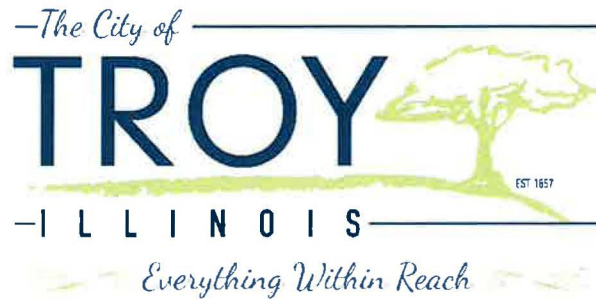


**Return to:**

Troy City Clerk  
116 E. Market Street  
Troy, Illinois 62294



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## Ordinance No. 2024 - 56

AN ORDINANCE Amending Certain Sections of Title XV Land Usage Chapter 154 Zoning Ordinance and Chapter 155 Sign Regulations of the Troy Municipal Code Pertaining to the Establishment of the Town Center Mixed-use – C-5 Zoning District

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ADOPTED BY THE CITY COUNCIL  
OF THE CITY OF TROY, ILLINOIS

THIS 16<sup>TH</sup> DAY OF SEPTEMBER 2024

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*Whereas*, the City of Troy, Madison County, Illinois presently has in force Chapter 154 Zoning Ordinance and Chapter 155 Sign Regulations which are contained in the Troy Municipal Code and amended from time to time; and

**Whereas**, the Planning Commission has performed a review of the city's Zoning Ordinance and Chapter 155 Sign Regulations and believes that changes are necessary to encourage the development of a mixed-use neighborhood that creates a unique blending of human habitation and economic activity; and

**Whereas**, the Planning Commission has complied with the provisions of *Section 154.143 Amendments* of the Zoning Ordinance by holding a public hearing on September 12, 2024, to consider amending the Zoning Ordinance and Sign Regulations; and

**Whereas**, as a result of said hearing, the Planning Commission has made a recommendation (Recommendation 2024-06PC) to the City Council that they enact said amendments to the Zoning Ordinance and Sign Regulations; and

**Whereas**, the City Council has duly considered the matter and the recommendation of the Planning Commission and has determined that the amendment referenced herein conforms with the goals, objectives, and policies of the Comprehensive Plan in that the amendments will permit and encourage the development of a mixed-use neighborhood which will promote a strong sense of plans and reflect market demand. Establishing the *Town Center Mixed-use – C-5 Zoning District* represents the city's commitment to residents' quality of life, sustainability, and smart growth.

**Now, Therefore, Be It Ordained** by the Mayor and the City Council of the City of Troy, Illinois as follows:

**SECTION 1:** The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Troy, Illinois.

**SECTION 2:** That certain sections of Chapter 154 Zoning Ordinance and Chapter 155 Sign Regulations of the Code of Ordinances relevant to the *Town Center Mixed-use – C-5 Zoning District* are amended as described in Exhibit A.

**SECTION 3:** All ordinances or resolutions, or parts of ordinances or resolutions in conflict herewith, to the extent of such conflict, are hereby changed and amended to comply with this Ordinance; and to the extent the same cannot be so amended, are hereby repealed to the extent of such inconsistency.

SECTION 4: That if any section or provision of this Ordinance is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining sections or provisions of this Ordinance which can be given effect without the invalid section or provision, and to this end, the sections and provisions of this Ordinance are declared to be severable.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law and shall be published in pamphlet form by the authority of the City Council.

**Passed** by the City Council of the City of Troy, Madison County, Illinois, and approved by the Mayor this 16<sup>th</sup> day of September, 2024.

Aldermen:

Dawson

Flint

Hellrung

Henderson

Italiano

Knoll

Manley

Turner

Total:

8 Ayes

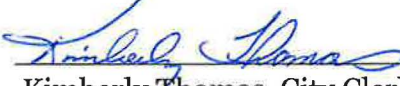
0 Nays

0 Abstain

APPROVED:

  
\_\_\_\_\_  
David Nonn, Mayor

ATTEST:

  
\_\_\_\_\_  
Kimberly Thomas, City Clerk



**§ 154.005 DEFINITIONS.**

(B) Selected definitions. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ASSISTED LIVING FACILITY.** Housing designed for senior citizens where some assistance is provided with daily activities such as cooking or cleaning, but not where skilled nursing care is provided consistently throughout the day.

**AUTOMOBILE LAUNDRY (CAR WASH).** A building or portion thereof containing facilities for washing automobiles, providing space, water, equipment, or soap for washing by the operator or customer. Production line methods using mechanical devices are permitted.

**CAR DEALERSHIP.** A retail business primarily housed in a structure and characterized by a mixture of related uses upon a commercial site; however, the principal use of the site shall be the marketing of new or used automobiles, whether by sale, rent, lease, or other commercial or financial means.

**FRONT FAÇADE.** In the C-5 zoning district, the front façade refers to the front of the building that directly faces any street.

**HOSPITAL, REHABILITATION CENTER OR SANITARIUM.** An institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care for not less than 24 hours in any day, of three or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions.

**INDEPENDENT LIVING FACILITY.** Housing designed for senior citizens who live independently and where some support services (such as medical, personal, financial, etc.) are provided on-site and where meals may be provided in a common dining room. Support services are generally accessed independently by residents, are not provided typically for regular use, and are not used to the extent of assisted or skilled care facilities.

**SKILLED CARE FACILITY.** Housing designed for senior citizens where medical professionals provide consistent care on a 24-hour basis. A skilled care facility includes facilities commonly known as memory care but does not include assisted living facilities

**STOREFRONT.** In the C-5 zoning district, storefront refers to the front of a building that serves as a main entrance and directly faces the parking area.

**§ 154.020 ESTABLISHMENT OF DISTRICTS AND ZONING DISTRICT REGULATIONS**

(A) In order to implement this chapter, and to achieve the objectives in §§ 154.001 through 154.004, the entire municipality is hereby divided into the following zoning districts:

<b>District</b>	<b>Designation</b>
Agricultural Reserve	A-R
Single-Family Residential	R-1
Single-Family Residential	R-1A
Single-Family Residential	R-1E
Two-Family Residential	R-2



Multi-Family Residential	R-3
Manufactured Home	M-H
Neighborhood Commercial	C-1
General Commercial	C-2
Highway Commercial	C-3
<b>Downtown Mixed-use</b>	<b>C-4</b>
Town Center Mixed-use	C-5
Planned Developments	PD-B and PD-R
Light Industry	I-1
General Industry	I-2

(M) **Town Center Mixed-use - C-5 Zoning District.** The C-5 district is established to permit and encourage the development of a mixed-use neighborhood which will promote a strong sense of place and reflect market demand. The district's primary objective is to create a unique blending of human habitation and economic activity. The district represents the city's commitment to residents' quality of life, sustainability, and smart growth by adhering to the following principles:

- *Citizen and community connection:* Balance the needs of residents, developers, civic leaders, and landowners by ensuring all participate in ongoing planning and development of the district.
- *Economic development:* Generate a sustainable and resilient economy for the C-5 district (in support of the entire city) through regulations that achieve desired outcomes creatively and flexibly.
- *Destination development:* Allow greater design flexibility in development to create a unique destination for the city. To further encourage the sense of place design standards are established for character-forming elements required for each new development. These elements encourage a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor with similar uses and/or medium to high-density residential on the upper floor(s).
- *Development form:* Promote compact, highly pedestrian in character, and mixed-use neighborhoods with many activities of daily life available within walking distance. The intensity of development should support transit connections to existing and planned trails with visitors and residents getting to and around the district easily on foot or bike. If driving to the district, the goal is to park a vehicle once for multiple stops in the district.
- *Access management and connectivity:* Provide amenities which are conducive to attracting pedestrian activity rather than automotive access. Parking facilities will be provided in the rear yard with no direct access to or visibility from the front yard.
- *Urban design:* Reinforce community design that results in interesting, human-scaled places. The success of the district depends on compact development to support the scale and type of desired uses, as well as the walkable urban form.
- *Architectural character:* Design new developments that respond to the local traditions of residential and commercial architecture, resulting in unique places that maintain Troy's character. Design

elements create a level of design quality and consistent character that is in keeping with the city's Comprehensive Plan and community development practices and policies.

- *Environmental design:* Build mixed-use developments that are compact, accessible to other areas, and support walkability. Incorporate stormwater management systems that apply natural best management practices (BMPs) to increase permeability and reduce the need for impermeable stormwater management infrastructure.
  - (1) All plans submitted to the Building & Zoning Department for new buildings, renovations, or changes in use in the C-5 district will be reviewed and approved by the Planning Commission. The review will include compliance with the requirements for setbacks, parking, exterior finishes, and other applicable sections of the city code
  - (2) *Area and bulk regulations:* refer to § 154.032.
  - (3) *Illumination:* The illumination of buildings and structures shall be controlled to prevent the direction of light onto adjoining residential and commercial uses or lots.
  - (4) *Land uses in a C-5 zoning district:*
    - (a) *Permitted uses:* Provided all the use restrictions of this district are observed, the following uses are permitted:
      1. Amusement, entertainment, sporting, and similar indoor establishments
      2. Bakeries, cafes, coffee houses, and restaurants without drive-throughs
      3. Banks, financial institutions, post offices, government office uses, and other similar uses
      4. Bars, lounges, taverns, and wineries without vineyards
      5. Daycare centers and preschools
      6. Fitness centers, gyms, and health clubs
      7. Mass transit facilities
      8. Medical and dental offices, clinics, urgent care offices
      9. Offices – public, professional, service, and similar office uses
      10. Parks and similar outdoor recreation areas
      11. Personal care – barber shops, beauty or nail salons, spas
      12. Pet services (indoor) – boarding, daycare, grooming, training, and veterinary care
      13. Places of assembly – auditoriums, art galleries, churches and places of worship, meeting rooms, and other similar uses
      14. Residential dwelling uses located above street level
      15. Retail establishments
      16. Studios – art, dance, music, and similar instructional uses

- (b) *Special uses:* Provided all the use restrictions of this district are observed, the following uses may be allowed by special use permit:
1. Accessory uses
  2. Assisted and independent living facilities, convalescent homes, rehabilitation centers, and skilled care facilities
  3. ATMs – stand alone
  4. Automobile – car washes, minor repair service facilities
  5. Hotels and motels
  6. Planned developments
  7. Restaurants with drive-throughs, service windows, or outdoor dining
  8. Schools – colleges, universities, technical, and trade schools
  9. Schools – elementary and high school

- (c) *Conditions of use:* All uses and structures in this district shall be subject to the following requirements:

1. Dwelling units are not permitted on the ground floor.
2. Drive-through lanes are accepted in C-5 with a maximum of two lanes.
3. All drive-through establishments shall provide adequate screening, buffering, and sound abatement to minimize excessive noise and spill-over light. Noise levels shall be 1.5 decibels or less at all property lines or residential uses.
4. Manufacturing prohibited: no manufacturing or processing of material shall occur in C-5 for off-premises consumption or use. Only incidental processing may occur on a lot in the C-5 district.
5. Outside building or storage: not permitted in C-5.
6. Video gaming cafes or parlors as defined in § 154.005 are prohibited in C-5. Video gaming machines as an accessory use shall not be located in the front of the premises or be visible from the exterior.
7. Outdoor dining is prohibited on the front façade or street frontage side. Outdoor dining is allowed in the area by the restaurant entrance or in an adjacent side yard, if available.

- (5) *Additional parking requirements.* In addition to off-street parking and loading requirements in § 154.080-§ 154.090, the following parking regulations shall apply in C-5:

- (a) Cross-access easements and shared parking agreements shall be provided as part of all off-street parking facilities.
- (b) Blocks are to be designed around internal circulation to the rear of the buildings.
- (c) Parking between the principal building and the public right-of-way is prohibited.
- (d) Off-street parking shall not be accessed from a primary road.
- (e) Parking is prohibited in the front façade.



- (f) Parking may be allowed in a side yard for properties fronting on a secondary street but may not represent more than 33% of block frontage.
  - (g) All off-street parking shall be designed with a marked and safe path from the parking area to a building entrance or a sidewalk/path leading to a building entrance.
  - (h) In a mixed-use development, the required number of “resident only” parking spaces shall be provided and appropriately designated.
  - (i) Any off-street parking along, abutting, or visible from a secondary street shall have a three-foot hedge or similar shrubbery border providing a 100% screen along the secondary street.
- (6) *Signage:* In addition to and superseding the sign requirements in [Chapter 155: Sign Regulations](#) and in [§ 154.064 Planned Developments](#), the following sign regulations shall apply in C-5:
- (a) Sign lighting must be off when the business is closed.
  - (b) The light from any illuminated graphic shall be shaded, shielded, or directed to avoid a nuisance to persons on the same or adjacent property or create a traffic hazard.
  - (c) Flush-mounted graphics are allowed along the street frontage at 50% of the size of the storefront and are not included as part of the tenant's overall allowable signage.
  - (d) Only monument and shopping/office center graphics are permitted and shall match the architectural theme of the development. Other freestanding graphics as noted in § 155.04 (D) are prohibited.
  - (e) Sandwich board signs (or “A-frame” type signs) may be placed on the sidewalk but shall not intrude into a four-foot pedestrian access route. Sandwich board signs must be removed from the sidewalk at dusk until dawn.
  - (f) Electronic message center signs (EMCS) are prohibited.
  - (g) Video gaming signage or advertisements are prohibited.
  - (h) Sign walkers are prohibited.
- (7) *Trash disposal facilities:* All outside trash or disposal facilities within the C-5 district shall be located in the rear of the zoning lot and the building on the lot. Each building shall have its own centrally located disposal area, regardless of the number of tenants. All such facilities shall be appropriately screened from adjoining properties and in a manner that is compatible with the building site design for the zoning lot. Any such outdoor trash or disposal system must be maintained to avoid the existence of litter or the dispersal of trash outside the enclosure or the zoning lot. The accumulation of litter or trash is not permitted.



- (8) *Utilities:* All utilities from the property line onto the property will be installed underground. All utilities at the property line with building frontage on any side will be installed underground regardless of their current conditions. Local public utility facilities shall be adequately screened with landscaping, fencing or walls, or any combination thereof, or shall be placed underground, or shall be enclosed in a structure in such a manner to blend with and complement the character of the surrounding area. All facility screening plans shall be submitted to the Planning Commission for review. No building permit shall be issued until the Planning Commission has approved the plans.
- (9) *Development Standards:* Development in the C-5 district shall conform to Chapter 153: Troy Subdivision Code unless otherwise amended by development standards specific to the district and as listed below.
- (a) *Access management:* To allow for more efficient traffic circulation, access to property within the district shall be evaluated by the function and characteristic of the street to which access is allowed not relative to individual properties.
1. Regardless of the number of access connections, all adjacent properties within the district shall develop alternative access and interconnect to adjacent parcels so pedestrians and vehicles can circulate between them without using the abutting public roadway.
  2. Primary streets shall be those carrying more traffic, serving as the main access to and through streets in the district, and typically have an arterial or collector functional classification. Wide parkways with trees and landscaping along the sides are encouraged. All other streets shall be secondary streets, classified as collector or local, and should be boulevard-style with trees and landscaping. Primary streets in this district shall include US Highway 40, Formosa Road, Spring Valley Road, Collinsville Road, and the future extension of SrA Bradley Smith Boulevard. The Code Official may designate other streets as primary streets based on the criteria listed in this section and how the street will function. The City Engineer shall determine the right-of-way and cross-section of all streets.
  3. *Primary streets:*
    - a. No direct land access or driveways are provided to this category of roadway.
    - b. Intersection spacing of primary city streets shall be a minimum of one-quarter mile measured from center to center.
    - c. No secondary street connections shall be allowed to any street with a principal arterial functional classification. The only street with a principal arterial functional classification in this district is US Highway 40.

- d. Secondary streets are permitted along streets with minor arterial and collector functional classification following the spacing requirements outlined in Chapter 153: Subdivision Code.
  - e. Directional traffic on minor arterials shall be separated by a non-traversable median where pedestrians are present.
  - f. On-street parking is prohibited in this category of roadway.
  - g. Crosswalks shall be provided at intersections.
  - h. Mid-block crosswalks are prohibited.
  - i. Sidewalks and trails shall be provided as described in Chapter 153: Subdivision Code.
  - j. A “parkway” is an open highway landscaped with trees and grass as required by the City.
4. *Secondary streets:*
- a. Intersection spacing of secondary city streets shall be a minimum of one-eighth mile measured from center to center.
  - b. Driveway spacing along secondary streets shall be a minimum of 100 feet measured from center to center to any intersection or driveway approach.
  - c. On-street parking is permitted in this category of roadway.
  - d. Crosswalks shall be provided at intersections.
  - e. Mid-block crosswalks are permissible at uncontrolled locations where crossings are designed with pedestrian crash countermeasures based on criteria established in published literature, best practices, and national guidance.
  - f. Sidewalks and trails shall be provided as described in subsection e. below.
  - g. A “boulevard” is a wide street, typically lined with trees and landscaping or within a planted median as required by the City.
5. *Sidewalks and trails:*
- a. Pedestrian access connections shall be made to any existing bike trails and wide sidewalks adjacent to the property.
  - b. Bike trails and wide sidewalks shall be extended and incorporated into the site design in locations provided by the City’s “Pedestrian Routes Plan”.
  - c. A sidewalk with a minimum width of five feet shall be provided along the front of properties throughout the district except where a

pedestrian facility is already provided by either an existing or proposed bike trail or wide sidewalk.

- d. All streets shall have the appropriate pedestrian facility according to the City Standard “Typical Streets Details”.
  - e. All sidewalks shall be planned to encourage pedestrian circulation through the district.
  - f. Bike trails and wide sidewalks should be considered even where not required by the “Pedestrian Routes Plan” or “Typical Streets Details” if they further the circulation of bike trails in the city.
  - g. A development bonus may be granted if pedestrian facilities are upgraded and provide a meaningful circulation path within the development.
6. *Drive-throughs.* Drive-through establishments are permitted.
7. *Corner lots:*
- a. Principal structures on all corner lots shall be built to the proper setback for streets on both street frontages.
  - b. Vision triangle shall be observed for all corner lots.
8. *Building orientation:*
- a. The storefront of any principal structure shall be oriented to the parking lot and lead directly to the public sidewalk.
  - b. A second entry to principal structures is permitted and encouraged to provide access from parking areas.
  - c. In cases where a principal structure abuts more than one street, and one of those streets is a primary street, the primary entrance of any principal structure shall be oriented to the primary street.
  - d. Passageways between buildings are allowed to reach the fronts of the buildings and must be at least 10 feet wide but not more than 20 feet unless designated for outdoor dining or gathering spaces, in which case permanent architectural features such as trellises, public art, or seating areas are required to be incorporated into the area:

(b) *Architectural Features:* In all cases, architectural features shall contribute to an attractive, integrated environment consistent with the intent of the C-5 district and the adjacent neighborhood or projects. Proposed site plans not in compliance with this, or any other C-5 district development standard, shall be subject to review before the Planning Commission.

- 1. *Building facade:* In addition to meeting building height, setbacks, and exterior materials requirements, building design shall incorporate patterns and materials that are visually interesting, particularly at street level. This must be



accomplished by using a combination of expression lines and areas, and features of the facade that include changes in material, color and/or relief. Once a development theme is established, the façade of each building shall complement the overall theme.

2. *Exterior features:* The use of visually interesting features such as awnings, signage, windows, and doors is required, particularly along primary pedestrian routes. Such features are subject to review and approval by the Department. At a minimum, all proposed applications shall adhere to the following objectives.
  - a. Except as otherwise specified at a storefront, all walls exposed to the public view from the street or parking areas, shall be constructed of a mixture of architectural elements.
    - i. Materials permitted include masonry elements, imitation wood siding, architectural precast panels, architectural metal panels, fiber cement siding, exterior insulation finish systems (EIFS), or other materials approved by the Planning Commission.
  - b. Walls on primary pedestrian routes and storefronts shall emphasize clear glazing at the ground floor level.
  - c. Dark tinted glass is prohibited at the street level.
  - d. All external stairwells throughout the C-5 district shall be covered in a finish that matches or complements the exterior finish of the building.
3. *Building height and build-to-line standards:* Maximum building height and build-to-line requirements are intended to ensure that structures have consistent height, bulk, and mass relationship to one another. All development shall conform to the height requirements in § 154.032 Area and Bulk Regulations.
  - a. Buildings along primary pedestrian corridors must abut the build-to-line on the side of the building facing the street. Minor variations may be approved by the Planning Commission to allow the articulation of decorative features such as columns and pillars.
  - b. Eighty percent of the ground level uses in the district shall be commercial, retail, entertainment, or similar uses. The 80% use calculation shall be based on the linear street frontage of each building. The remaining 20% shall be used as open space such as a plaza, courtyard, patio, etc.
  - c. Doorways, porticos, or other approved entryways shall occur a minimum of every 50 feet of building facade that fronts a parking lot or plaza area.
  - d. Outdoor dining areas and sidewalk cafes are strongly encouraged.



- e. Development within this district will typically be multi-storied having ground floor offices or retail, with similar or residential uses utilizing the upper floors.
  - f. Multi-story buildings shall be designed so that there is distinct architectural differentiation between the ground floor and the floors above. This can be achieved by differences in floor-to-ceiling heights, the use of an expression line, a change in material or textures, or by an awning or canopy between the first and upper stories.
4. *Roofs and rooftops:* Roofs and rooftops should be designed with consideration given to appearance. The following objectives apply to all roofs and rooftops.
- a. Highly reflective materials or contrasting colors are prohibited.
  - b. All roof-mounted equipment or other obtrusive features shall be screened from view on all sides and from the top or painted to match the roof or parapet.
  - c. An articulated roof line or cornice is to be designed as a major feature at or near the top of all building walls.
  - d. Buildings shall have flat roofs, as viewed from the street. Flat roofs shall be enclosed by parapets that screen rooftop equipment.
  - e. Rooftop occupation is allowed as approved by the Planning Commission.
5. *Exterior materials.* The exterior materials standards are intended to encourage creative expression. Exterior materials of all buildings shall contribute to a cohesive physical environment and convey a sense of timelessness. At a minimum, all proposed applications shall hold paramount the following objectives.
- a. Use masonry as a primary building material when it reflects the architectural character of the surrounding area.
  - b. Locate architectural elements (such as windows, doors, and roof lines) to express a rhythm of design and create visual continuity with materials, proportions, and typologies that respect the design of existing structures.
  - c. Indicate building heights, stories, and transitions between buildings through distinct fenestration, vertical segments, and architectural elements.
  - d. Create visual interest and variety through building details such as moldings, awnings, roof lines, cornices, windowsills, or lintels.

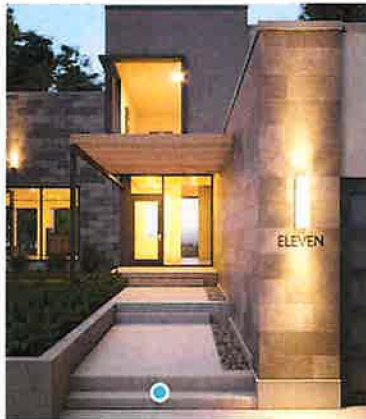
- e. Enhance building character at the pedestrian level through pattern, landscape, scale, texture, color, and design detail of materials.
- f. Make building entryways easily identifiable.
- g. Use accent lighting as a design element and to increase overall safety, but avoid light pollution.
- h. Incorporate public art, where appropriate, in a manner consistent with City sign regulations and other relevant ordinances.
- i. Keep signage and awnings in character, size, and profile along a street wall and complement the building's architecture.
- j. Design all visible façades to reflect the materials and design of the primary façade.
- k. Avoid large expanses of undifferentiated blank surfaces.
- l. Use sustainable, low maintenance, and long-lasting materials that are locally available, renewable, and have a design life greater than or equal to 30 years.
- m. Encourage the use of a variety of materials, including brick, stone, and imitation stone on all exterior surfaces. Other materials may be used upon review by the Planning Commission.
- n. The following exterior materials are not recommended:
  - i. Mirrored glass
  - ii. Wood and asphalt shingles
  - iii. Corrugated fiberglass
  - iv. Exposed, unfinished tilt-up concrete
  - v. Plastic laminate
  - vi. Neon
  - vii. Unfinished concrete masonry units (CMUs)
- o. The following images portray desirable outcomes:



*Use masonry as a primary building material and locate architectural elements (such as windows, doors, and roof lines) to express a rhythm of design.*



*Create visual interest and variety through building details such as moldings, awnings, roof lines, cornices, windowsills, or lintels.*

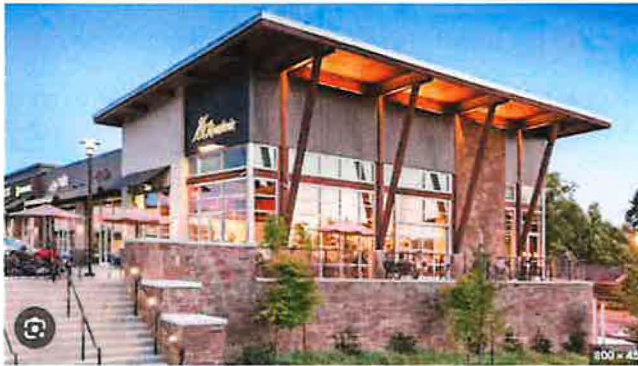


*Use accent lighting as a design element and to increase overall safety, but avoid light pollution.*

6. **Landscaping.** Plant material enhances a property by creating visual interest, highlighting architecture and site features, offering shade, screening unattractive functions from public view, and providing buffers between properties. The following standards apply to all landscaping:
  - a. Use landscape features to create visual interest, break up the appearance of blank walls, and enliven unexciting building views.
  - b. Apply vegetation to soften views of and within parking lots and other vehicle areas.
  - c. Complement landscaped areas with streetscape amenities (awnings, bike racks, furniture, art, lighting, signs).
  - d. Employ an environmentally sustainable landscape palette in support of stormwater management practices, as well as more efficient ongoing maintenance.
  - e. Complement and be additive to landscape purpose, applicability, and requirements defined in the City Code.



- f. Use native vegetation for perimeter landscaping, foundation landscaping, and parking islands to reduce maintenance costs and contribute to environmental sustainability.
- g. Incorporate decorative materials such as vegetation, fencing, masonry, or decorative structures to screen vehicles, parking lots, utilities, and other equipment from public view.
- h. Install foundation landscaping around the front of buildings that are set back from the front property line and alongside the sides and rear of buildings when visible from the public right-of-way.
- i. Use vegetation to highlight entrances to parking areas and buildings without reducing visibility for pedestrians or drivers.
- j. The following images portray desirable outcomes:



*Use landscape features to create visual interest, break up the appearance of blank walls, and enliven unexciting building views.*





*Foundation planting*



*Landscaped areas with streetscape amenities*



*Incorporate fencing*



*Landscaping and lighting to highlight entrances*

- (c) *Green Space.* All neighborhoods should have abundant public/open space incorporated into all designs. Development designs permitted in C-5 will require a greater need for public/open space. The dedication of areas for use as public/open space must be incorporated as focal points in the overall development scheme of each project, which is part of the larger neighborhood fabric. Additionally, these areas shall be capable of providing a varied use of active recreational opportunities and shall not negatively affect natural environmental features.

Existing vegetation shall be preserved whenever possible. Credits for preserving existing vegetation shall be given to developers to offset impervious area coverage requirements as described in the Development Bonuses section.

The creation of a civic green is encouraged throughout the C-5 district. A civic green is an open space consisting of a lawn and informally framed by trees and shrubs, typically furnished with paths, benches, and open shelters. These spaces are intended for a moderate amount of foot traffic. The civic green may be framed by abutting streets or structures. Credits for including a civic green shall be given to developers to offset impervious area coverage requirements and minimum parking requirements as described in the Development Bonuses section.

- (d) *Development Bonuses.* To advance the goals of the Comprehensive Plan and zoning regulations of the city, the Planning Commission may recommend, and the City Council may approve development bonuses that include a reduction in green space or parking requirements when certain practices that provide public benefit are incorporated into the development.

If development bonuses are requested under this section, the applicant shall document all site amenities or improvements for the city's review and consideration.

1. *Parking Space Reduction.* The maximum reduction in parking spaces shall be limited to 25% of the spaces required for the specific use of the property as provided in § 154.080 - § 154.090. The following list of incentives may be utilized to reach a parking space reduction not to exceed 25%.
  - a. *Pedestrian Facility Upgrades:* Upgrades to pedestrian facilities will be considered for a parking space reduction of up to 25%. Only pedestrian facilities that exceed the requirements outlined in the Development Standards section will be considered for a development bonus. Pedestrian facility upgrades could include, but are not limited to:
    - 1) Providing sidewalk width above the minimum required width.
    - 2) Providing bike trails that increase the circulation of bike traffic.
    - 3) Providing sidewalks and paths beyond the road frontage that increase the circulation of pedestrian traffic.
    - 4) Providing increased access to public transportation including:
      - a) Adding a bus stop along an existing bus route.
      - b) Adding a bus route to increase access to more areas.
      - c) Providing amenities to create an accessible bus stop in varied weather conditions.
    - 5) Providing pedestrian amenities including:
      - a) Pedestrian-scaled lighting that lights the pedestrian path while considering the mature height of street trees and the tree canopy.
      - b) Seating in the form of benches, seat walls, railings, and movable chairs.
      - c) Signage and information kiosks directing people to major activity centers and amenities.
      - d) Trash receptacles.
      - e) Bike and scooter parking.
      - f) Public art on buildings and in the streetscape.
      - g) Shade with street trees, awnings, and canopies.
    - 6) Providing pedestrian-specific amenities to a civic green including:
      - a) Any of the items listed in Section 5 above.
      - b) Open shelters that encourage gatherings.

7) The following images portray desirable outcomes:



*Seating along sidewalks in the form of benches with pedestrian-scale lighting.*



*Public art in a streetscape.*



*Shade with street trees, awnings, and canopies.*

2. The maximum increase in impervious areas shall be limited to 15% of the maximum impervious area. The following list of incentives may be utilized to reach a development bonus not to exceed 15% or a total impervious area of 85%.
  - a. *Green Space:* The minimum green space requirement in C-5 shall be 30%. Green space as described below will be considered for a density bonus of up to 15%. Green space considerations include, but are not



limited to:

- 1) Additional green space calculations could include the bonus acreages offered for any special incentives outlined below.
  - a) To promote the protection of woodlands, 125% of the land area may be counted toward meeting green space requirements if the woodlands are set aside and permanently protected as undeveloped space.
  - b) To promote low-impact design and stormwater-related best management practices (BMPs), 125% of the land area used for rain gardens, bio-retention facilities, groundwater infiltration systems, and other approved structural stormwater BMPs may be counted toward meeting green space requirements when the areas are set aside as undeveloped space.
  - c) To promote recreation, 125% of the land area used for retention ponds may be counted toward meeting green space requirements when the areas are set aside as undeveloped space, and the retention pond serves as stormwater management with the addition of recreational amenities. Recreational amenities include walking paths, providing adequate depth to support aquatic life, stocking the pond with fish, adding docks or bridges, and similar items to promote recreation.
  - d) To promote the provision and protection of natural preserves, 125% of the land area of natural preserves and created wetlands may be counted toward meeting green space requirements if the natural preserves are set aside and permanently protected as undeveloped space.
  - e) 125% of the landscape area may be counted toward the green space requirement if the development provides landscaping in addition to the minimum landscape requirements. Landscape areas in excess of 10% of the requirement shall be provided for bonus consideration.
  - f) 200% of the land area included as a civic green may be counted toward the green space requirement.
  - g) 150% of the reserved land area placed into a conservation easement with a legally incorporated land conservation agency or donated for a city park may be counted toward green space requirements.



- h) 200% of the land area dedicated to establishing a woodland canopy and a tree preservation easement set aside and permanently protected as undeveloped space may be counted toward green space requirements. A plan shall be established by an arborist for the development of the tree canopy and shall specify the planting of two hardwood trees for each tree anticipated in the woodland. The plan shall assess 200 square feet for each tree-designated woodland. For example, where 20,000 square feet are being preserved, the following formula would be used: 20,000 square feet divided by 200 square feet equals 100 trees. As the required tree planting ratio is 2:1, 200 trees would be planted.
- i) The green space features in this section may not be double counted.

2) The following images portray desirable outcomes:



*A civic green is an open space consisting of a lawn and informally framed by trees and shrubs, typically furnished with paths, benches, and open shelters.*



*Landscaping in addition to minimum requirements. Flowering shrubs that border a bench.*



*Retention pond with a walking path around it for recreation.*

3. **Public Infrastructure Improvements:** Improvements to critical public infrastructure will be considered for a development bonus of up to half of the maximum allowable bonuses for reductions in green space and parking requirements. Improvements that support the extension and connection of critical infrastructure above those improvements required for the function of the development will be considered for a density bonus. Public infrastructure improvement considerations include, but are not limited to:
  - a. Extensions of collector roads through the development.
  - b. Improvements to critical wastewater infrastructure including the construction of a regional lift station or the extension of a collecting trunk line to serve multiple users in the district.
  - c. Improvements to critical water infrastructure including the extension and looping of transmission lines to provide increased flows and redundancy in the water system in the district.
  - d. Regional detention ponds for areas outside the C-5 district.
4. **Example Calculations.**

Example of a C-5 Town Center Development:

<b>Total area of development:</b>	100 acres
<b>Maximum coverage in percent of lot:</b>	50% or 50 acres
<b>Green space requirement:</b>	30% or 30 acres
<b>Maximum impervious area per zoning:</b>	50 acres of structures plus 20 acres impervious = 70 acres

Some strategies that could be utilized to reduce the green space requirement:

- 8-acre retention pond with recreational amenities (retention area typically counts as 50% of area for green space calculation)
  - $8 \text{ acres} * 125\% = 10 \text{ acres}$  (at 50%, 5 acres counted for detention)
- Assume this development would require 3.64 acres of required landscaping but 110% is provided

- 3.64 acres \* 110% = 4 acres (provided)
- 4 acres \* 125% = 5 acres (counted toward green space)
- 4-acre civic green
  - 4 acres \* 200% = 8 acres (counted toward green space)
- 5-acre area establishing a woodland canopy
  - 5 acres \* 200% = 10 acres (counted toward green space)
- Providing 20.64 acres of physical green space
- Counts as 32 acres of green space with bonuses

In this example, bonuses allow for 11.36 more acres of development



Section 154.032 Schedule: Area and Bulk Regulations; Parking Requirements

ZONING DISTRICT	MINIMUM DISTRICT SIZE	MAXIMUM NUMBER OF DWELLING UNITS	MINIMUM DWELLING UNIT AREA OR COMMERCIAL TENANT SPACE IN SQ. FT.	MINIMUM LOT SIZE			MINIMUM YARD DIMENSIONS						ACCESSORY BUILDINGS - MINIMUM DISTANCE TO:					MINIMUM OFF-STREET PARKING			
				AREA IN SQ. FT. OR ACRES	WIDTH AT BUILDING LINE	MEAN DEPTH IN LINEAL FEET	DEPTH OF FRONT YARD	DEPTH OF SIDE YARD ABUTTING A STREET	DEPTH OF SIDE YARD ABUTTING A LOT	DISTANCE TO NEAREST PRINCIPAL BUILDING ON ADJACENT LOT	DEPTH OF REAR YARD	MAXIMUM COVERAGE IN PERCENT OF LOT	MAXIMUM SIZE OF PRINCIPAL BUILDING	MAXIMUM HEIGHT OF PRINCIPAL BUILDING	MAXIMUM HEIGHT OF ACCESSORY BUILDING	PRINCIPAL BUILDING	FRONT LOT LINE		SIDE LOT LINE ADJACENT TO A STREET	SIDE LOT LINE	REAR LOT LINE
<b>C-4 DOWNTOWN MIXED-USE COMMERCIAL</b>	<i>CONTACT THE BUILDING AND ZONING DEPT. FOR REQUIREMENTS</i>																				
<b>C-5 TOWN CENTER</b>	PD-B/PD-R 15 acres	40/acre	Residential= 800 sq. ft; Commercial= 1,200 sq. ft	10,000 sq. ft.	100 feet	100 feet	20 feet maximum (must build to building line)		10 feet; Interior side yard setbacks shall be 0 feet**			50%	N/A	50'	N/A	N/A	N/A	N/A	N/A	N/A	See Section 154.087

\* Of the total 1,200 sq. ft. at least 850 sq. ft. is required to be on ground level.

\*\* Interior side yard setbacks shall be 0 ft. except where side building pedestrian access is provided between an adjacent building. In such case, the interior side yard facade setback shall be a minimum of 10 ft. and a maximum of 20 ft. from the property line.

## CHAPTER 155: SIGN REGULATIONS

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### Section

- 155.01 Title, purpose and applicability
- 155.02 Definitions
- 155.03 General regulations
- 155.04 Prohibited, permitted and types of signs
- 155.05 Administration and enforcement
- 155.06 Appeals, variances, amendments and other matters

### § 155.02 DEFINITIONS.

The purpose of these provisions is to promote consistency and precision in the interpretation of the graphics ordinance. As used in this chapter the following terms shall have the meanings indicated below:

**MONUMENT GRAPHIC.** A large, freestanding, weather-resistant ground graphic with little or no space between the sign and the ground. Monument signs are permanently fixed to the ground by a solid base and are not connected to a building.

### § 155.03 GENERAL REGULATIONS.

- (A) *General prohibitions.* Any graphic or sign not expressly permitted by this chapter is prohibited in the city.
  - (1) Signs in the C-1 Neighborhood Commercial zoning district are not governed by this chapter. See § 154.020(H) Neighborhood Commercial - C-1 Zoning District of the Troy Zoning Code.
- (B) *Calculation of graphic area.* The area of every graphic or sign shall be calculated as follows:
  - (1) If the graphic is enclosed by a box or outline, the total area contained within that outline, including the background, shall be deemed the graphic area.
  - (2) If the graphic consists of individual letters, parts or symbols, only the area of an imaginary square or rectangle which would completely enclose all the letters, symbols and parts shall be deemed the graphic area.
  - (3) Only one side of any double-facing graphics shall be considered in calculating area.
  - (4) The area of graphics of three-dimensional shapes such as boxes, globes, cylinders, or pyramids shall be computed as one-half of the total of the exposed surfaces.
- (C) *Graphic area allowances.* Within the limitations and restrictions as further provided in this chapter, the total of the areas of all graphics ~~which~~ **that** a particular establishment is permitted to display shall be computed as follows:
  - (1) Two square feet of graphics area per one foot of lineal ~~store~~ **street** frontage in the C-2 General Commercial, C-3 Highway Commercial, **C-5 Town Center Mixed-use**; I-1 Light Industry and I-2 General Industry zoning districts with a minimum of eight square feet of graphics permitted in these zoning districts.
  - (2) The total permitted **graphics** area ~~of graphics~~ shall not exceed 300 square feet per street frontage.

- (3) If any establishment has frontage on two or more streets, each side having frontage shall be considered separately for purposes of determining compliance with the provisions of this chapter. The sign area allowances shall not be aggregated on any one side so as to allow any such establishment to display on any one frontage a greater area of graphics than 300 square feet.
  - (4) The side of an establishment adjacent to an off-street parking area shall not be deemed frontage unless the establishment has no other frontage.
  - (5) Any signage that is part of the building shall not exceed 10% of the total square footage of the respective building face upon which it is placed.
- (D) *Illumination.* Illumination of graphics is permitted, subject to the following requirements:
- (1) No red, yellow, orange, green, or other colored light shall be used within 200 feet of a traffic sign or device.
  - (2) No graphic shall have blinking, flashing, or fluttering lights, which have a changing light intensity, brightness, or color. Beacon lights are prohibited.
  - (3) The illumination area shall be included in graphic ~~areas~~ **area** allowances.
  - (4) The light from any illuminated graphic shall be shaded, shielded, or directed ~~so as to~~ avoid a nuisance to persons on adjacent property or create a traffic hazard.
  - (5) No exposed reflective-type bulb and no strobe light or incandescent lamp ~~which~~ **that** exceeds 15 watts or equivalent shall be used ~~in~~ **on** the exterior surface of any graphic in such a manner as to expose the face of the bulb, light, or lamp to any public street or adjacent property.
- (E) *Movement prohibited.* No graphic which revolves, rotates, or mechanically moves in any manner shall be permitted in the city.
- (F) *Obstructions and traffic hazards.*
- (1) No graphic shall be erected, relocated, or maintained ~~so as to~~ prevent free access to any door, window, fire escape, or driveway.
  - (2) No graphic shall be erected or maintained in such a manner that it interferes with, obstructs the view of, or can be confused with any authorized traffic sign, signal, or device. In addition, no graphic shall contain the words "stop", "go", "caution", "danger", "warning" or similar words unless these specific words are part of the name of the particular business.
- (G) *Structural and maintenance requirements.*
- (1) Every graphic shall be designed and constructed in a manner that is safe and shall conform to the applicable provisions of the building and electrical codes.
  - (2) The Building & Zoning Official shall have the right under the Administrative and Enforcement section of this chapter to order the repair and removal of any sign which is defective, damaged, or substantially deteriorated as defined in the International Building Code most recently adopted by the city.

(Ord. 2014-02, passed 1-21-2014; Ord. 2016-05, passed 3-21-2016)



## § 155.04 PROHIBITED, PERMITTED AND TYPES OF SIGNS.

- (A) *Prohibited graphics or signs.* The following graphics or signs are prohibited everywhere in this city:
- (1) Mobile/portable signs.
  - (2) Graphics which contain or consist of banners, pennants, streamers, ribbons, strings of exposed light bulbs, spinners or similar devices.
  - (3) Graphics attached to trees, fences or public utility poles other than warning signs or those graphics issued by public utilities and attached to public utility poles.
  - (4) Abandoned signs including the posts and other supports which advertise or identify an activity, business, product, or service no longer conducted on the premises where such graphic is located. If the business or service advertised or identified by a nonconforming sign ceases to be conducted for a period exceeding 90 calendar days, the nonconforming sign shall be classified as an "abandoned sign", and shall be removed by the owner, agent, or person having beneficial use of the premises or lot upon which the sign is located within 30 days following receipt of written notice as stated in the Administrative and Enforcement section of this chapter by the Building & Zoning Official concerning its removal. The Building & Zoning Official can take into account the fact that a sign may be resold as part of the sale of a business when presented with documentation depicting such effort should the Building & Zoning Official decide not to send a written removal notice.
  - (5) Roof-mounted graphics that extends more than three feet above the highest point of the roof.
  - (6) Off-premises signs except as provided by a special use permit or in accordance with the State Highway Advertising Control Act, ILCS Ch. 225, Act 440, §§ 1 through 16.
  - (7) Snipe signs.
- (B) *Permitted graphics.* Every graphic enumerated below that complies with the indicated requirements may be erected in any zoning district of this city without a permit, unless indicated otherwise. The area of such graphics shall not be debited against the displaying establishment's sign area allowance:
- (1) Temporary for sale or for lease signs advertising the development of a new residential subdivision shall not exceed 32 square feet or remain more than 90 days after the subdivision is completed or 90% of all lots are sold. Only one such sign per the entire development, posted on the subdivision property is permitted. In commercial and industrial zoning districts, temporary construction signs identifying the architects, engineers, contractors, and other individuals or firms involved with the construction, and/or announcing the character or purpose of the building but not advertising any product. Only one such sign per building is permitted, not exceeding 32 square feet in area, confined to the site of the construction, and removed within ten working days after construction has been completed.
  - (2) On-premises directional signs such as signs identifying entrances, exits, parking areas, no-parking areas, restrooms, public telephones, walkways, and similar features or facilities. Such signs shall not exceed six square feet in area.
  - (3) Flags of any country, state, or unit of local government (ILCS Ch. 65, Act 5, § 11-80-17). A maximum of three flags **are** allowed per establishment or, if residentially zoned, per house.
  - (4) Governmental or public signs, such as traffic control signs, railroad crossing signs, legal notices, and such temporary emergency signs as may be authorized by the Building & Zoning Official.

- (5) House numbers and/or resident-only name signs located on the lot to which the sign pertains. Such signs shall not exceed three square feet in area for single-family dwellings nor six square feet for multiple-family dwellings.
- (6) Integral signs, memorial signs or tablets carved into stone or inlaid ~~so as to~~ become part of the building, and containing such information as date of erection, name of **the** building, and memorial tributes.
- (7) Interior signs located in any building or within an enclosed lobby or court of any building or group of buildings or interior enclosed/fenced sporting areas.
- (8) Property regulation signs such as no trespassing, beware of dog, no hunting, no fishing, etc. Such signs shall not exceed three square feet in area.
- (9) Temporary signs.
  - (a) Temporary **event** signs may be displayed without a permit, provided that ~~any and all~~ **all** such signs comply with the following:
    1. **No more than 15 temporary signs may be displayed no more than six times per year and during a period not to exceed 14 days ~~prior to~~ before the scheduled event or season to which they advertise or are related to, and shall be removed within seven days after that event is over or that season has ended.**
    2. **In residential zoning districts, temporary signs shall not exceed eight square feet. In commercial and industrial zoning districts, temporary signs shall not exceed eight square feet if located in a C-1 zoning district; 24 square feet if located in a C-2 zoning district; 32 square feet if located in a C-3 zoning district; 24 square feet if located in a C-4 zoning district; **24 square feet in a C-5 zoning district**; and 32 square feet if located in I-1 or I-2 zoning districts.**
    3. **Only one temporary sign per business is allowed on each street frontage.**
    4. **If mounted on a building, temporary signs shall be in weather-resistant permanent frames.**
    5. **Shall not be placed in any of the following locations: on any public property; on any public right-of-way; on any utility pole or tree; on any street or road sign or sign pole; on any other person's property without express verbal permission; and/or in any location that blocks or tends to block sight lines for vehicular traffic.**
- (10) Residential development identification structures at major entrances designed to identify a residential subdivision, apartment complex, or planned development; containing no commercial advertising; and not exceeding 75 square feet in total area including the monument and located on-premises.
- (11) Utility company signs that serve as an aid to public safety or that show the location of public telephones, underground cables, etc.
- (12) Historic building signs or plaques containing no advertising and limited to four square feet in area. Applicants desiring a historic sign status shall comply with all requirements of the Historic Preservation Ordinance.
- (13) Public signs such as street identification signs, traffic signs, and other public interest signs erected by the city or the State of Illinois.



(14) Home occupation interior or exterior business signs shall not be larger than two square feet in area, unlighted, and installed only on the dwelling building itself.

(C) *Residential zone districts.* Upon the effective date of this chapter, no signs or other graphics except those listed in the permitted graphics section of this chapter shall be erected in any residential portion of a planned development, planned development district, or in any other residential district.

(D) *Commercial and industrial zone districts.* No establishment located in any commercial district, any commercial or industrial portion of a planned development, or any industrial district shall display a total area of signs in excess of its sign area allowance as required in the graphic area allowance section of this chapter. Additionally, signs in any commercial district, any commercial or industrial portion of a planned development district or in any industrial district shall conform to the requirements indicated in the divisions below.

(1) *Flush-mounted graphics.* ~~Total~~ **The total** square footage of **the** flush-mounted graphics area shall not exceed 10% of the total square footage of the building face upon which **it is** placed. No flush-mounted graphic shall:

(a) Project more than 18 inches from the wall or surface to which it is attached. If such wall or surface is not vertical, the projection shall be measured from the closest point of the wall or surface to the graphic; or

(b) Extend more than three feet above the roofline of the building to which it is attached.

(2) *Projecting graphics.* One projecting graphic per street frontage may be substituted for the flush-mounted graphic. No projecting graphic shall:

(a) Project over a public right-of-way or closer than two feet to the curb or edge of such vehicular way (ILCS Ch. 65, Act 5, § 11-80-14);

(b) Project more than three feet from the building to which it is attached;

(c) Extend below a point eight feet above the ground or pavement;

(d) Extend more than three feet above the roofline of the building to which it is attached (not on top of the roof); or

(e) Exceed 12 square feet in area.

(3) *Window graphics.* Any commercial, industrial or institutional establishment may display permanent window graphics. Permanent window graphics shall cover no more than 20% of any window or 20 square feet of window, whichever is less. Permanent window graphics shall be debited against the total area of all graphics permitted.

(4) *Awning, canopy, and marquee with graphics.* Graphics mounted flush against awning, canopy, or marquee shall be considered flush-mounted graphics, and shall comply with the regulations of such. Graphics suspended beneath any awning, canopy or marquee shall be considered projecting graphics, and shall comply with the regulations of such. An awning, canopy or marquee graphic may be painted on directly, and shall comply with the graphic area allowances section of this chapter.

(5) *Shopping/office center ~~monument~~ freestanding graphics.* A shopping/office center – as an entity – may erect an identification sign ~~in accordance with~~ **under** the provisions of this chapter:

(a) Shopping/office center identification graphics shall not exceed 100 square feet when identifying only the shopping center.



- (b) **Monument**~~freestanding~~ graphics shall not exceed 200 square feet when identifying the shopping/office center and/or tenants.
  - (c) No shopping/office center shall have more than one **monument**~~freestanding graphics~~ **graphic per street entrance** identifying the shopping center and/or tenants.
  - (d) Tenants ~~that are~~ identified on the shopping/office center **monument**~~freestanding~~ graphic shall have the square footage included as part of the tenant's overall allowable signage.
  - (e) Outlots with street frontage shall be allowed a freestanding graphic ~~in accordance with~~**under** the freestanding graphics section of this chapter. **This does not apply to outlots in the C-5 zoning district.**
  - (f) No point of any **monument** ~~graphic~~~~freestanding graphics~~ shall project over or intrude into any public right-of-way or private lot line and no **monument**~~freestanding~~ graphic shall be higher than two feet in the intersection sight triangle.
  - (g) A **monument**~~freestanding~~ graphic shall not extend more than the maximum height allowed in the freestanding graphics section of this chapter.
- (6) *Freestanding graphics.*
- (a) No establishment in any zoning district may have more than one freestanding graphic on any lot, except in C-3, I-1 and I-2 zoning districts. In these zoning districts, an establishment may have a maximum of two freestanding graphics on any lot, with one freestanding graphic not exceeding the height allowed under the freestanding graphics section of this chapter and one freestanding graphic not extending 25 feet above the ground.
  - (b) Minimum distance apart for two freestanding graphics on one parcel in C-3, I-1 and I-2 zoning districts: If an establishment in these zoning districts erects two freestanding graphics on one parcel of land and both freestanding graphics are located in the front half or both freestanding graphics are located in the back half of the property, the minimum distance apart shall be one-half of the parcel's street frontage. If an establishment in these zoning districts erects one freestanding graphic on the front half of the property and the other freestanding graphic on the back half of the property, the minimum distance apart shall be one-half of the parcel's depth. The front half of the property shall be determined by the legal address. Under no circumstance shall two freestanding graphics constructed on one parcel in these zoning districts be placed closer than 150 feet apart.
  - (c) Freestanding graphics shall comply with the following regulations:
    1. No point of any freestanding graphics shall project over or intrude **on** a private lot line, and no freestanding graphic shall be higher than two feet in the intersection sight triangle.
    2. No freestanding graphic shall exceed 100 square feet in area or 12 feet in any dimension, except for freestanding graphics in C-3, I-1 and I-2 zoning districts which shall not exceed 300 square feet in area. This paragraph does not apply to shopping center identification graphics.

3. Freestanding graphics shall have a decorative post/pole wrap consisting of comparable construction materials. Any advertising on the wrap will contribute to the total square footage of the sign.
4. Height of sign—districts.
  - a. When attached to a post or other supports, a freestanding graphic shall not extend more than 80 feet above the ground or pavement in C-3, I-1, and I-2 zoning districts except on those parcels of ground contiguous to U.S. Highway 40 from Alarth Drive to the eastern city limits which shall not extend more than 25 feet above the ground or pavement in C-3, I-1, and I-2 zoning districts.
  - b. When attached to a post or other supports, a freestanding graphic shall not extend more than 25 feet above the ground or pavement in a C-2 zoning district.

(7) *Off-premises signs.*

- (a) Off-premises signs are permitted on either side of a federal interstate highway for 660 feet from the nearest edge of the right-of-way, in accordance with the State Highway Advertising Control Act, ILCS Ch. 225, Act 440, §§ 1 through 16 and as it may hereafter be amended and which is exempt from this chapter.
- (b) Off-premises signs are permitted by special use permit only on Edwardsville Road/Highway 162 and Highway 40 with the following requirements.
  1. No such off-premises signs shall be located closer than 300 feet to another off-premises sign, on either side of the roadway.
  2. All off-premises signs shall be constructed upon a single pole made of steel or metal of equivalent strength.
  3. No off-premises sign shall exceed 25 feet at its highest point.
  4. Off-premises signs shall not be permitted within or over the public right-of-way.
  5. No more than five off-premises signs are permitted per mile on each side of the roadway. Nonconforming off-premises signs shall be included in this determination.
  6. The graphic area allowance for off-premises signs shall not exceed 100 square feet.
  7. Other regulations contained in this chapter may also apply to off-premises signs.

- (8) *Planned development (PD) and planned development districts.* Signage shall ~~be in~~ **compliance** ~~comply~~ with the city's sign ordinance unless the applicant for a PD district designation elects to submit a "Comprehensive Sign Plan" as defined in the Planned Development section of the Zoning Ordinance. The Planning Commission may recommend, and the City Council may approve, a comprehensive sign plan ~~and such plan,~~ **which** shall be made part of the approved planned development district. The Zoning Ordinance may contain conditions, requirements, or standards regarding signs that may be stipulated by the City Council, along with the criteria used to ~~evaluation~~ **evaluate the** sign plan.

- (9) *Electronic message center signs (EMCS).*

- (a) An electronic message center sign shall be permitted only as an integral component of a freestanding sign or, to the extent permitted by these regulations, as an integral component of a building sign.



- (b) Electronic message center signs (EMCS) may be substituted ~~in lieu of~~ **in place of** other permitted signs ~~pursuant to~~ **under** this section. Portable or temporary EMCS are prohibited. The EMCS shall be further restricted by the additional standards in this division.
- (c) Area. An electronic message center sign shall comprise less than 50% of the overall sign area of the sign structure and shall not, in any case, exceed 32 square feet in area. An electronic message center sign shall be compatible with the design of the sign structure, including width, depth, and color of the cabinet.
- (d) Message duration. Advertising messages, information, images and background shall remain in a fixed, static position for a minimum of eight seconds. The change sequence must be accomplished within ~~an interval of~~ two seconds or less.
- (e) Illumination. The outdoor advertising sign shall have an automatic dimmer (factory set to the illumination intensities as follows) and a ~~photo cell~~ **photocell** sensor to adjust the illumination intensity or brilliance of the sign so that it shall not cause glare or impair the vision of motorists and shall not interfere with any driver's operation of a motor vehicle. The sign shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness. Any external illumination devices shall be effectively shielded ~~so as to~~ prevent beams or rays of light from being directed at any portion of a street or highway, or any residential use.
- (f) Limitations. No moving, rotating, fluttering, blinking, or flashing elements are permitted. No animation, video, audio, pyrotechnic, or bluecasting components are permitted.
- (g) In addition, the following standards shall apply to all EMCS:
  1. The EMCS shall contain a default design that will freeze the sign in one position if a malfunction occurs or in the alternative shut down; and
  2. The EMCS shall not display any message that moves, appears to move, scrolls, or changes in intensity during the fixed display period.
  3. When in the opinion of the Building & Zoning Official an EMCS is proposed for a project or building or within the C-4 zoning district, review and approval of said EMCS shall be conducted by the Planning Commission when determined satisfactorily that the requested EMCS will pose no substantial harm to the historic character of said structure, project or area.

(10) *Sign package.*

- (a) Required. A sign package is required for review by the Planning Commission for the following signs:
  1. Electronic message center signs in the C-4 zoning district; or
  2. In the opinion of the Building & Zoning Official, any sign can be brought to the Planning Commission for review and approval including projects with multiple buildings or tenants, unique circumstances such as poor visibility or irregularly shaped sites, or when a uniquely creative approach to signage design is proposed.

- (b) Specific intent. The specific intent of this procedure is to provide a process to evaluate the number, size, location, height, and design of signage within a project on a comprehensive basis to ensure that it is installed as a consistent, integrated component of the development and zoning district.
  - (c) Submittal requirements. Said sign package shall include:
    1. The location of the buildings, structures, or lots on which the signs are to be installed;
    2. A site plan of the property involved, showing accurate placement thereon of the proposed signs;
    3. Photographs, illustrations, or renderings of the building, site, and/or other signage on the site as required to determine consistency;
    4. Other materials or evidence as may be required to demonstrate compliance with the review criteria; and
    5. Fees. Filing and review fees as established by the City Council.
  - (d) Review criteria. Signs within the proposed package may deviate from the number, size, location, height, and design criteria specified by this section for each type of sign, provided that a variance is approved.
  - (e) Approved sign package. The approved sign package shall be retained on file in the Building & Zoning Department.
  - (f) Sign permit. A sign permit shall be required to install each sign in the approved package.
  - (g) Amendment to sign package. Applications to amend any portion of an approved sign package shall be made to the Planning Commission for review and recommendation.
- (11) *Sign walkers*. Sign walkers shall be permitted, subject to the following regulations:
- (a) Location. Sign walkers, with permission from the property owner and/or jurisdiction, shall be located only on the real property that the business, goods or services are located:
    1. At grade level.
    2. Prohibited locations: sign walkers shall not be located:
      - a. Within the public right-of-way;
      - b. In raised or painted medians;
      - c. In parking aisles or stalls;
      - d. In driving lanes or driveways;
      - e. So that less than a minimum of four feet is clear for pedestrian passage on all sidewalks and walkways, or ~~so as to~~ cause a hazard to pedestrian traffic;
      - f. On fences, boulders, planters, other signs, vehicles, utility facilities, or any structure;
      - g. Within a minimum distance of 20 feet from any other sign walker; ~~or~~
      - h.** In a manner that results in sign walkers physically interacting with motorists, pedestrians, or bicyclists; ~~or~~
      - h.i.** **In the C-5 zoning district.**

- (b) Display. Signs shall be:
    1. Displayed only during the hours the business is open to conduct business.
    2. Held, worn or balanced at all times.
  - (c) Elements prohibited. The following shall be prohibited:
    1. Any form of illumination, including flashing, blinking, or rotating lights;
    2. Animation on the sign itself;
    3. Mirrors or other reflective materials;
    4. Attachments, including, but not limited to, balloons, ribbons, speakers; and
    5. Noise making devices.
- (12) **C-4 Downtown Mixed-use**~~Old Town~~ zoning district signage. Signage in the **C-4 Downtown Mixed-use**~~Old Town~~ zoning district shall be subject to the following:
- (a) New signs and all physical changes to existing signs in ~~the C-4 Old Town zoning district~~ shall adhere to these regulations, and shall require a sign permit from the city Building & Zoning Department;
  - (b) Preferred sign types include ~~building mounted~~**building-mounted** signs that face the street, window signs, projecting signs, and signs on awnings;
  - (c) Pylon/pole, back-lit, neon, or scrolling LED and digital reader board signs may be permitted in ~~the C-4 Old Town zoning district~~ based on the following considerations:
    1. Consistency and compatibility of requested signage with the overall design and architecture of the building it is attached to or project it is associated with; and
    2. Consistency and compatibility with the intent of the **Downtown Mixed-use**~~Old Town~~ district.
  - (d) Wall signs, ground/monument signs, awning signs, canopy signs, and blade or projecting signs are permitted following review and approval of the Building & Zoning Official;
  - (e) Sandwich board signs (or "A-frame" type signs) may be placed on the sidewalk but shall not intrude into a four-foot-wide pedestrian access route. Sandwich board signs must be removed from the sidewalk at dusk until dawn;
  - (f) Signs shall not blink, flash, spin or move in any manner;
  - (g) Two-sided projecting signs that face up and down the street are permitted when meeting the following:
    1. Located above the horizontal expression line that defines the ground floor facade;
    2. Centered on the storefront or above the entryway;
    3. The sign itself shall not be:
      - a. Greater than 42 inches in width or 42 inches in height;
      - b. Greater in width than in height;
      - c. Not extend more than 36 inches from the building face;
      - d. Provide a minimum ten-foot vertical clearance above the sidewalk; and



- e. A decorative hanger shall be required for attachment.
- (h) Rooftop signs are prohibited;
- (i) Sign colors shall relate to and complement the primary colors of the building facade;
- (j) Sign design and placement shall fit the character of the building and should not obscure desirable architectural details;
- (k) Artistic projecting signs shall be permitted provided they are proportional and complementary to the architecture of the building;
- (l) Signage on awnings shall be permitted on the "fringe" portion as long as it is complementary and does not contrast the architecture of the building;
- (m) Awnings may be lit from above and/or may feature lighting beneath to illuminate the sidewalk;
- (n) Glowing awnings are prohibited; and
- (o) Temporary product signage can be placed in display windows but **is** limited to 20% of the total area of glazing. These signs shall be of professional appearance.

*(Ord. 2014-02, passed 1-21-2014; Ord. 2016-05, passed 3-21-2016; Ord. 2020-01, passed 1-21-2020)*

**§ 155.05 ADMINISTRATION AND ENFORCEMENT.**

(J) *Schedule of fees.* All fees indicated below shall be paid by the applicant upon submission of the proper permit application. Said fees are intended to defray the administrative costs connected with the processing/conducting of the listed permits/procedures; they do not constitute a tax or other revenue-raising device.

<i>Permit/Procedure</i>	<i>Fee</i>
Graphic Permit	100.00
Appeal	<del>250.00</del> <b>500.00</b>
Variance	<del>250.00</del> <b>500.00</b>
Amendment	<del>250.00</del> <b>300.00</b>

*(Ord. 2014-02, passed 1-21-2014; Ord. 2016-05, passed 3-21-2016; **Ord. 2022-11, passed 3-21-22**)*