate scale and proportion in its design.
4. No more than two (2) colors shall be used on a single letter or character. Logos shall be exempt from this regulation.
5. Decorative light fixtures complimentary to the architecture of the building shall be used for external illumination.
6. Projecting signs shall include durable mounting hardware that is attractive and is an integral part of the sign design. Guy wires and extension poles are prohibited.
7. Sign panels with internal illumination shall have opaque backgrounds so that only the sign copy is illuminated.

8. Wall Signs:

- a. Shall be centered within the tenant's frontage unless otherwise deemed aesthetically appropriate by the Development Services Department. Effort shall be made to not conflict with the architectural elements of the building façade.
- b. Wall signs upon multi-tenant structures shall be mounted in accordance with an established center line.
- c. Background color is included within the measurement of sign face area for wall signs unless deemed appropriate as an architectural feature by the Development Services Department.
- d. All raceways shall be of a color that matches the façade behind the sign.

9. Ground Signs:

- a. For monument signs, the sign base shall be at least seventy-five percent (75%) of the width of the sign face.
- b. For dual post signs, each post shall be at least fifteen percent (15%) of the total width of the sign.
- c. The ground sign's materials shall match the materials on the principal structure.
- d. Multi-tenant ground sign panels shall be of the same background color and font color. Font face may differ from tenant to tenant. Logos are exempt from the font color requirement.



- e. Landscaping shall be provided around the base of all ground signs in accordance with Section 6-305.D.7 of the Land Development Code.

2. **Permanent Sign Regulations by District.** Signs shall be permitted in accordance with the regulations by Sign District within the subsequent tables. The following terms are used in the tables in order to further explain or abbreviate the sign regulations.

<i>ROW</i>	Right-of-Way
<i>SF</i>	Square Foot/Square Feet
<i>SFA</i>	Sign Face Area
<i>GFA</i>	Gross Floor Area
<i>RES</i>	Residential
<i>NON-RES</i>	Non-Residential

- a. **Sign District #1: Residential.** The following signs shall be allowed in Residential Zoning Districts (E-1, R-1, R-2, R-2A, R-3, R-3A, R-4, and RSB) with a valid permanent sign permit from the Development Services Department.

Sign District #1 – Residential Zoning Districts						
	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	2 SF	1 per tenant frontage; maximum of 2	-	<ul style="list-style-type: none"> Shall not cover any part of a window; Shall not extend more than 18" from the façade
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> Shall not cover any part of a window; Shall not extend more than 18" from the façade
	Awning Sign	RES	Prohibited			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> Minimum 8' clearance; Awnings shall be located above windows or doors; Signage not permitted on valance
	Canopy Sign	RES	Prohibited			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24"	<ul style="list-style-type: none"> Canopy and attached signage must have a minimum 8' clearance
	Projecting Sign	RES	Prohibited			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance; Shall be located below second story windows; Maximum projection: 5'
GROUND	Monument Sign/ Dual Post Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> May be located within a public landscape median with Village approval; If illuminated, the sign shall only be externally illuminated Prohibited for individual single-family lots
		NON-RES	40 SF	1 per ROW frontage	Monument: 10'; Dual Post: 6'	<ul style="list-style-type: none"> Signs shall be spaced at least 75' apart; For multi-tenant signs, tenant panels shall cover no more than 80% of the allowable SFA
OTHER	Under Canopy Sign	RES	Prohibited			
		NON-RES	6 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance
	Manual Changeable Sign	RES	Prohibited			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none"> Shall be installed within a ground sign

- b. **Sign District #2: Commercial.** The following signs shall be allowed in Commercial/Office Zoning Districts (BIZ, COR, VCD, LSPD, RMC, and ORI) with a valid permanent sign permit from the Development Services Department. This Sign District excludes those properties within Sign District #3.

Sign District #2 – Commercial Zoning Districts						
	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	1 SF per linear foot of tenant frontage	1 per ROW frontage	-	<ul style="list-style-type: none"> Only allowed on multi-family buildings with more than 10 dwelling units; Shall not extend more than 18" from the façade
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> Shall not cover any part of a window; The combined SFA of all signs shall not exceed the allowable SFA per frontage; Shall not extend more than 18" from the façade
	Awning Sign	RES	Prohibited			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> Minimum 8' clearance; Awnings shall be located above windows or doors; Signage not permitted on valance
	Canopy Sign	RES	Prohibited			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24"	<ul style="list-style-type: none"> Canopy and attached signage must have a minimum 8' clearance
	Projecting Sign	RES	Prohibited			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance; Shall be located below second story windows; Maximum projection: 5'
GROUND	Monument Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> May be located within a public landscape median with Village approval; If illuminated, the sign shall only be externally illuminated
		NON-RES	GFA < 350,000 SF: 40 SF; GFA 350,000-500,000 SF: 100 SF; GFA > 500,000 SF: 125 SF	1 per ROW frontage; Lot frontage > 300': 1 additional sign allowed along that frontage	GFA < 500,000 SF: 10'; GFA > 500,000 SF: 18'	<ul style="list-style-type: none"> Signs shall be spaced at least 75' apart; Tenant For multi-tenant signs, tenant panels shall cover no more than 75% of the allowable SFA
	Dual Post Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> May be located within a public landscape median with Village approval; If illuminated, the sign shall only be externally illuminated
		NON-RES	40 SF	1 per ROW frontage	6'	<ul style="list-style-type: none"> Signs shall be spaced at least 75' apart; Tenant For multi-tenant signs, tenant panels shall cover no more than 75% of the allowable SFA
OTHER	Under Canopy Sign	RES	Prohibited			
		NON-RES	6 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance
	Manual Changeable Sign	RES	Prohibited			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none"> Shall be installed within a ground sign

- c. **Sign District #3: Eastern 159th Street Corridor.** The following signs shall be allowed on properties directly adjacent to 159th Street between 71st Court and 94th Avenue with a valid permanent sign permit from the Development Services Department.

Sign District #3 – Eastern 159 th Street Corridor						
	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	1 SF per dwelling unit; maximum of 40 SF	1 per ROW frontage	-	<ul style="list-style-type: none"> Only allowed on multi-family buildings with more than 10 dwelling units; Shall not extend more than 18" from the façade
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> Shall not cover any part of a window; The combined SFA of all wall signs shall not exceed the allowable SFA per frontage; Shall not extend more than 18" from the façade
	Awning Sign	RES	Prohibited			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> Minimum 8' clearance; Awnings shall be located above windows or doors; Signage not permitted on valance
	Canopy Sign	RES	Prohibited			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24"	<ul style="list-style-type: none"> Canopy and attached signage must have a minimum 8' clearance
	Projecting Sign	RES	Prohibited			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance; Shall be located below second story windows; Maximum projection: 5'
GROUND	Monument Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> May be located within a public landscape median with Village approval; If illuminated, the sign shall only be externally illuminated
		NON-RES	GFA < 350,000 SF: 64 SF; GFA > 350,000 SF: 100 SF	1 per ROW frontage; Lot frontage > 300': 1 additional sign allowed along that frontage	18'	<ul style="list-style-type: none"> Signs shall be spaced at least 75' apart; Tenant For multi-tenant signs, tenant panels shall cover no more than 80% of the allowable SFA
	Dual Post Sign	RES	12 SF per acre; maximum of 32 SF	1 per entrance from ROW	6'	<ul style="list-style-type: none"> May be located within a public landscape median with Village approval; If illuminated, the sign shall only be externally illuminated
		NON-RES	40 SF	1 per ROW frontage	6'	<ul style="list-style-type: none"> Signs shall be spaced at least 75' apart; Tenant For multi-tenant signs, tenant panels shall cover no more than 80% of the allowable SFA
OTHER	Under Canopy Sign	RES	Prohibited			
		NON-RES	6 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance
	Manual Changeable Sign	RES	Prohibited			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none"> Shall be installed within a ground sign

- d. **Sign District #4: Industrial.** The following signs shall be allowed in the Industrial Zoning District (MFG) with a valid permanent sign permit from the Development Services Department.

Sign District #4 – Industrial Zoning District						
	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	Prohibited			
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> • Shall not cover any part of a window; • Shall not extend more than 18" from the façade
	Awning Sign	RES	Prohibited			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> • Minimum 8' clearance; • Awnings shall be located above windows or doors; • Signage not permitted on valance
	Canopy Sign	RES	Prohibited			
		NON-RES	1 SF per linear foot of canopy	1 per tenant canopy	24"	<ul style="list-style-type: none"> • Canopy and attached signage must have a minimum 8' clearance
	Projecting Sign	RES	Prohibited			
		NON-RES	Prohibited			
GROUND	Monument Sign/ Dual Post Sign	RES	Prohibited			
		NON-RES	40 SF	1 per ROW frontage	10'	<ul style="list-style-type: none"> • Signs shall be spaced at least 75' apart; • Tenant For multi-tenant signs, tenant panels shall cover no more than 80% of the allowable SFA
OTHER	Under Canopy Sign	RES	Prohibited			
		NON-RES	Prohibited			
	Manual Changeable Sign	RES	Prohibited			
		NON-RES	25% of the ground sign SFA	1	-	<ul style="list-style-type: none"> • Shall be installed within a ground sign

- e. **Sign District #5: Old Orland Historic District.** The following signs shall be allowed the Old Orland Historic District (OOH) with a valid permanent sign permit from the Development Services Department.

Sign District #5 – Old Orland Historic District						
	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Wall Sign/ Channel Letters/ Cloud Sign/ Push-Thru Letters	RES	1 SF per linear foot of tenant frontage	1 per ROW frontage	-	<ul style="list-style-type: none"> Only allowed on multi-family buildings with more than 10 dwelling units; Shall not extend more than 18" from the façade
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> Shall not cover any part of a window; The combined SFA of all signs shall not exceed the allowable SFA per frontage; Shall not extend more than 18" from the façade For multi-story or multi-tenant buildings, tenant sign location is subject to review by the Development Services Department
	Awning Sign	RES	<i>Prohibited</i>			
		NON-RES	10% of visible surface area of awning	1 per tenant awning	-	<ul style="list-style-type: none"> Minimum 8' clearance; Awnings shall be located above windows or doors; Signage not permitted on valance
	Projecting Sign	RES	<i>Prohibited</i>			
		NON-RES	10 SF	1 per tenant entrance	-	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be located near the tenant entrance; For multi-story or multi-tenant buildings, tenant signs must be located over or within 2 feet of the first floor pedestrian door access to the building; Maximum 3' projection; Shall not be internally illuminated
GROUND	Monument Sign/ Dual Post Sign	RES	<i>Prohibited</i>			
		NON-RES	20 SF	1 per ROW frontage	5'	<ul style="list-style-type: none"> Tenant For multi-tenant signs, tenant panels shall cover no more than 75% of the allowable SFA Wood posts are permitted for dual post signs subject to review by the Development Services Department

3. Permanent Sign Bonuses. Non-residential land uses within Sign District #2, #3, and #4 shall be eligible for the following sign bonuses in addition to the allowable signage within Section 6-307.F.2. of the Land Development Code:

- a. **Bonuses for Sign Face Area for Wall/Channel Letter/Cloud Sign/Push-Thru Letters.** The following bonuses shall apply to the calculation for SFA for the aforementioned sign types. Bonuses for Tenant Gross Floor Area may apply to any valid tenant frontage. Bonuses for Building Setback from Public Right-of-Way shall only apply to signs installed on the tenant frontage(s) eligible for the bonus. *Note: The maximum formula for SFA is 2 SF per linear foot of tenant frontage where the sign will be installed.*

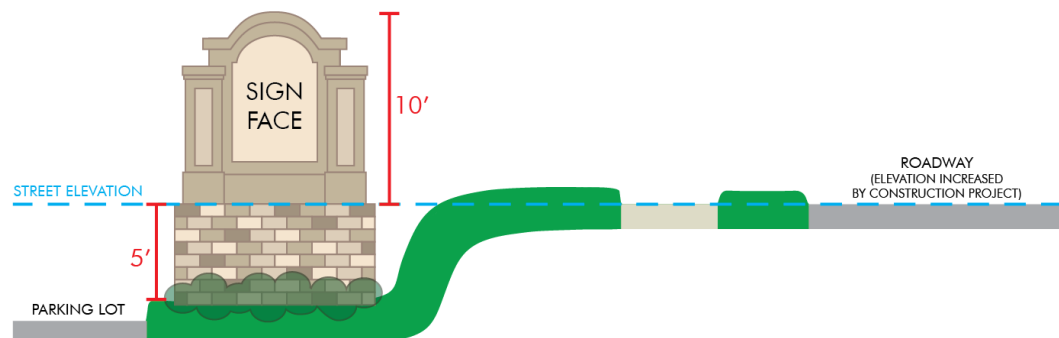
Tenant Gross Floor Area	Sign Face Area Bonus
25,000 – 50,000 SF	+ 0.25 SF per lineal foot of tenant frontage
> 50,000 SF	+ 0.50 SF per lineal foot of tenant frontage

Building Setback from Public Right-of-Way	Sign Face Area Bonus
150' – 300'	+ 0.25 SF per lineal foot of tenant frontage
> 300'	+ 0.50 SF per lineal foot of tenant frontage

- b. **Bonuses for Quantity of Wall/Channel Letter/Cloud/Push-Thru Letter Signs.** The following bonuses shall apply to the allowable quantity of the aforementioned sign types. The total SFA of all wall signs shall not exceed the allowable SFA.

Tenant Gross Floor Area	Sign Quantity Bonus
15,000 – 50,000 SF	+ 2 Signs
> 50,000 SF	+ 4 Signs

- c. **Monument Sign Bonuses for Sign Height.** Additional sign height shall be allowed for monument signs directly adjacent to a right-of-way where a road construction project increased the elevation of the roadway. The base of the monument sign may be increased to allow for the sign to be a maximum of ten feet (10') above the street elevation of the nearest point of the adjacent roadway pavement. The sign face shall not extend below the street elevation.



G. Temporary Signs. The following Temporary Signs shall be allowed with a valid temporary sign permit from the Development Services Department.

Temporary Signs

	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Allowable Duration of Display by Circumstance	Additional Regulations
WALL	Banner	RES	25 SF	1 per ROW frontage	-	<ul style="list-style-type: none"> Coming Soon: 14 days Grand Opening: 14 days Store Closing: 30 days 	<ul style="list-style-type: none"> Minimum 8' clearance; Shall not cover any part of a window
		NON RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	<ul style="list-style-type: none"> Temporary/Seasonal Use: 90 days or the duration of the use; whichever is less Prior to Installing a Permanent Sign: 14 days before permanent sign installation Special Event: Duration of Special Event 	<ul style="list-style-type: none"> Minimum 8' clearance; Shall be centered within the tenant's frontage unless otherwise approved by the Development Services Department; Shall be installed in accordance with an established center line
GROUND	Banner/ Temporary Dual Post Sign	RES	25 SF	1 per ROW frontage	5'	<ul style="list-style-type: none"> Coming Soon: 14 days Grand Opening: 14 days Store Closing: 30 days Prior to Installing a Permanent Sign: 14 days before permanent sign installation 	-
		NON RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	8'	<ul style="list-style-type: none"> Special Event: Duration of Special Event 	-
	Inflatable	RES	-	1	-	<ul style="list-style-type: none"> Grand Opening: 14 days 	-
		NON RES	-	1	-		-

1. ~~Types of Circumstances.~~

- a. ~~**Coming Soon.**~~ For the purposes of this Section, "coming soon" shall mean the time before a new business opens for the first time at a physical location within the Village and work is being performed within the tenant space to prepare for occupancy.
- b. ~~**Grand Opening.**~~ For the purposes of this Section, "grand opening" shall mean when a new business opens for the first time at a physical location within the Village and receives a Certificate of Occupancy. Expansions of tenant spaces are eligible for temporary grand opening signage.
- c. ~~**Store Closing.**~~ For the purposes of this Section, "store closing" shall mean when an existing business intends to cease operations at a physical location within the Village.
- d. ~~**Temporary or Seasonal Use.**~~ For the purposes of this Section, "temporary or seasonal use" shall mean a new business at a physical location within the Village that plans to operate for a specific period of time which is typically less than ninety (90) days. Examples include, but are not limited to, temporary offices, carnivals, and holiday related retail sales. Such use must be properly permitted/licensed by the Village.
- e. ~~**Prior to Installing a Permanent Sign.**~~ For the purposes of this Section, "prior to installing a permanent sign" shall mean when a business at a physical location within the Village is in the process of installing new permanent signage. A sign permit application for the new permanent signage must be submitted in order to be eligible for temporary signage.
- f. ~~**Special Event.**~~ For the purposes of this Section, "special event" shall mean an event held at a physical location within the Village with a valid permit from the Village. Special events include, but are not limited to, charitable events and tent sales.

2. ~~**Extensions for Display Period.**~~ The Development Services Department may extend the allowable duration of display in special circumstances. A letter requesting additional display time must be submitted for consideration.

G. Temporary Signs. The following Temporary Signs shall be allowed with a valid temporary sign permit from the Development Services Department, subject to compliance with the following regulations.

1. General Regulations for all Temporary Signs.

- a. **Sign Type.** As outlined in Section 6-309.G.2, temporary signs for residential and non-residential uses shall be limited to temporary wall signs (banners), temporary ground signs (dual post sign/banner), and grand opening signs. All temporary signs are subject to the General Standards listed in Section 6-307.C and Procedures listed in Section 6-307.D.
- b. **Number.** A maximum of one (1) temporary sign shall be permitted for and displayed by the same business, establishment, or single residential lot at any one point in time.
- c. **Duration.** Unless as otherwise provided in the regulations of this Section, no more than six (6) permits for temporary signs shall be issued for a business, establishment, or residential use located on the same lot within one (1) calendar year. A temporary sign permit shall be valid for a maximum period of seven (7) days. A temporary sign displayed for less than seven (7) days constitutes a one-week period. Such permits may be issued in any combination not to exceed six (6) permits per calendar year for a total of forty-two (42) days running concurrently.
- d. **Durability and Maintenance.** All temporary signs must be properly maintained while displayed and be able to withstand all weather elements. All temporary signs must remain in good condition during the display period. Throughout the display period, corrective action must be taken immediately should there be any problems with the appearance, condition or maintenance of the sign and/or support hardware.
- e. **Removal.** All temporary signs shall be removed within twenty-four (24) hours after the expiration of a sign permit or time period approved on the permit.

2. Regulations by Temporary Sign Type.

a. Temporary Wall Signs (Banners).

1. **Sign Face Area.** For non-residential uses, the maximum sign face area for a temporary wall sign shall be one (1) square foot per linear foot of tenant frontage. For residential uses, the maximum sign face area for a temporary wall sign shall not exceed twenty-five (25) square feet.
2. **Number.** For non-residential uses, a maximum of one (1) temporary wall sign shall be permitted for each tenant frontage. For residential uses, a maximum of one (1) temporary wall sign shall be permitted per right-of-way frontage.
3. **Location.** Temporary wall signs shall not extend above the roofline or parapet wall of a building and shall not cover any part of a window or door. All temporary wall signs shall maintain a minimum eight (8) foot clearance measured vertically from grade to the bottom of the sign. For non-residential uses, temporary wall signs shall be centered within the tenant's frontage unless otherwise approved by the Development Services Department.

b. Temporary Ground Signs (Dual Post Signs/Banners).

1. **Sign Face Area.** For non-residential uses, the maximum sign face area for a temporary ground signs shall be one (1) square foot per linear foot of tenant frontage. For residential uses, the maximum sign face area for a temporary ground sign shall not exceed twenty-five (25) square feet.
2. **Number.** For non-residential uses, a maximum of one (1) temporary ground sign shall be permitted for each tenant frontage. For residential uses, a maximum of one (1) temporary ground sign shall be permitted per right-of-way frontage.
3. **Height.** For non-residential uses, the maximum height for a temporary ground signs shall be eight (8) feet. For residential uses, the maximum height for a temporary ground signs shall be five (5) feet.

3. Extensions for Display Period. The Development Services Department may extend the allowable duration of display for temporary signs in the following circumstances:

- a. **Grand Opening Signs.** One (1) additional temporary grand opening sign may be granted for a maximum of fourteen days (14) after a new business opens for the first time at a physical location within the Village and receives a Certificate of Occupancy per calendar year. A grand opening sign must be applied for and

erected within sixty (60) days immediately following the issuance of a full or temporary Certificate of Occupancy.

1. **Permitted Sign Types:** Temporary wall signs (banners), temporary ground signs (dual post signs/banners), and temporary inflatable signs shall be permitted sign types for grand opening signs.
 2. **Requirements for Temporary Inflatable Signs.** Inflatable signs shall only be displayed or erected through an approved temporary grand opening sign permit. One (1) temporary inflatable sign is permitted per lot. Inflatable signs which move or give the appearance of moving are prohibited, as provided in Section 6-307.E.2. Inflatables may not be mounted on the roof of a building or structure.
- b. **Special Events.** The Development Services Department may extend the allowable duration of display of temporary signs for special events with an approved special event permit issued by the Village. A letter requesting additional display time must be submitted as part of the temporary sign permit application. All temporary signs associated with a special event permit shall be erected no earlier than two (2) weeks before the date of the special event and shall be removed within twenty-four (24) hours after date of the special event.
- c. **Temporary or Seasonal Use.** The Development Services Department may extend the allowable duration of display of temporary signs for temporary or seasonal uses approved by the Village. A letter requesting additional display time must be submitted as part of the temporary sign permit application. A temporary sign for a temporary or seasonal use shall extend no longer than the duration of the use. A temporary or seasonal use shall mean a new business at a physical location within the Village that plans to operate for a specific period of time, which is typically less than ninety (90) days. Examples include, but are not limited to, temporary offices, carnivals, and holiday-related retail sales. Such use must be properly permitted/licensed by the Village.

Temporary Signs

	Sign Type	Tenant Land Use	Maximum Sign Face Area	Maximum Number of Signs	Maximum Sign Height	Additional Regulations
WALL	Banner	RES	25 SF	1 per ROW frontage	-	<ul style="list-style-type: none"> • Minimum 8' clearance • Shall not extend above the roofline or parapet wall of a building • Shall not cover any part of a window or door • Shall be centered within the tenant's frontage unless otherwise approved by the Development Services Department
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	-	
GROUND	Dual Post Sign / Banner	RES	25 SF	1 per ROW frontage	5'	-
		NON-RES	1 SF per linear foot of tenant frontage	1 per tenant frontage	8'	

H. Special Areas of Control. The following signs shall be allowed with a valid permanent sign permit from the Development Services Department.

1. **Construction Site Signs.** Sign(s) meeting the following requirements shall be permitted for sites with an active building permit on file with the Development Services Department:
 - a. The sign(s) shall meet all General Standards within Section 6-307.C. of the Land Development Code;
 - b. The sign(s) may be made of temporary or permanent materials;
 - c. The sign(s) shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives unless installed on construction fencing;
 - d. One (1) sign is allowed per frontage along a public right-of-way;
 - e. Sign(s) shall be displayed no earlier than thirty (30) days before construction begins and removed no later than seven (7) days after issuance of a Certificate of Occupancy and/or completion of construction;
 - f. The sign(s) shall not be installed above the roof line when located on a building, be greater than six feet (6') in height when located on the ground, and/or exceed the height of the construction fence if installed upon said fence; and
 - g. The maximum sign face area shall be in accordance with the following table:

Land Area/Location	Maximum Allowable Total Sign Face Area (all signs combined)
Less than ten (10) acres	Twelve (12) square feet per acre; maximum of forty (40) square feet
Greater than ten (10) acres	Sixty-four (64) square feet

2. **Model Home Signs.** Sign(s) meeting the following requirements shall be permitted on real property which is registered as a model home site with the Development Services Department:
 - a. The sign shall meet all General Standards within Section 6-307.C. of the Land Development Code;
 - b. The sign shall be set back a minimum of five feet (5') from all property lines, walks/paths, and access drives;
 - c. The sign shall be located on the ground;
 - d. One (1) sign is allowed per frontage along a public right-of-way;
 - e. The maximum sign height shall not exceed six feet (6') when located on the ground; and
 - f. The maximum sign face area for each sign shall be no larger than forty (40) square feet.
3. **Gas Station Signs.** On premises where gasoline is dispensed:
 - a. Each side of a service station island containing gasoline pumps shall be permitted a maximum of two (2) permanent signs meeting the following requirements:
 1. The maximum sign face area shall neither exceed six (6) square feet for each exposed face nor exceed an aggregate gross surface area of twelve (12) square feet.
 2. Such signs shall be incorporated within the service station island structure to which it relates.
 - b. Each gas station canopy shall be permitted one (1) canopy sign per right-of-way frontage. The gross surface area of such sign shall not exceed twenty (20) percent of the gross surface area of the canopy to which the sign is to be affixed. Said canopy signage shall not extend above or below the canopy.
4. **Directional Signs.**
 - a. Directional Signs, if deemed necessary by the Development Services Department in the interest of public safety, shall be permitted in accordance with the following requirements.

Gross Floor Area	Maximum Sign Face Area Per Sign	Maximum Sign Height
< 350,000 SF	10 SF	4'
350,000 – 500,000 SF	24 SF	7'
> 500,000 SF	70 SF	9'

- b. Permanent off-site directional signs may be permitted for medical facilities and senior housing facilities if located in a non-residential area and within 1,000 feet of the facility.
- c. Temporary off-site directional signs may be permitted for special events as determined by the Development Services Department.
- d. The allowable quantity of directional signs shall be determined by the Development Services Department.
- e. Directional signs must be located a minimum of one (1) foot from any lot line.
- f. The name of a business or logo may be included on a directional sign, provided that the name and logo shall not exceed fifty percent (50%) of the surface area of the sign. No other commercial message is permitted.

5. **Drive-Through Accessories.** Drive-Through Accessories shall meet the requirements of Section 6-302.K of the Land Development Code.

I. Nonconforming Signs.

Signs existing at the time of the enactment of this Section, or any amendment thereto, or at the time of annexation of the property on which they are located and not conforming to the provisions of this Section, shall be regarded as nonconforming signs. Nonconforming signs shall be of two types: legal nonconforming or illegal nonconforming.

- 1. **Legal Nonconforming Signs.** Nonconforming signs that were lawfully permitted by the Village shall be considered legal nonconforming signs. The following activities are allowed for legal nonconforming signs and may require a permit from the Development Services Department:
 - a. **Ordinary Repair and Maintenance.** Normal maintenance and incidental repair are allowed for legal nonconforming signs, provided that any repair or maintenance shall, whenever possible, eliminate or reduce any nonconformity. The allowable scope of repair and maintenance for legal nonconforming signs includes:
 - 1. The replacement of non-load-bearing sign elements and electrical wiring and fixtures; and
 - 2. The replacing, repairing, or repainting of any portion of a sign or its structural elements, provided that the sign is not structurally altered to prolong its useful life.
 - b. **Change in Display of Sign Content.** The periodic changing of tenant's sign panels or the renewing of copy that has been made unusable by ordinary wear and tear, weather, or accident is allowed on legal nonconforming signs. All new panels within nonconforming signs shall be designed to meet current Appearance Standards per Section 6-307.F.1.
 - c. **Alteration, Enlargement, and Relocation.** Legal nonconforming signs shall not be:
 - 1. Changed or altered in any manner that would increase the degree of its nonconformity;
 - 2. Enlarged or expanded; and/or
 - 3. Moved in whole or in part to any other location where the sign would remain nonconforming.
- 2. **Illegal Nonconforming Signs.** Nonconforming signs that do not have a valid permit on file with the Village shall be considered illegal nonconforming signs.
 - a. **Removal.** Illegal nonconforming signs shall be immediately removed at the expense of the owner.
 - b. **Alteration.** The owner of an illegal nonconforming sign may obtain a permit to alter the illegal nonconforming sign to conform with all applicable Village codes.

J. Severability.

If any portion of this document is to any extent invalid, illegal, or incapable of being enforced, such term shall be excluded to the extent of such invalidity, illegality, or unenforceability; all other terms hereof shall remain in full force and effect.

K. Definitions. In the event of a conflict within this Section and within Section 2-102 (Definitions) of the Land Development Code the definitions herein shall apply.

1. **Average Natural Grade:** When measuring sign height, the average natural grade shall mean the average grade measured ten feet (10') in every direction from the sign location.
2. **Calendar Year:** The time between January 1 and December 31.
3. **Frontage, Tenant:** The horizontal distance between a tenant's lease lines along a façade facing a public right-of-way, private access drive, and/or parking lot. Tenant Frontage shall not include frontage along outdoor sales areas and accessory structures.
4. **Sign:** Any object, device, display, or structure, or part thereof, which is used primarily to advertise, identify, display or direct or attract attention to an object, person, establishment, product, service, event or location by any means including, but not limited to: words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images, which are visible beyond the boundaries of the lot, parcel, or tenant space on which they are situated or visible from any public thoroughfare or right-of-way. This includes, but is not limited to, wall signs, ground signs, window signs, awning or canopy signs, marquees, manual changeable signs, message boards, illuminated signs, moving signs, temporary signs, portable signs, pennants, banners, streamers or any other attention-getting device, flag, or other display, whether affixed to a building or erected elsewhere on the premises. The term "sign" excludes those features of a building which are an integral part of the building's architecture, design, and structure (i.e. an "architectural feature") as determined by the Development Services Department. Murals and public art shall not be considered signs if the work of visual art does not contain any commercial messaging, advertising, logos, or business identification messages.
5. **Sign, Address:** A sign displayed for the purpose of identifying the address of the property.
6. **Sign, Awning:** Signage that exists on an awning.
7. **Sign, Banner:** A temporary sign with or without characters or illustrations applied to cloth, flexible plastic, or fabric of any kind, with no rigid material as a backing. A Banner Sign is typically installed on the wall of the tenant space, mounted in the ground, or securely attached to an existing ground sign.
8. **Sign, Billboard:** See Off-Premise (Outdoor Advertising) Sign.
9. **Sign, Box (Cabinet):** A sign which contains all of the advertising copy within an enclosed cabinet (typically a standard geometric shape such as a rectangle) and is mounted to a wall. Box Signs have a translucent or opaque back-lit panel with sign copy enclosed within a frame or cabinet. An internally-illuminated logo separate from other sign copy shall not constitute a Box Sign.
10. **Sign, Canopy:** A sign constructed or affixed to a permanent portion of a building that serves as a canopy over the space below. A canopy is an integral part of the building that uses similar materials, whereas an awning is more temporary in nature and build.
11. **Sign, Channel Letter:** A sign comprising individual letters that are independently mounted to a wall or other surface and have a covered face with internal illumination. Channel letters may be non-illuminated.
12. **Sign, Cloud:** A sign with a single cabinet that is not a typical geometric shape but instead follows the curvature of the lettering or artwork on the sign. A Cloud Sign is distinguished from a Box (Cabinet) Sign by the shape of the sign

and the outer edges forming a cloud around the lettering or artwork on the sign. Typically the background of this type of sign is non-illuminated but the lettering is illuminated.

13. **Sign, Directional:** ~~A sign used for providing direction and navigation of a site.~~ A sign designed to provide direction to motorists or pedestrians into, out of, and within a site, including signs marking parking lot entrances and exits, loading zones, drive-through lanes, and features of a similar nature. Such signs typically include arrows and identify locations rather than advertising copy and/or logos. Pavement markings shall not constitute a directional sign.
14. **Sign, Dual Post:** A ground sign that utilizes two posts or columns that are used to mount the sign in the ground.
15. **Sign, Electronic Changeable:** Signage that features changeable text and/or illustrations, using computer software or other technology to automate the delivery schedule of the messages.
16. **Sign Face:** That part of the sign which is or can be used to identify, to advertise, to communicate information, or for visual representation which attracts the attention of the public for any purpose. This shall include any background material, panel, trim, color, and direct or self-illumination that differentiates the sign from the building, structure, backdrop surface, or object upon or against which it is placed. This shall not include any portion of the support structure for the sign, provided that no message, symbol, or any of the aforementioned sign face criteria is placed on or designed as part of the support structure.
17. **Sign Face Area:** The entire area of a sign face measured in square feet.
18. **Sign, Feather/Flag:** A temporary ground sign typically taller than it is wide, made of non-rigid material, and attached to a pole.
19. **Sign, Flag:** A sign attached to a pole on one side of the sign.
20. **Sign, Ground:** Any sign supported wholly or in part by some structure other than the building or buildings housing the use to which the sign pertains. Ground signs shall also include monument, dual post, and other freestanding signs.
21. **Sign, Inflatable:** A sign that requires air pressure to maintain its volume.
22. **Sign, Integral:** Names of buildings, dates of erection, monumental citations and commemorative tablets or other information that is carved into stone, concrete, or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.
23. **Sign, Manual Changeable:** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign.
24. **Sign, Marquee:** A manual changeable sign with a surrounding cache of light bulbs. Typical marquee signage is found at the entry to theaters.
25. **Sign, Monument:** A two-sided sign attached to a permanent foundation or decorative base and not attached or dependent on support from any building, pole, posts, or similar uprights.
26. **Sign, Off-Premise (Outdoor Advertising):** A sign providing display space for general commercial advertising not related to the premises on site at which the sign is located; commonly referred to as "billboards".
27. **Sign, Outdoor Bulletin Board:** A cabinet attached to the wall of a structure at a pedestrian level for the purpose of displaying periodically-changing messages printed on paper or other similar materials inside the cabinet. Such messages may include announcements, advertisements, or information about a business such as a menu or a brochure of services.

28. **Sign, Pennant:** A series of triangular non-rigid signs that exist on a string or band.
29. **Sign, Permanent:** Any sign or advertising display composed of durable materials intended to exist for the duration of time that the use or occupant is located on the premises.
30. **Sign, Political:** Temporary signs that announce or support political candidates, parties, issues, or causes in connection with any national, state, or local election.
31. **Sign, Portable:** Any sign that is not permanently attached to the ground, a structure, or a building and which is designed to be easily transported or relocated to another location.
32. **Sign, Projecting (Blade):** A sign, other than a wall sign, which projects (usually perpendicularly) from and is supported by a wall of a building or structure.
33. **Sign, Push-Thru Letters:** A sign with individually illuminated acrylic letters and/or a logo that appear to be pushed through the sign's opaque background panel/cabinet.
34. **Sign, Roof:** A sign erected, constructed, supported or maintained in whole or part upon or above the highest point of the roof line, parapet, or fascia of the building. For buildings with a hip, gambrel, or gable roof this would be above the eave line; for mansard roofs, this would be above the deck line for the roof, and for flat roofs it would be above the edge of the wall.
35. **Sign, Sandwich Board (A-Frame):** Portable and relatively lightweight signage constructed to stand independently, not mounted or affixed to its location. This sign is fabricated as an A-frame, which is characterized by having two boards connected together at the top. The boards may have signage on one or both sides.
36. **Sign, Temporary:** A banner, pennant, poster or advertising display constructed of less durable materials and that appears to be intended to be displayed for a reasonable short or definite limited period of time. If the sign display area is permanent but the message displayed is subject to periodic manual changes, that sign shall not be regarded as a Temporary Sign.
37. **Sign, Under Canopy:** A sign that is attached to the underside of a canopy.
38. **Sign, Wall:** Signs mounted on the wall of a building that are parallel to the face it is mounted on. Wall signs may be illuminated or non-illuminated and are typically three-dimensional. Wall signs include but are not limited to sign types such as channel letters, cloud, and push-thru. Signs on canopies, awnings, and windows may also be considered wall signs.
39. **Sign, Window:** Signs or graphics with or without copy that are adhered to a window.
40. **Sign, Yard (Pin):** A temporary sign made of non-durable materials that are typically staked in the ground by metal or plastic supports.
41. **Window Display:** Graphics, digital images, or displays of products without copy located within the interior of the building that are not located on the surface of a window but are visible through a window or other opening. Window displays are used to project a message to potential outside viewers.

EXHIBIT B

Section 6-302.C

Table 6-302.C.1(A) – Attached Accessory Structures

Permitted Structures P = Permitted PC = Permitted with Conditions NP = Not permitted	Residential Zoning Districts					Mixed Use Zoning Districts						Non-Residential Zoning Districts			Setbacks Permitted F = Front S = Side R = Rear * = specific limits	Specific Standards See Section:
	E-1	R-1	R-2 & R-2A	R-3 & R-3A	R-4	LSPD	OOH	COR	ORI	VCD	RSB	BIZ	MFG	OL		
Air Conditioning	P	P	P	P	P	P	P	P	P	P	P	P	P	P	R	6-302.C.1
Awnings, Marquees, and Canopies	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.3
Balconies	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.4
Bay Windows	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.6
Chimneys	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S*, R	6-302.C.7
Decks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.8 6-302.C.43
Eaves and Gutters	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.9
Fire Escapes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R	6-302.C.11
Garages																6-302.C.13
Green Roof/Eco-Roof	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A	6-302.H.1.c
Ornamental Lights	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F, S, R	6-302.C.22
Outdoor Seating Areas	NP	NP	NP	NP	NP	NP	PC	PC	PC	PC	NP	PC	NP	NP	F,S,R	6-302.L
Patios	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.25
Porches	P	P	P	P	P	P	P	P	P	P	P	P	NP	P	R*	6-302.C.29

Satellite Dishes	P	P	P	P	P	P	NP	P	P	P	P	P	P	P	R	6-311
Sills, Belt Courses, Cornices, and other Ornamental Features of the Principal Structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F*, S*, R*	6-302.C.35
Steps (open)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F, S, R	6-302.C.37
Television and Radio Antennae	P	P	P	P	P	P	P	P	P	P	P	P	P	P	R	6-302.C.40
Tensile Canopies	NP	NP	NP	NP	NP	PC	NP	PC	NP	PC	NP	PC	NP	NP	F*, S*, R*	6-302.C.42
Terraces																

(Amd. Ord. 5476 - 1/20/20)

Table 6-302.C.1(B) – Detached Accessory Structures

Permitted Structures P = Permitted PC = Permitted with Conditions NP = Not permitted	Residential Zoning Districts					Mixed Use Zoning Districts						Non-Residential Zoning Districts			Setbacks Permitted F = Front S = Side R = Rear * = specific limits	Specific Standards See Section:
	E-1	R-1	R-2 & R-2A	R-3 & R-3A	R-4	LSPD	OOH	COR	ORI	VCD	RSB	BIZ	MFG	OL		
Arbors, Pergolas and Trellises	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	S*, R*	6-302.C.2
Basketball Poles and Hoops	PC	PC	PC	PC	PC	PC	PC	PC	PC	NP	PC	NP	PC	PC	F, S, R	6-302.C.5
Fences	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-310
Flagpoles	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.C.12
Garages																6-302.C.13
Garbage Containers, Dumpsters and Enclosures	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	S, R	6-302.C.14 6-302.D 6-304.C.8
Geothermal Energy Systems	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F, S, R	6-314
Green Roof/Eco-Roof	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A	6-302.H.1.c
Ice Skating Rinks	P	P	P	P	P	P	P	P	P	NP	P	NP	NP	P	R*	6-302.C.17
Lawn Furniture	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F, S, R	6-302.C.18
Lawn Sprinklers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	F, R	6-302.C.19
Laundry Drying Equipment	P	P	P	P	P	P	P	P	P	NP	P	NP	NP	P	S*, R*	6-302.C.20
Mailboxes	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F, S	6-302.C.21
Outdoor Fireplaces	P	P	P	P	P	P	P	P	P	NP	P	NP	P	P	R*	6-302.C.23
Outdoor Seating Areas	NP	NP	NP	NP	NP	NP	PC	PC	PC	PC	NP	PC	NP	NP	F,S,R	6-302.L
Outside Storage	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.I
Parking Lots	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.C.24 6-306
Pet Shelters	P	P	P	P	P	P	P	P	P	NP	P	NP	P	P	R	6-302.C.26 6-302.E
Playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	NP	P	S*, R*	6-302.C.27
Playhouses, Treehouses, Gazebos and Open-Sided Summer Houses	P	P	P	P	P	P	P	P	P	NP	P	NP	NP	P	S*, R*	6-302.C.28
Rain Barrels and Rain Gardens	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	S*, R*	6-302.H.1.h

Retaining Walls	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.C.31
Sheds and Storage Buildings	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	R*	6-302.C.33
Signs	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F, S, R	6-302.C.34 6-307
Solar Energy Systems	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.C.36 6-314
Stadia and Auditoria (accessory to schools only)	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.F
Storm Water Cistern	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	S*, R*	6-302.H.1.j
Swimming Pools	PC	PC	PC	PC	PC	PC	PC	PC	PC	NP	PC	NP	NP	PC	R*	6-302.C.39 6-310.1
Tennis and Basketball Courts	PC	PC	PC	PC	PC	PC	PC	PC	PC	NP	PC	NP	NP	PC	R*	6-302.C.41
Vending Machines	NP	NP	NP	NP	NP	NP	NP	PC	PC	PC	NP	PC	NP	NP	F*, S*, R*	6-302.C.45
Wind Energy Conversion Systems	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	F*, S*, R*	6-302.C.46 6-314

REQUEST FOR ACTION REPORT

File Number:	2020-0682
Orig. Department:	Village Manager
File Name:	Ordinance Amending Title 7 Chapter 16 (Raffles) of Orland Park Village Code

BACKGROUND:

Per a Village Board member inquiry, staff reviewed the Village's existing Raffle Code. The existing Raffle Code mirrors State law except for political committees. In State law, the Raffles Act allows for political committees to receive a raffle license. The Village ordinance doesn't prohibit it; however, it is silent on the issue. After thorough review and advisement from legal counsel, staff is making several recommendations addressing this language in the Village Code, as well as addressing operational efficiencies.

State law authorizes local governments to issue licenses for raffles and to establish its own ordinances controlling how they operate. On July 19, 2019, the Governor signed P.A. 101-109 enacting significant amendments to the State Raffles and Poker Runs Act that modify, and in some cases relax, requirements for local raffle regulations. As a result, staff and legal counsel have undertaken a review of the Village's current raffle regulations and is asking the Board to consider amendments to the Village Code to be consistent with the amended Raffles Act and to set forth the requirements for the application process and the qualifications of those applicants applying for a license to conduct and operate a raffle within the Village of Orland Park.

The proposed amendments include:

- As part of the Act, raffle chances can now be sold statewide, which is a change from the previous language that restricted the sale to the locality where licensed. The raffle drawing winning ticket must still be within the corporate boundaries of the Village.
 - The proposed Village Code amendment will now authorize raffle license applications to be approved administratively as long as they meet the requirements of the Village Code.
 - The list of eligible organizations to conduct raffles is expanded to include: law enforcement agencies and their statewide associations.
 - The Act previously required municipalities to establish certain limits on prize values, chance prices, and duration of chance sales. But with the new Act, those limits are optional. This proposed ordinance does not change the limitations set by the Village but the Village could eliminate the limitations placed on prizes if it so chooses.
 - The Act now provides that the sponsoring organization may contract with third parties to provide services in connection with the raffle.
 - There is additional information that is being required in the application process.
 - The Ordinance makes it clear that the Village does not license political committees as they are licensed only by the State Board of Elections.
-

BUDGET IMPACT:

None

REQUESTED ACTION:

I move recommend to the Village Board to pass an ordinance entitled: AN ORDINANCE AMENDING TITLE 7 CHAPTER 16 (RAFFLES) OF THE ORLAND PARK VILLAGE CODE

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AN ORDINANCE AMENDING TITLE 7 CHAPTER 16 (RAFFLES) OF THE ORLAND PARK VILLAGE CODE

..B

WHEREAS, the Village of Orland Park (“Village”) is a home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, the President and Board of Trustees of the Village of Orland Park desire to amend the regulations of Chapter 16 (Raffles) of Title 7 (Business Regulations) of the Village Code of the Village of Orland Park (the “Code Amendments”) in order to update regulations involving certain raffles regulation, including the holding of on-line raffles and outsourcing of the operation of such raffles to third-party companies as allowed by the Illinois Raffles and Poker Runs Act (230 ILCS 15/1 *et seq.*); and

WHEREAS, pursuant to its statutory authority to regulate raffles and the powers available to the Village as a home rule municipality, this Ordinance is adopted pursuant to the above-referenced State laws and the Village’s home rule authority, which authorizes the Village and the State of Illinois to regulate raffles, subject to certain licensing requirements, and to promulgate rules and regulations that protect the public health, safety and welfare of its citizens; and

WHEREAS, pursuant to its authority under Article VII, Section 6(c) of the Illinois Constitution, the Village finds it in the best interest of the Village, Village residents, and the public’s health, safety and welfare to amend the Village Code of the Village of Orland Park to update the requirements imposed on raffle licensees in the Village and to clearly set forth the requirements for the application to operate raffles as well as being those set forth in State and Federal law in determining the qualifications of prospective applicants.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1:

The recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2:

Title 7 (Business and License) Chapter 16 (Raffles) of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-16-1 Definitions

....

For the purpose of this Ordinance, the following words and phrases shall have the meanings hereby given them:

“BUSINESS” means a voluntary organization composed of individuals and businesses who have joined together to advance the commercial, financial, industrial and civic interests of the Village.

“CHARITABLE” means an organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit on the public.

“EDUCATIONAL” means an organization or institution organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.

“FRATERNAL” means an organization of persons having a common interest, the primary interest of which is to both promote the welfare of its members and to provide assistance to the general public in such a way as to lessen the burdens of government by caring for those that otherwise would be cared for by the government.

“KEY LOCATION” means the physical location within the Village’s corporate boundaries where the raffle drawing is conducted.

“LABOR” means an organization composed of workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

“LAW ENFORCEMENT AGENCY” means an agency of this State or a unit of local government in this State that is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances.

“NET PROCEEDS” means the gross receipts from the conduct of raffles, less reasonable sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle.

“NON-PROFIT” means an organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation.

“RAFFLE” means a form of lottery, as defined in Section 28-2 (b) of the "Criminal Code of 1961," conducted by an organization licensed under this Ordinance, in which:

- (1) the player pays or agrees to pay something of value for a chance, represented and differentiated by a number or by a combination of numbers or by some other medium, one or more of which chances is to be designated the winning chance;
- (2) the winning chance is to be determined through a drawing or by some other method based on an element of chance by an act or set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly exhibited sporting contest.

“RELIGIOUS” means any church, congregation, society, or organization founded for the purpose of religious worship.

“SPONSORING ORGANIZATION” means one of the eligible organizations defined in the Act that may receive a Village-approved raffle license and consisting of: (a) NON PROFIT organizations or institutions, CHARITABLE organizations or institutions, EDUCATIONAL organizations or institutions, RELIGIOUS congregations, societies and organizations, FRATERNAL organizations, VETERANS organizations or associations, and LAW ENFORCEMENT AGENCIES and associations that represent Law Enforcement Agencies.

“THIRD-PARTY RAFFLE OPERATOR / VENDOR” means a person, company, corporation or organization who contracts with and acts at the direction of and under the supervision of the Sponsoring Organization, to provide bona fide services to the Sponsoring Organization in connection with the operation of a raffle and may receive reasonable compensation from the Sponsoring Organization for such services as provided for in the Illinois Raffles Act (See, 230 ILCS 15/4)(a)(2)). Such services include the following: (a) advertising, marketing and promotion, (b) legal, (c) procurement of goods, prizes, wares and merchandise for the purpose of operating the raffle, (d) rent, if the premises upon which the raffle will be held is rented, (e) accounting, auditing and bookkeeping, (f) website hosting, (g) mailing and delivery, (h) banking and payment processing, and (i) other services relating to the operation of the raffle.”

“VETERANS” means an organization or association comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.

“VILLAGE” means the Village of Orland Park, Cook and Will Counties, Illinois.

7-16-2 Licensing Limitations

....

Each event at which a raffle or raffles are to be conducted shall have a separate raffle license issued by the Village.

Limitations: The following limitations apply to raffles conducted within the Village

- A. LOCATION. Sales of raffle chances shall be only at locations designated in the license application and which are within the borders of the State of Illinois.
- B. ELIGIBILITY FOR LICENSE. Licenses shall be issued only to bona fide religious, charitable, labor, business, fraternal, educational or veterans organizations that operate without profit to their members and which have been in existence continuously for a period of five (5) years immediately before making application for a license and which have had during that entire 5-year period a bona fide membership engaged in carrying out their objectives, or to a non-profit fundraising organization that the Village determines is organized for the sole purpose of providing financial assistance to an identified individual or group suffering extreme financial hardship as the result of an illness, disability, accident or disaster, as well as law enforcement agencies and associations that represent law enforcement officials.
- C. DURATION OF LICENSE. Licenses shall permit the applicant to issue or sell raffle chances only for those dates stated in the license application, but in no event shall the period of sales exceed one (1) year. Each license is valid for not more than one (1) raffle per week during any one (1) year period.
- D. MAXIMUM VALUE OF PRIZES.
- (1) The aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle shall not exceed ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS. For any raffle that has the potential for jackpots or roll-over jackpots (e.g., Queen of Hearts raffles) to exceed maximum aggregate retail value of all prizes or merchandise awarded restriction, the applicant or the Third-party raffle Operator/ Vendor shall award only a jackpot or jackpots or prizes or merchandise that meets the above dollar amount restriction. The applicant or the Third-party Raffle Operator/ Vendor shall not sell raffle chances in an amount that would cause the jackpot or roll-over jackpot or prizes or merchandise to exceed the above dollar amount restriction.
 - (2) The retail value of each individual prize awarded by a licensee in a single raffle shall not exceed FIFTY THOUSAND (\$50,000.00) DOLLARS. For any raffle that has the potential for jackpots or roll-over jackpots (e.g., Queen of Hearts raffles) to exceed the maximum retail value of each jackpot, roll-over jackpot or prize awarded restriction, the applicant or the Third-party Raffle Operator/ Vendor shall award only a jackpot, a roll-over jackpot or a prize that meets the above dollar amount restriction. The applicant or the Third-party Raffle Operator/ Vendor shall not sell raffle chances in an amount that would cause the jackpot or roll-over jackpot or prize to exceed the maximum dollar amount restriction.
- E. PRICE OF CHANCES. The price charged for each raffle chance sold or issued shall not exceed TWO HUNDRED FIFTY (\$250.00) DOLLARS.

7-16-3 License—Application--Restrictions

....

- A. No person, firm or corporation shall conduct a raffle without having first obtained a license therefor pursuant to this Ordinance.
- B. Each application for a licenses shall be in writing upon forms provided by the Village and shall contain, at minimum, the following:
- (1) Name and address of individual making application.
 - (2) Name and address of organization applying for a license.
 - (3) Approximate number of members of the organization that reside in the Village and the length of existence of the organization.
 - (4) Name and address of the raffle manager.
 - (5) The location(s) at which raffle chances are to be sold or issued.
 - (6) The time period during which raffle chances will be sold or issued.
 - (7) The maximum number of raffle chances will be sold or issued.
 - (8) The time of determination of winning chances.
 - (9) The Key Location at which winning chances will be determined.
 - (10) A sworn statement, signed by the presiding officer, and secretary if there is one, of the organization attesting to the not-for profit character of the organization, and attesting to the fact the organization is not otherwise ineligible to receive a license.
 - (11) If the applicant intends to contract with a Third-party Raffle Operator / Vendor pursuant to Section 3-12-3 (F)(2) of this Code, the pertinent portions of the application shall be completed and also signed by the Third-party Raffle Operator / Vendor, which contains information regarding the role and activities of the Third-party Raffle Operator / Vendor in relative to the raffle. The Third-party Operator / Vendor's name, authorized representative, principal place of business, and contact information shall be disclosed.
 - (12) The application shall also contain sworn statements to be signed by the presiding officer and the secretary (if any) of the applicant and an authorized representative of the Third-party Raffle Operator / Vendor (if any) that certify the applicant and the Third-party Raffle Operator / Vendor agree to comply with all applicable statutes, ordinances, Village Code provisions and regulations regarding the conduct of raffles.
 - (13) The application completed by the applicant and the Third-party Operator / Vendor (if any) shall be on a form prepared by the Village in accordance with this section. The raffle application forms may be amended from time to time by the Village Manager of the Village or the Village Manager's designee.
- C. The Village Board hereby delegates the authority to approve or to deny an application to conduct a raffle to the Village Manager of the Village or to the Village Manager's designee.

7-16-4 Ineligibility

....

The following are ineligible for any license under this ordinance:

- (1) Any person who has been convicted of a felony;
- (2) Any person who is or has been a professional gambler or gambling promoter;
- (3) Any person who is not of good moral character;

- (4) Any firm or corporation in which a person defined in (1), (2) or (3) has a proprietary, equitable or credit interest or in which such a person is active or employed;
- (5) Any organization in which a person defined in (1), (2) or (3) is an officer, director, or employee, whether compensated or not;
- (6) Any organization in which a person defined in (1), (2) or (3) is to participate in the management or operation of a raffle.

7-16-5 Conduct of Raffles

....

The conducting of raffles is subject to the following restrictions:

- (1) The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.
- (2) No person except a bona fide member of the Sponsoring Organization may participate in the management or operation of the raffle, provided however that Sponsoring Organizations may contract with third parties (i.e., a Third-party Operator / Vendor) who, acting at the direction of and under the supervision of the Sponsoring Organization, provide bona fide services to the Sponsoring Organization in connection with the operation of a raffle and may pay reasonable compensation for such services. Such services include the following: (a) advertising, marketing, and promotion, (b) legal, (c) procurement of goods, prizes, wares and merchandise for the purpose of operating the raffle, (d) rent, if the premises upon which the raffle will be held is rented, (e) accounting, auditing and bookkeeping, (f) website hosting, (g) mailing and delivery, (h) banking and payment processing, and (i) other services relating to the operation of the raffle.
- (3) No person may receive any remuneration or profit for participating in the management or operation of the raffle, except for a Third-party Operator / Vendor as provided herein.
- (4) A licensee may rent a premises on which to determine the winning chance or chances in a raffle only from an organization which is also licensed under this Ordinance.
- (5) Raffle chances may be sold or issued only within the State of Illinois and only at the locations specified on the license, and winning chances may be determined only at the Key Location(s) specified on the license.
- (6) A person under the age of 18 years may participate in the conducting of raffles or chances only with the permission of a parent or guardian. A person under the age of 18 years may be within the area where winning chances are being determined only when accompanied by his/her parent or guardian.

7-16-6 Records and Reports

....

- (1) Each organization licensed to conduct raffles shall keep records of its gross receipts, expenses and net proceeds for each single gathering or occasion at which winning chances are determined. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of net proceeds shall be itemized as to payee, purpose, amount and date of payment.

- (2) Gross receipts from the operation of raffles programs shall be segregated from other revenues of the organization, including bingo gross receipts, if bingo games are also conducted by the same non-profit organization pursuant to license therefor issued by the Department of Revenue of the State of Illinois, and placed in a separate account. Each organization should have separate records for its raffles. The person who accounts for gross receipts, expenses and net proceeds from the operation of raffles should not be the same person who accounts for other revenues of the organization.
- (3) Each organization licensed to conduct raffles shall report monthly to its membership, and to the Village its gross receipts, expenses and net proceeds from raffles, and the distribution of net proceeds itemized as required by this Section.
- (4) Records required by this Section shall be preserved for three (3) years, and organizations shall make available for public inspection at reasonable times and places their records relating to operation of raffles.

7-16-7 Raffles Manager Bond

....

All operation of and the conduct of raffles shall be under the supervision of a single raffles manager designated by the organization, including supervision of any Third-party Operator / Vendor. The manager shall give a fidelity bond in an amount determined by the licensing authority in favor of the organization conditioned upon his honesty in the performance of his duties. Terms of the bond shall provide that notice shall be given in writing to the licensing authority not less than 30 days prior to its cancellation. The Village Board of Trustees may waive this bond requirement by including a waiver provision in the license issued to an organization under this Act, provided that a license containing such waiver provision shall be granted only by unanimous vote of the members of the licensed organization.

7-16-8 Political Committees

....

Any Political Committee shall obtain a license from the Illinois State Board of Elections and fully comply with 230 ILCS 15/8.1 of the Illinois Raffles and Poker Runs Act as well as comply with all of the requirements of this Chapter 16 of Title 7 of the Village Code.

7-16-9 Penalty

....

Any person, firm, corporation or entity who violates, disobeys, omits, neglects, refuses to comply with or who resists enforcement of any of the provisions of this Chapter, shall upon conviction be fined according to the fine schedule located in [Appendix B](#) for each offense.

SECTION 3:

To the extent necessary, all tables of content, indexes, headings and internal references or cross-references to sections contained in the Village Code of the Village of Orland Park shall be

amended by the Village's codifier so as to be consistent with the amendments set forth in this Ordinance.

SECTION 4:

All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 5:

Each section, paragraph, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall neither affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 6:

Except as to the Code provision set forth above in this Ordinance, all Chapters and Sections of the Village Code of the Village of Orland Park, as amended, shall remain in full force and effect.

SECTION 7:

This Ordinance shall be in full force and effect from and after its adoption and publication in pamphlet form as provided by law.

REQUEST FOR ACTION REPORT

File Number:	2020-0673
Orig. Department:	Recreation and Parks Department
File Name:	Picnic Tables/Super Cooker/Barricade Rentals

BACKGROUND:

The delivery of picnic tables, super cookers and barricades to resident addresses was discontinued in 2020 due to the pandemic.

Previous to this, picnic tables were available for \$27/table with a ten table minimum, super cookers were \$100 per rental. Barricades were \$50 for up to 5 barricades. In 2019 there were 14 picnic table rentals, 11 super cooker rentals and 6 barricade rentals.

A ten table picnic table delivery generates \$270 at a cost to deliver and pick up of \$544.32. A super cooker delivery, pick-up and after use cleaning is \$78, while delivering up to five barricades results in a cost of \$64.18.

The delivery of picnic tables and barricades are cost prohibitive. The earnings to deliver a super cooker are marginal. Additionally, the delivery of these items creates a liability risk for the Village and impacts staff's ability to support core services such as preparing fields for weekend games/tournaments or Village special events. In 2021, there are 30 tournaments scheduled for Centennial Park and the John Humphrey Complex.

The rental of these items also undercuts private businesses which offer these types of services. Rental agencies including Marquee Events, Plcnic City and INdestructo Party Rental provide a large variety and inventory of rental items to meet the needs of residents.

BUDGET IMPACT:

The delivery of 10 or more tables to a resident address results in a net loss of \$274.32. A single delivery of a super cooker to a resident address will result in earnings of \$22 per delivery. The delivery of 1- 5 barricades to a single resident address results in net loss of \$14.18.

REQUESTED ACTION:

I move to recommend to the Village Board to approve to discontinue the delivery of picnic tables, super cookers and barricades to resident, organization and business addresses.
