



Legislation Details (With Text)

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File created: 11/2/2022 **In control:** City Council
On agenda: 11/15/2022 **Final action:** 11/15/2022
Title: Waive the first reading and pass the ordinance amending Chapter 16 and Article D of Chapter 7 of Title 6 (Zoning Regulations) regarding the B4 yard requirements and sign requirements - PZC 22-1-101 (requires 6 positive votes)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance Text Amendment Clean Up, 2. PZC Meeting Minutes 11-02-22 DRAFT 2

Date	Ver.	Action By	Action	Result
11/15/2022	1	City Council	passed	

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Waive the first reading and pass the ordinance amending Chapter 16 and Article D of Chapter 7 of Title 6 (Zoning Regulations) regarding the B4 yard requirements and sign requirements - PZC 22-1-101 (requires 6 positive votes)

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, AICP, Community Planner and Kathleen Russell, AICP, Community Planner

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered the proposed text amendments on November 2, 2022. One member of the public spoke in support of the proposed amendment. At the conclusion of the public comment and PZC discussion, the PZC closed the public hearing and recommended approval of PZC 22-1-101, as presented (vote 8-0). Staff concurs.

BACKGROUND:

Staff recommends making changes to amend Chapter 16 (Signs) and Article D (B4 Downtown Core District) of Chapter 7 (Business Districts) of Title 6 (Zoning Regulations) of the Municipal Code.

DISCUSSION:

Chapter 7 Article D: B4 Downtown Core District

The B4 (Downtown Core District) was previously amended in 2011 in accordance with zoning code change recommendations proposed by the *Downtown 2030 Plan*. These recommendations included the establishment of a maximum setback of 6' for any new construction or for modifications to any exterior building wall in the B4 district that are made after January 1, 2012. This maximum setback

from all property lines was intended to create a consistent streetwall in the downtown.

A streetwall is “*established by continuous building fronts at or near the front property line with no or minimal gaps between them. Streetwalls reinforce the pedestrian character of the downtown by establishing aesthetic and functional continuity*” (p. 40 Naperville Downtown 2030). As such, staff does not find it is necessary to require this streetwall to be maintained along the property lines which are not facing the street (i.e. the rear and interior property lines). The allowance for separation between buildings in the rear and interior of the buildings provides necessary space to allow for other functions such as waste service pickup, deliveries, maintenance, parking, etc. Staff is proposing an amendment to the maximum setback to specify that this setback shall only be measured from street facing lot lines (the front lot line and the corner side lot line) and that no setbacks are required from the rear lot line or the interior lot line.

Chapter 16: Signs

The proposed sign text amendment seeks to:

1. Correct clerical errors referencing incorrect sections.
2. Allow for off premise signs, when both the business and the location of the sign are within the same Planned Unit Development (PUD). In some instances, PUDs are made up of multiple parcels, including some strip malls where individual tenants are on separate lots. Under the current code, if a strip mall requested a multi-tenant sign that advertised businesses on a separate parcel, but both the sign location and the business are in the same PUD, a deviation would be required. For example, Market Meadows, City Gate West, and Eastgate Crossing were required to process sign deviations for their multitenant monument signs because some of the tenants were on separate parcels from the location of the monument sign but were still a part of the same larger PUD. The text amendment would remove the requirement for these instances to go through the entitlement process and allow the signs to be approved administratively through the sign permit application process.
3. Permit wall signs to be proportionate to the façade length, rather than limiting commercial, industrial, office or institutional uses to 300 SQFT. Currently the code permits a maximum sign area of one and one-half (1.5) square feet for each linear foot of facade and shall not exceed a maximum of three hundred (300) square feet, per qualifying façade. In the proposed text amendment, the 300 SQFT limit would be removed so that signs can remain proportionate to the façade regardless of the size of the buildings. There have been several examples where the signs for larger retail stores have required a variance because the sign area per façade exceeded the 300 SQFT limit per facade, but met the proportionality component of the requirement, 1.5 multiplied by the façade length. Businesses that received variances due to the size of their signs because they exceeded 300 SQFT include Target at 1951 W. Jefferson Avenue, Walmart at 2552 W. 75th Street, and Costco at 1255 E. Ogden Avenue.

The ordinance reflecting the above changes is attached. The proposed code language is underlined; the deleted language is ~~stricken~~. Staff is supportive of the proposed changes finding that they will clarify the setbacks in the B4 District and allow for proportional wall signs and cohesive sign design for PUDs.

Key Takeaways

- The PZC held a public hearing on the proposed amendments at their meeting on November 2, 2022. The PZC provided a positive recommendation on the proposal (approved 8-0). Staff concurs.

FISCAL IMPACT:

N/A