

City of St. Charles, Illinois

Ordinance No. 2014-Z-21

**An Ordinance Amending Title 17 of the St. Charles
Municipal Code Entitled "Zoning", Section 17.08.060
"Nonconforming Signs" Regarding Amortization of
Nonconforming Signs and Section 17.28.070 "Historic
Signs" Regarding Standards for Historic Sign
Designation**

**Adopted by the
City Council
of the
City of St. Charles
September 15, 2014**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, September 19, 2014**


City Clerk



HC 15

City of St. Charles, IL
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**An Ordinance Amending Title 17 of the St. Charles Municipal Code
Entitled "Zoning", Section 17.08.060 "Nonconforming Signs" Regarding
Amortization of Nonconforming Signs and Section 17.28.070 "Historic Signs"
Regarding Standards for Historic Sign Designation**

WHEREAS, on or about August 13, 2014, The City of St. Charles ("the Applicant") filed an Application to amend the Zoning Ordinance of the City of St. Charles regarding the amortization of existing freestanding and wall-mounted signs and standards for the designation of historic signs; and,

WHEREAS, Notice of Public Hearing on said Application was published on or about August 15, 2014, in a newspaper having general circulation within the City, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing on or about September 2, 2014, on said Application in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said Application and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of the Application subject to two conditions on or about September 2, 2014; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of the Application subject to the two conditions recommended by the Plan Commission on or about September 8, 2014; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee and has considered the same:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section 1.

2. Chapter 17.08, entitled "Nonconformities" Section 17.08.060, entitled "Nonconforming Signs" is hereby deleted in its entirety and replaced by the following:

“17.08.060 Nonconforming Signs

- A. Where a freestanding sign mounted on a pole, pylon, foundation, or other supporting structure is nonconforming, the sign and its supporting structure shall be removed or otherwise modified to conform to the provisions of this Title by October 16, 2014, or within fifteen (15) years after its initial construction, whichever is later.
- B. Prior to October 16, 2014 or the end of the fifteen (15) year period as defined in paragraph A, the owner of a nonconforming freestanding sign mounted on a pole, pylon, foundation, or other supporting structure may submit a written request to the Community and Economic Development Director for an extension of eight (8) months, to June 16, 2015, to come into compliance with the provisions of this Title. The written request must explain how the nonconformities will be resolved within the extension period.
- C. Where a sign other than a freestanding sign is nonconforming, it shall be removed or otherwise modified to conform to the provisions of this Title by October 16, 2014, or within eight (8) years after its initial construction, whichever is later.
- D. Prior to October 16, 2014 or the end of the eight (8) year period as defined in paragraph C, the owner of a nonconforming sign other than a freestanding sign may submit a written request to the Community and Economic Development Director for an extension of eight (8) months, to June 16, 2015, to come into compliance with the provisions of this Title. The written request must explain how the nonconformities will be resolved within the extension period.
- E. No nonconforming sign shall be changed to another nonconforming sign except that the copy, message or graphic of a nonconforming sign may be changed by replacing nonstructural components on which the copy, message or graphic is displayed, such as a plastic or metal panel or insert. No part of a nonconforming sign's supporting structure, electrical, or lighting equipment shall be replaced or modified so as to extend the life of the sign.
- F. Where a nonconforming freestanding sign including its structural components is removed, the pole, pylon, foundation or other structure that supported the sign shall also be removed.
- G. Except as specifically provided in this Section, nonconforming signs shall be regulated in conformance to the provisions of this Title applicable to nonconforming structures.”

3. Chapter 17.28, entitled “Signs” Section 17.28.070, entitled “Historic Signs” is hereby deleted in its entirety and replaced by the following:

“17.28.070 Historic Signs

A small number of existing signs in the City may be closely identified with a cultural or commercial entity or building that forms a part of the character or history of the community. Such signs, however, may have been erected under a previous code and may not conform to all of the provisions of this Chapter. The intent of this Section is to permit such signs to be maintained. Therefore, a sign erected at least forty (40) years prior to the year of application for Historic Sign designation that does not conform to one or more provisions of this Chapter may continue to be maintained and shall not be subject to the

amortization provisions of this Title, if the City Council determines, upon the recommendation of the Historic Preservation Commission, that all of the following standards have been met:

- A. The sign was lawfully erected at least forty (40) years prior to the year of application for Historic Sign designation and has been continuously maintained in the same location since that year.
- B. The sign:
 - 1. Is attached to a significant historic building or landmark, and has come to be identified with that building or landmark, whether or not it is original to it; or
 - 2. Is located on a site that has been continuously operated for the same business use for at least 40 years prior to the year of application for Historic Sign designation.
- C. The sign is of a unique shape or type of design representative of its era, and that is not commonly found in contemporary signs.
- D. The sign identifies a building or business that is associated with a family, business or organization that was noteworthy in the history of the St. Charles community.
- E. The sign does not violate Section 17.28.080, Prohibited Signs.

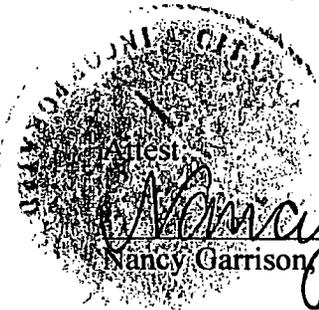
4. That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of September, 2014.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of September 2014.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of September 2014.


Raymond P. Rogina, Mayor



Attest:

Nancy Garrison, City Clerk

COUNCIL VOTE:
Ayes: 10
Nays: 0
Absent:
Abstain:
Date: _____

State of Illinois)
)
Counties of Kane and DuPage) ss.

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on September 15, 2014, the Corporate Authorities of such municipality passed and approved Ordinance No. 2014-Z-21, entitled

"An Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning", Section 17.08.060 "Nonconforming Signs" Regarding Amortization of Nonconforming Signs and Section 17.28.070 "Historic Signs" Regarding Standards for Historic Sign Designation,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2014-Z-21, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on September 19, 2014, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 15th day of September, 2014.


Municipal Clerk

