



CITY OF AURORA, ILLINOIS

SIGN ORDINANCE UPDATE

RAP PRESENTATION

DECEMBER 15, 2021



PURPOSE OF A SIGN ORDINANCE

- The sign ordinance is intended to ensure that signs are located, designed, sized, constructed, installed, and maintained in a way that protects and promotes safety, health, aesthetics, and the public welfare while allowing adequate communication.
- A sign ordinance helps the City reduce the visual clutter of signage.
- It prohibits the erection of signs that creates hazards to pedestrians and motorists.
- It establishes a process for review and approval of sign permit applications.
- It helps to protect, establish, and enhance community identity.



PURPOSE FOR THE UPDATE

- The Sign Ordinance Update is a targeted effort to revise the City's sign regulations to comply with federal law and protect the constitutional right of free speech.
 - In 2015, the U.S. Supreme Court Case Reed v. Town of Gilbert required local jurisdictions to be content-neutral when regulating signs (for example, not regulating a sign based on whether it carries a commercial, political, or ideological message).
- The Sign Ordinance Update will ensure the City's regulations uphold constitutional speech, while also protecting the visual character of Aurora.



RESEARCH AND ANALYSIS

- Staff researched best practices from the surrounding area
- We also gathered input from key person interviews, and other community sign ordinances.
- The updated section is based upon research of other communities, input from our outside legal consultant, and are making sure our regulations are consistent.



PROCESS

- Staff reviewed current ordinance
- Legal Department obtained model ordinance
- Researched other municipalities sign ordinances
- Staff Presentation to RAP (July 2021)
- Key Person Interviews
 - Alderman/Aldermen
 - Business Owners
 - Sign Manufacturers
 - Chambers and Aurora Downtown
 - Realtors
- Draft Text amendment to sign ordinance
- RAP Discussion Number 5 (December 7th, 2021)
 - Review entire Draft Sign Ordinance
- Next Steps:
 - Complete Council meetings with Staff
 - **Presentation to the Building, Zoning, and Economic Development Committee (Informational)**
 - Committee of the Whole
 - City Council

ARTICLE I: GENERAL PROVISIONS



ARTICLE I: GENERAL PROVISIONS

- **Section 41-1. Applicability**
 - Any sign erected, altered, or maintained after the effective date of this Ordinance shall conform to the following regulations.
- **Section 41-2. Findings, Purpose and Intent**
 - No significant changes in this section.
- **Section 41-3: Definitions:**
 - This section was updated to include definitions that are used in the proposed ordinance as well as the inclusion of applicable images.
 - The photos were chosen from signs within the City of Aurora and throughout the region.
- **Section 41-4: General Regulations for All Signs:**
 - No significant changes in this section.



ARTICLE I: GENERAL PROVISIONS

- **Section 41-4: General Regulations for All Signs:**

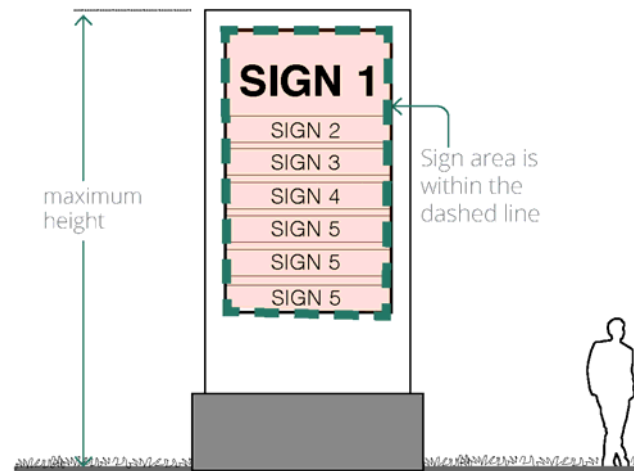
C: Sign Area:

- New images were inserted in this section to help illustrate how sign area should be calculated.

Measuring Sign Area



For signs made up of individual letters, designs, or symbols, the area is measured as the smallest rectangle that encompasses all of the letters, designs, and symbols.



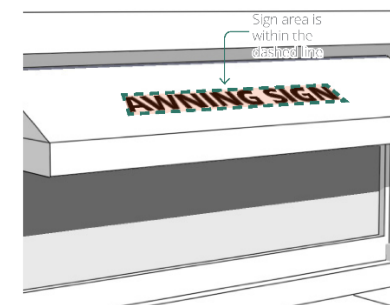
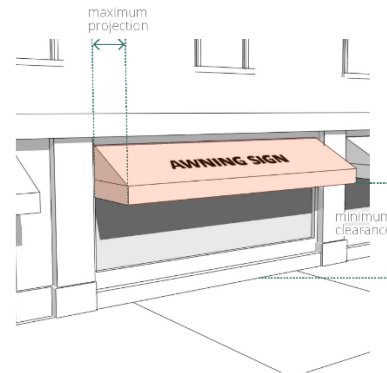


ARTICLE I: GENERAL PROVISIONS

- **Section 41-4: General Regulations for All Signs:**

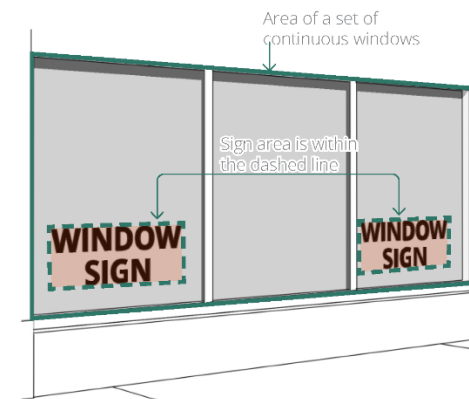
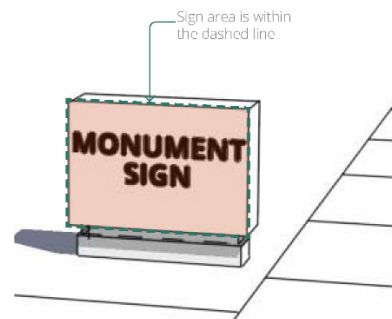
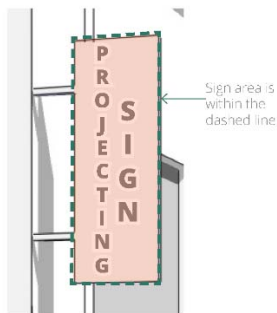
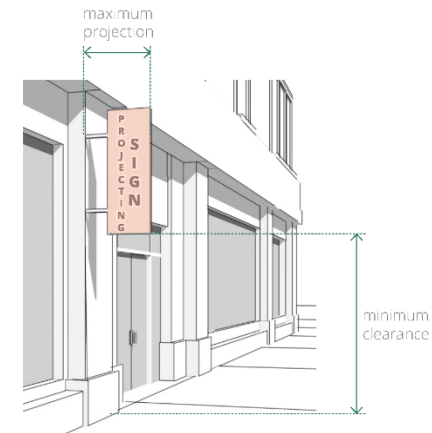
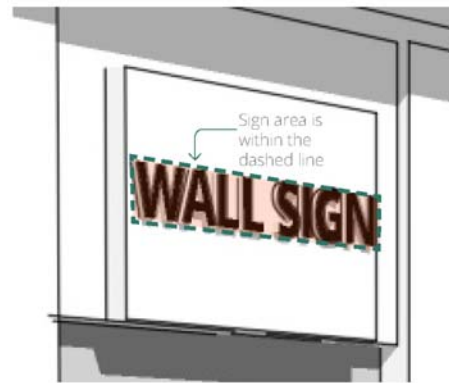
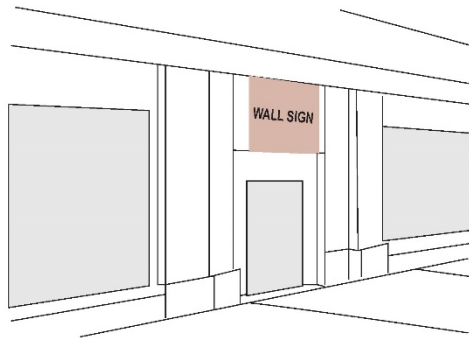
C: Sign Area:

2) Where the sign consists of individual letters, designs, or symbols attached to a building, awning, wall, or window, the area shall be that of the smallest rectangle which encompasses all of the letters, designs, and symbols.





ARTICLE I: GENERAL PROVISIONS





ARTICLE I: GENERAL PROVISIONS

Section 41-4: General Regulations for All Signs:

(f) Sign Illumination.

- *Language regarding illumination has been simplified and streamlined.*
 1. Signs may be illuminated, unless otherwise specified herein, consistent with the following standards:
 - a) Light sources to illuminate signs shall neither be visible from any street right-of-way, nor cause glare hazardous or distracting to pedestrians, vehicle drivers, or adjacent properties.
 - b) Less than 1.0 foot-candle of light shall be detectable at the boundary of any abutting property.
 2. Glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields, and baffles, and appropriate application of fixture mounting height, wattage, aiming angle, and fixture placement. Vegetation screens shall not be employed to serve as the primary means for controlling glare.

ARTICLE II: PROHIBITED SIGNS



ARTICLE II: PROHIBITED SIGNS

Section 41-5: Prohibited Signs:

- This section was expanded based upon outdated and unattractive sign types and new distracting technology
- The following are key additions:
 - Pole Signs are now prohibited
 - LED Storefront lights, String Lights or rope lights in windows are prohibited
 - Tri-vision boards are prohibited
 - Non-digital billboards are prohibited

ARTICLE III: EXEMPTIONS



ARTICLE III: EXEMPTIONS

Section 41-6: Signs Exempt from Permit Requirements:

- This section was streamlined, however, it contains the same list of signs that was existed with a few additions and clarifications including:
 - Window Screen Signs
 - Area. The total window screen signage shall not exceed fifty (50%) percent of the total window area on a façade for all temporary and permanent signage.
 - ***This is an increase from the current ordinance that allows a maximum area of 25%.***

ARTICLE IV: REGULATIONS BY SIGN TYPE



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Section 41-7: Regulations for Permanent Signs:

- No significant changes.

Section 41-8: Regulations for Ground Signs:

- Reduced height and square footage to be consistent with surrounding communities and best practices

Section 41-9: Subdivision Signs:

- No significant changes.

Section 41-10: Kiosks:

- Only allow as a Special Sign District

Section 41-11: Wall Signs:

- No significant changes.



ARTICLE IV: REGULATIONS BY SIGN TYPE

Section 41-12: Projecting Signs:

- No significant changes.

Section 41-13: Marquee Signs:

- No significant changes.

Section 41-14: Canopy or Awning Signs:

- No significant changes.

Section 41-15: Changeable Copy Signs:

- No significant changes.

BILLBOARDS AND DIGITAL SIGNS

EXAMPLES OF DIGITAL MESSAGE BOARDS





Section 41-16: Digital Message Boards

- License is required.
- Permitted as an integral part of the design of ground signs
- 1 per street frontage, up to a maximum of 2 per property.
- No more than 50% of the area of such sign.
- Must remain static (no animations or full motion video) for a minimum of 10 seconds. Transition must be instantaneous. No blinking, flashing, scrolling, or change in illumination intensity.
- No audio
- Cannot be added to nonconforming sign.
- Cannot be illuminated by any exposed tubes or bulbs, strobe or incandescent lamp or floodlights, nor incorporate any reflective device.
- Must have automatic dimmer software or solar sensors to automatically adjust the illumination of the sign as the ambient light changes throughout the day

EXAMPLES OF DIGITAL BILLBOARDS (OFF-PREMISE)





Section 41-17: Digital Billboards (Off-Premise)

- License is required.
- Permitted in non-residential districts when located within five hundred (500) feet from the edge of the Tollway right-of-way in the City.
- Shall not exceed 1,200 square feet in area, 60 feet above grade of the Tollway intended to view from and shall not exceed 60 feet in length.
- 500 linear foot separation measured from pole-to-pole on the same side of the Tollway.
- Cannot be in such a position that it obscures the view of vehicular or pedestrian traffic in such a manner as to endanger the safe movement thereof.
- Shall only be directed towards the Tollway in a perpendicular manner.
- Shall be only be freestanding and shall not be "stacked" one on top of another or placed together horizontally "end-to-end" or "side-by-side".
- Must remain static (no animations or full motion video) for a minimum of 10 seconds. Transition must be instantaneous. No blinking, flashing, scrolling, or change in illumination intensity.



Section 41-17: Digital Billboards (Off-Premise)

- Must have automatic dimmer software or solar sensors to automatically adjust the illumination of the sign as the ambient light changes throughout the day
- Cannot be illuminated by any exposed tubes or bulbs, strobe or incandescent lamp or floodlights, nor incorporate any reflective device.
- No audio
- Exposed backs of signs, poles and other support structures shall be required to be painted or shielded to minimize adverse visual impacts and to present a finished appearance to improve the visual appearance.
- The owner shall work with the local authorities to display emergency information important to the traveling public including, but not limited to Amber Alerts or alerts concerning terrorist attacks or natural disasters.
- If any of this chapter is inconsistent with the intent of the and Federal Highway Beautification Act of 1965, Highway Advertising Control Act of 1971 (the Act) and with customary usage thereunder, then that portion and only that portion of this chapter shall be considered superseded, and only to the specific extent that the Act thus supersedes that portion of this chapter.

Chapter 25
DIGITAL
MESSAGE
BOARDS
AND
DIGITAL
BILLBOARDS
LICENSE



ARTICLE V: TEMPORARY SIGNS



ARTICLE V: TEMPORARY SIGNS

- **Temporary Signs:**

- Includes three subsections:

1. General Provisions
2. Non-Residential Temporary Signs
3. Residential Temporary Signs

h) Ninety (90) days prior to, and five (5) days following any local city, state, or national election each residential property shall be allowed up to eight non-commercial signs or up to twenty-four (24) square feet of signs, as long as no sign shall exceed eight (8) square feet.

- No significant changes to any of the subsections in this section.

ARTICLE VI:
SPECIAL SIGN DISTRICTS



Article VI Special Sign Districts

- **Section 41- 21. Special Sign Districts**
- Special sign districts may provide an opportunity for a creative approach to signage which may not conform to all the conditions set forth in this chapter.
- Requirements that may be varied include number, area, setback, height, lighting, movement, placement, type, location, and construction materials. This allows for unified presentation of signage throughout a parcel proposed for development and allow flexibility to provide for unique environments.
- All signs shall be architecturally integrated into or complimentary to the design of the buildings and character of the site, and shall use similar and coordinated design features, materials, and colors.
- The special sign district shall establish and integrated architectural vocabulary and cohesive theme for the parcel proposed for development.

ARTICLE VII: VARIANCES



Section 41-22. Variances

- **Variances are variations from the strict application of the ordinance and are only granted under exceptional circumstances as stated in Chapter 34.**
 - a) Not variable. Provisions of this chapter which are not variable are sections §41-17 and §41-24. However, the following provisions are not variable, except within a Special Sign District §41-5, §41-16, §41-18, §41-19, and §41-20
 - b) Minor variance. To vary the area, setback, or height provisions of this Chapter by up to ten (10) percent. A minor variance may be granted only pursuant to the process outlined under §34-405.
 - c) Major variance. To vary the area, setback, or height provisions of this Chapter 41 more than ten (10) percent. A major variance may only be granted pursuant to the process outlined in §34-406.

ARTICLE VIII: EXISTING SIGNS



Section 41-23. Nonconforming Signs

- A. Signs legally in existence at the time of the adoption of this Ordinance, which do not conform to the requirements of this Ordinance, shall be considered nonconforming signs.**
- B. For the purpose of amortization, on-premise non-conforming signs may be permitted for ten (10) years from the date of the adoption of this Ordinance. Ten (10) years after the date of the adoption of this Ordinance, all non-conforming signs must be either removed or brought into compliance. Failure to do so will result in a notice violation.**
- C. All permanent on-premises signs and sign structures shall immediately be brought into conformance with the sign regulations if the following occurs:**
 - 1. The sign is removed, relocated, or significantly altered. Significant alterations include changes in the size or dimension of the sign. Changes to the sign copy or the replacement of a sign face on a nonconforming sign shall not be considered a significant alteration.
 - 2. A non-conforming sign that has been damaged in excess of 50% of the replacement cost shall not be restored except in conformance to this Ordinance.
 - 3. If less than 50% of the replacement cost of a sign becomes damaged, and the sign is not restored within ninety (90) days from the date of such damage, and diligently repaired, the sign shall not be restored except in conformance to this ordinance.
 - 4. An alteration in the structure of a sign support.
 - 5. A change in the mechanical facilities or type of illumination
 - 6. A change in the material of the sign face
 - 7. The property on which the nonconforming sign is located submits a subdivision or land use application requiring municipal review and approval.
 - 8. The property on which the nonconforming sign is located undergoes a change of land use requiring the issuance of either a use and occupancy permit or a change of use and occupancy permit by the City.



Section 41-23. Nonconforming Signs & Section 41-24 Signs on the Premises of Legally Nonconforming Uses

- **D. To determine the legal status of existing signs in each of the cases listed in §41-27(c), the applicant shall submit the following information to the Zoning Administrator:**
 - (1) Type(s) of existing sign(s) located on the property.
 - (2) The area and height of all signs.
 - (3) For freestanding signs, the distance between the property line and the nearest portion of the sign.
 - (4) Type of sign illumination.
 - (5) The material of which the sign is constructed.
 - (6) The building frontage.
- **E. Prior to the events listed in §41-27(c), nonconforming signs may be repainted or repaired up to 50% of the replacement cost of the sign, the sign copy may be changed, and sign faces may be replaced provided that these actions do not increase the dimensions of the existing sign, and do not in any way increase the extent of the sign's non-conformity.**
- **F. Nonconforming on-premise signs shall be exempt from the provisions of §41-27(c), under the following conditions:**
 - 1. The nonconforming sign possesses documented historic value.
 - 2. The nonconforming sign is of a unique nature or type by virtue of its architectural value or design, as determined by the local historical commission.
 - 3. When a nonconforming sign is required to be moved because of public right of way improvements.
- **Section 41-28. Signs on the Premises of Legally Nonconforming Uses.**
 - (a) Signs on the premises of legally nonconforming uses (such as an office in a residential area) may remain until the existing use of the premises is discontinued.

ARTICLE IX: ADMINISTRATION



Section 41-25. Removal of Unsafe, Unlawful, or Abandoned Signs

A. Unsafe or Unlawful Signs.

- 1) Upon written notice by the City, the owner, person, or firm maintaining a sign shall remove the sign when it becomes unsafe, is in danger of falling, or it becomes so deteriorated that it no longer serves a useful purpose of communication, or it is determined by the City to be a nuisance, or it is deemed unsafe by the City, or it is unlawfully erected in violation of any of the provisions of this Ordinance.
- 2) The City may remove or cause to be removed the sign at the expense of the owner and/ or lessee in the event of the owner of the person or firm maintaining the sign has not complied with the terms of the notice within thirty (30) days of the date of the notice. In the event of immediate danger, the City may remove the sign immediately upon the issuance of notice to the owner, person, or firm maintaining the sign.



Section 41-25. Removal of Unsafe, Unlawful, or Abandoned Signs

B. Abandoned Signs.

- 1) It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove such sign within thirty (30) days of the sign becoming abandoned as defined in this Chapter. Removal of an abandoned sign shall include the removal of the entire sign including the sign face, supporting structure, and structural trim.
- 2) Where the owner of the property on which an abandoned sign is located fails to remove such sign in thirty (30) days the City may remove such sign. Any expense directly incurred in the removal of such sign shall be charged to the owner of the property. Where the owner fails to pay, the City may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.



Section 41-26. Permits, Licenses & Applications

1) Generally

- 1) It shall be unlawful for any person, firm, or corporation to erect, alter, repair, or relocate any sign within the City without first obtaining a sign permit, (and license if applicable) unless the sign is specifically exempt from the permit requirements as outlined in §41-6, Signs Exempt from Permit Requirements.
- 2) It shall be the responsibility and duty of the owner or lessee of the premises upon which such sign is to be located, or the sign owner if different therefrom, to secure a proper permit (and license, if necessary) for erection of said sign under the terms of this chapter before commencement of the erection thereof. A copy of such permit (and license, if necessary), shall be kept on the premises where the sign is located for public inspection, if practicable, otherwise at the owner's main place of business.



Section 41-26. Permits, Licenses & Applications

3) Permit application, license application, and annual licensing fees shall be established from time to time by City Council Resolution or Ordinance.

2) Permits: A permit is required prior to the erection, construction, relocation, or structural alteration of any sign. Simple face replacements, where there is no change in business ownership or use, as defined in the zoning ordinance, do not require a permit.



Section 41-27 Violations

Section 41-31. Violations

- a) **Permits:** Violation notices will be issued for signs that do not comply with the regulations of this Chapter, or do not have the appropriate permit or license as defined in this chapter.
- b) **Licenses:** Violation notices will be issued for licensed signs (digital message boards and digital billboards) which fail to comply with licensing terms.
- c) **Violation enforcement:** All violations will be handled pursuant to Chapter 3, Administrative Adjudication.
- d) **Penalties:** Any applicant, owner, and/or licensee violating any provision of this Chapter may be fined not less than \$50.00 nor more than \$500.00, and a separate offense shall be deemed to have been committed each day during which or on which a violation occurs or continues.

ARTICLE X:
SUBSTITUTION CLAUSE AND
SEVERABILITY



Section 41-27. Substitution Clause

- No substantial changes were recommended for this section.

CHAPTER 34

PLANNING AND DEVELOPMENT



Article IV Variances for Zoning Regulations

- **Added Sign Regulations to Minor and Major Variances**
 - **Minor Variance – To increase the sign area, setback, or height provisions of Chapter 41 by up to ten (10) percent.**
 - **Major Variance - To increase the sign area, setback, or height provisions of Chapter 41 by more than ten (10) percent.**
- **Clarified publication requirements for Variances**



Special Sign Districts

- **Added Process for Special Sign District**



THANK YOU!

QUESTIONS