

RULES MEETING OF THE BOARD OF TRUSTEES  
VILLAGE OF PARK FOREST, COOK AND WILL COUNTIES, ILLINOIS

Village Hall  
Roll Call

8:00 p.m.

March 3, 2008

1. An Ordinance Amending Chapter 118 (Zoning), Article VII (“Signs”), Section 118-302 (“General Provisions”) and Section 118-303 (“Exempt Signs”) of the Code of Ordinances

Manager’s Comments

Trustee’s Comments

Attorney’s Comments

Audience to Visitors

Adjournment

Agenda Items are Available in the Lobby of Village Hall

## **AGENDA BRIEFING**

**DATE:** February 23, 2008

**TO:** Mayor Ostenburg  
Board of Trustees

**FROM:** Hildy L. Kingma, AICP  
Director of Economic Development and Planning

**RE:** Consideration of an Ordinance amending Chapter 118 (“Zoning”), Article VII (“Signs”), Section 118-302 (“General Provisions”) and Section 118-303 (“Exempt Signs”) of the Code of Ordinances

### **BACKGROUND/DISCUSSION:**

The Village has initiated a petition for a Zoning Text Amendment to Sections 118-302 and 118-303 of the Zoning Ordinance to address concerns related to signs being placed on public property, multiple signs placed on an individual property, over-sized signs, and signs that continue to be displayed after the discontinuance of the activity which they promoted. This request is described in more detail in the Staff report to the Plan Commission (see attached).

Consistent with Section 118-29 of the Park Forest Zoning Ordinance the Plan Commission conducted a public hearing on this request at their February 19, 2008, meeting. After taking public comment and discussing this request, the Plan Commission voted unanimously to approve the requested Zoning Text Amendments with no conditions. The Plan Commission’s recommendation is further described in the attached memo from Chair Wickliffe-Lewis.

Note that the Ordinance has been revised slightly from the First Reading on February 25. The revision has been made to Section 118-303(k) to allow for the immediate removal of non-permitted signs posted on public property without prior notice. The attached Ordinance was prepared by the Village Attorney.

**SCHEDULE FOR CONSIDERATION:** This item will appear on the agenda of the Rules Board meeting of March 3, 2008, for first reading.

## MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Vernita Wickliffe-Lewis, Chair  
Park Forest Plan Commission

DATE: February 20, 2008

RE: Recommendation – Sign Ordinance Revisions

The Plan Commission conducted a public hearing and considered a request for a Zoning Text Amendment to Sections 118-302 and 118-303 of the Zoning Ordinance relating to general sign provisions and exempt sign provisions.

After conducting a public hearing on February 19, 2008, the Plan Commission voted unanimously to recommend approval of the Zoning Text Amendments contained within the draft ordinance presented to the Plan Commission.

Best regards,  
Vernita A. Wickliffe-Lewis, Chair

# MEMORANDUM

**DATE:** February 11, 2008

**TO:** Plan Commission

**FROM:** Hildy L. Kingma, AICP  
Director of Economic Development and Planning

**RE:** NEW BUSINESS: Plan Commission Meeting of February 19, 2008  
PUBLIC HEARING: Consideration of Proposed Revisions to Chapter 118  
(Zoning), Sections 118-302, and 118-303, pertaining to Signs

The Village Board has requested that the Staff prepare revisions to the Sign provisions of the Zoning Ordinance to address concerns related to signs being placed on public property, multiple signs placed on an individual property, over-sized signs, and signs that continue to be displayed after the discontinuance of the activity which they promoted. While the sign provisions are very clear regarding the permitted size and number of commercial signs, the provisions related to exempt signs are not as clearly defined. Therefore, Village Staff has worked with the Village Attorney to prepare a draft ordinance to address these issues.

Pursuant to Section 118-29 of the Zoning Ordinance, the Plan Commission is responsible for making recommendations to the Board of Trustees on requests to amend the Zoning Ordinance. The Plan Commission is required to hold a public hearing on ordinance amendments, notice of which must be given in a newspaper of general circulation no less than 15 days before the public hearing. Notice of the public hearing on this matter was published in the Park Forest edition of the *Southtown/Star Newspaper* on February 3, 2008.

## Proposed Revisions:

Working with the Village Attorney, Staff has developed the following proposed revisions to Sections 118-302 and 118-303 of the Zoning Ordinance:

- The current sign provisions contain references to “commercial” signs, and the proposed revisions include adding an exemption for “noncommercial” signs. It is important to include definitions for each of these sign types in order to clarify the applicability of the sign provisions. Therefore, the following definitions are proposed.
  - *Commercial sign:* For purposes of this article, a commercial sign is defined as a sign which identifies, advertises, or directs attention to a commercial or institutional structure or business, or is intended to induce the purchase of goods, property, or service; including, without limitation, a sign naming a brand of goods or services or real estate signs.
  - *Noncommercial sign:* For purposes of this article, a noncommercial sign is defined as a sign not directed at promoting commercial activity and includes, but is not limited to, political campaign and advocacy signs.

- The Village has problems with commercial and noncommercial signs being erected on public right-of-way, with property owners erecting multiple signs with the same message on their property, and with signs that remain in place long after the need for them has expired. Currently, the sign provisions require that “any sign which advertises an activity, business, product or service which has ceased operation or production shall be removed within six months of the discontinuance of the activity.” This longer time frame is appropriate for large commercial signs. However, it is much longer than necessary for the typical exempt sign. Therefore, Staff proposes that this provision be modified in the following manner:
  - Exempt signs must be removed within seven days of the discontinuance of the activity. This would include, for example, for sale signs and political campaign signs.
  - Noncompliant signs of any type (whether or not they are exempt) must be removed within 48 hours of written notice of non-compliance from the Building Commissioner. Currently the Ordinance requires removal within seven days of written notice.
  - The Village will be authorized to remove noncompliant signs after the 48 hour period, and will hold those signs for 72 hours. During that time the owner, or owner’s representative, may retrieve the signs but will be charged \$25 per sign to reimburse the Village for the expense of removing the sign and storage of the sign. If the sign(s) is not claimed, the Village will be authorized to dispose of it.
- The general sign provisions will clearly state that signs may not be placed or erected on public property.
- The provisions for exempt signs will clearly prohibit the placement of more than one exempt sign on an individual parcel of property that communicates the exact same message and that is the same size and shape.
- Exempt signs, with the exception of those already permitted by the sign provisions, will be limited to no more than five square feet in size. Some signs that are already permitted larger than this include commercial or industrial real estate signs, which may be up to 20 square feet in size. Signs that identify the addresses of multi-family residences are still limited to two square feet in size. Also, signs approved as part of a planned unit development may be the size that is specified in the PUD overlay ordinance.
- Noncommercial signs should be explicitly listed as exempt signs.

Village Staff has worked with the Village Attorney to prepare an ordinance which addresses each of these proposed revisions. The draft ordinance is attached for your information.

Plan Commission Action: After conducting the public hearing, the Plan Commission is asked to consider the proposed revisions to Chapter 118 (Zoning), Sections 118-302 and 118-303, and make a recommendation to the Board of Trustees on this matter.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 118 (“ZONING”), ARTICLE VII (“SIGNS”)  
SECTION 118-302 (“GENERAL PROVISIONS”) AND SECTION 118-303  
 (“EXEMPT SIGNS”) OF THE CODE OF ORDINANCES OF  
THE VILLAGE OF PARK FOREST, COOK AND WILL COUNTIES, ILLINOIS**

**WHEREAS**, the Applicant, the Board of Trustees of the Village of Park Forest (“Applicant”), seeks to amend Chapter 118 (Zoning), Article IV (“Signs”), Section 118-302 (“General Provisions”) and Section 118-303 (“Exempt Signs”) of the Village of Park Forest’s Code of Ordinances (“Village Code”) in the manner more fully set forth herein (“Application”); and

**WHEREAS**, the Village of Park Forest Plan Commission conducted a public hearing to consider the Application on February 19, 2008, as required pursuant to Section 118-29 of the Village Code; and

**WHEREAS**, on February 3, 2008, notice for said public hearing was published in the Park Forest edition of the *Southtown/Star Newspaper*, a newspaper of general circulation within the Village as required by Section 118-29 of the Village Code; and

**WHEREAS**, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application, all as set forth in the Plan Commission’s Findings and Recommendations; and

**WHEREAS**, the Mayor and Board of Trustees of the Village of Park Forest have considered the Findings and Recommendation of the Plan Commission and all of the facts and circumstances affecting the Application, and the Mayor and Board of Trustees have determined that it is appropriate to amend the Village Code as provided in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Board of Trustees of the Village of Park Forest, Cook and Will Counties, Illinois, in the exercise of the Village’s home rule powers, as follows:

**Section 1.**     **Recitals Incorporated.** The recitals set forth above constitute a material part of this Ordinance as if set forth in their entirety in this Section 1.

**Section 2.**     **Plan Commission Findings and Recommendation.** The Findings and Recommendation of the Plan Commission, together with all reports and exhibits submitted at the public hearing, are hereby incorporated by reference herein and approved.

**Section 3.**     **Village Code Amended.** Chapter 118 (“Zoning”), Article VII (“Signs”), Section 118-302 (“General Provisions”) of the Code of Ordinances of the Village of Park Forest, Cook and Will Counties, Illinois, is amended by adding the underlined language and deleting the stricken language to read as follows:

## Sec. 118-302. General provisions.

(a) Commercial sign: For purposes of this article, a commercial sign is defined as a sign which identifies, advertises, or directs attention to a commercial or institutional structure or business, or is intended to induce the purchase of goods, property, or service; including, without limitation, a sign naming a brand of goods or services or real estate signs.

(b) Noncommercial sign: For purposes of this article, a noncommercial sign is defined as a sign not directed at promoting commercial activity and includes, but is not limited to, political campaign and advocacy signs.

~~(a)~~ (c) Sign. For purposes of this article, a sign is defined as any visual device or representation designed or used for the purpose of communicating a message or identifying or attracting attention to a premise or activity, with or without the use of words, which is visible from outside the premises on which it is located.

~~(b)~~ (d) Sign area. The size of a sign or sign area shall be computed as the largest single face within a perimeter which forms the outside shape of the sign, including any frame that forms an integral part of the display. Copy shall be permitted on both sides of the sign area.

~~(c)~~ (e) Permit required. No signs, except those specifically exempted from these provisions by section 118-303, shall be erected, affixed, replaced, hung or otherwise displayed or altered, unless a permit therefor has been issued by the village, in accordance with the regulations of this article. No permit shall be required for repairing a sign.

~~(d)~~ (f) Applications. Each application for a sign permit shall be made in writing by the owner of the real property where the sign is to be affixed upon forms furnished by the village manager and shall contain or have attached thereto the following information:

(1) A drawing approximately to scale, showing the design of the sign, including size, character and color of letters, dimensions, method of attachment or support materials, source of illumination and showing the relationship to any building or structure to which it is proposed to be installed or affixed; and

(2) A plot plan approximately to scale indicating the location of the sign relative to property lines, easements, streets, sidewalks and other signs. For freestanding signs, landscaping at base of sign must be illustrated.

~~(e)~~ (g) Construction and maintenance. Signs must be constructed of durable materials, in accordance with the provisions of chapter 18 of this Code, and must be maintained in good condition. The building commissioner is hereby authorized

to inspect all signs, and shall order the repair or removal of any sign not adequately maintained.

~~(f)~~ (h) Discontinued activity. Any sign, other than those governed by Section 18-303, which advertises an activity, business, product or service which has ceased operation or production shall be removed within six months of the discontinuance of the activity. Those signs governed by Section 18-303 shall be removed within seven (7) days of discontinuance of any applicable activity.

~~(g)~~ (i) Noncomplying signs. Any sign not in compliance with the provisions of this article shall be made compliant or removed by the owner within ~~seven calendar days~~ 48 hours of written notice of noncompliance from the building commissioner. Any sign not in compliance after ~~seven calendar days~~ 48 hours of written notice of noncompliance from the building commissioner shall be removed by the village at the owner's expense.

(1) Noncomplying signs removed for noncompliance shall be held for 72 hours at a location determined by the building commissioner. Such sign(s) shall be returned to the owner or the owner's representative upon payment of a \$25 fee to reimburse the village for the expense of removing the sign and storage of the sign.

(2) If an owner or the owner's representative does not pay the applicable reimbursement fee(s) pursuant to this section, or if a sign is not claimed within 72 hours of its removal, the village shall dispose of the noncomplying sign(s).

(j) Conflicting provisions. Where sign area (size) or placement requirements conflict, the stricter interpretation shall control or prevail.

(k) Sign placement. No sign shall be placed or erected on any public property unless otherwise permitted by this Code. Any such signage placed or erected on public property shall be immediately removed without notice.

**Section 4. Village Code Amended.** Chapter 118 ("Zoning"), Article VII ("Signs"), Section 118-303 ("Exempt Signs") of the Code of Ordinances of the Village of Park Forest, Cook and Will Counties, Illinois, is amended by adding the underlined language and deleting the stricken language to read as follows:

**Sec. 118-303. Exempt signs.**

A permit shall not be required for the signs ~~covered by set forth in the provisions of this section below.~~ Such exceptions, however, shall not be construed to relieve the owner of the sign from responsibility for its erection and maintenance in a safe manner. The placement of more than one (1) exempt sign communicating the exact same message and of congruent shape and size on the same parcel of

property is prohibited. Unless specified in this section, no exempt sign shall exceed a sign area of five (5) square feet.

- (1) Official government traffic signs.
- (2) Permanent signs or temporary window graphics located completely within an enclosed building provided that the maximum sign area shall not exceed 25 percent of the window in which it is displayed; provided further that no flashing sign of any size or covering any area may be visible from outside of the premises.
- (3) The flag, emblem or insignia of a nation, political unit, or civic, philanthropic, educational or religious organization.
- (4) One nonilluminated for sale or for rent sign, per parcel of real estate, provided that the sign is placed on such parcel being offered for sale or rent. In residential districts, the sign area may not exceed five square feet. In commercial and industrial districts, the maximum sign area may not exceed 20 square feet, and advertise exclusively the sale of the land or building upon which the sign is displayed, provided:
  - a. Such sign states the date on which the sign was erected;
  - b. No sold sign may be erected unless it replaces a previously existing for sale sign; and
  - c. Sold signs shall be removed upon closing of a sale.
- (5) One nonilluminated nameplate for each dwelling unit in all residential districts, identifying only the name and address of the occupant and not exceeding one square foot in area.
- (6) For multiple-family dwellings, or a group of multiple-family dwelling structures having a common driveway entrance from a public street, one sign for each common entrance not exceeding two square feet in area, identifying the addresses of dwelling units.
- (7) Banners placed on light poles by the village.
- (8) Any sign included in an approved stage II planned unit development or in an approved modification to an approved stage II planned unit development.
- (9) A directional sign to the building used as the primary headquarters of a civic, philanthropic, educational or religious nonprofit organization or organizations, which directional sign meets the size, color and placement requirements as established by the department of public works; provided that there may be no

more than four signs per building. For purposes of this section, it shall be understood that all signs:

- a. Direct traffic to a building by its commonly known name, not to an organization;
- b. Be purchased through the village, with all costs and expenses being borne by the requesting party and shall be paid at the time of submitting a request in writing to the village public works department; and
- c. Be attached to existing poles within the village by the village public works department.

(10) Noncommercial signs.

**Section 5. Severability and Repeal of Inconsistent Ordinances.** If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**Section 6. Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**APPROVED:**

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
VILLAGE CLERK