



## **MEETING NOTICE & AGENDA**

### **PLANNING AND ZONING COMMISSION**

Municipal Center, 555 Reinking Rd, Pingree Grove, IL 60140  
Second Floor, Board Meeting Room

**Monday, March 3, 2025**

**6:00 p.m.**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PUBLIC COMMENTS** – Please sign in at the meeting to address the Commission.
5. **APPROVAL OF MINUTES**
  - a. Approve minutes from the December 16, 2024, Commission meeting. **Bates 003**
6. **PUBLIC HEARINGS & ITEMS FOR SEPARATE ACTION**
  - a. Public Hearing: Text Amendments to the Pingree Grove Zoning Code Concerning:
    - i. Prohibiting Tobacco and Vape Shops, Allowing Grocery Stores and Pharmacies as a Special Use, and Removal of Text Regarding Other Uses Permit as Determined by the Village Board **Bates 005**
    - ii. The Addition of Sign Code Regulations to the Village Zoning Code **Bates 017**
7. **OTHER BUSINESS**
8. **ADJOURNMENT**

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## **MEETING MINUTES**

### **Planning and Zoning Commission**

Municipal Center, 555 Reinking Rd, Pingree Grove, IL 60140  
Second Floor, Board Room

**Monday, December 16, 2024**  
**6:00 p.m.**

#### **1. CALL TO ORDER**

Chairman DeSalle, presiding, called the meeting to order at 6:00 pm.

#### **2. ROLL CALL**

Clerk Ortega called the roll; answering present were Chairman Brian DeSalle, and Commissioners: Kori Hintzche, Patrick McDonald, Steve Ninow, Jack Schliesmann, Mac Sutton and Robert Wangles. Also present were Andy Ferrini, Village Manager, Laura Ortega, Village Clerk, Michael Smoron, Village Attorney, Pat Doherty, Public Works Director, Nick Partipilo, Asst to Village Manager and Development Services Director, and Zach Sims, Village Engineer. Village President, Amber Kubiak was in attendance.

#### **3. PUBLIC COMMENTS**

None

#### **4. APPROVAL OF MINUTES**

- a. Approve minutes from the October 16, 2023, Commission meeting.  
Commissioner Sutton made a motion, seconded by Commissioner Schliesmann, to approve October 16, 2023 meeting minutes as presented. Rollcall voted unanimously. Ayes had it; motion carried.
- b. Approve minutes from the January 16, 2024, Commission meeting.  
Commissioner Wangles made a motion, seconded by Commissioner Sutton, to approve the January 16, 2024 meeting minutes as presented. Rollcall voted unanimously. Ayes had it; motion carried.

#### **5. PUBLIC HEARING & ITEMS FOR SEPARATE ACTION**

Attorney Smoron provided a brief overview of the hearing process and a summary of the petitioner, Freight Union's, desires from the Committee. A motion to open the public hearing was called by Commissioner Sutton at 6:04 pm, seconded by Commissioner Schliesmann. Rollcall voted unanimously. Ayes had it; motion carried.

Attorney Smoron swore in Freight Union representatives for testimony. A call for public comment resulted in none; a motion to close public hearing was called at 6:06 pm by Commissioner Wangles and seconded by Commissioner Ninow. Rollcall voted unanimously. Ayes had it; motion carried.

Development Services Director Partipilo provided development history for Freight Union with and the proposal in from of the Commission to adopt the findings of fact for Special Use Zoning under Village Zoning Code and a request for recommendation to the Village Board for special use and the proposed plat of lot consolidation.

Representatives from Freight Union provided the Commission with a summary of the proposed development.

Commissioner Ninow made a motion to adopt the findings of fact as presented, seconded by Commissioner McDonald. Rollcall voted unanimously. Ayes had it; motion carried.

- a. Proposed Amendment to Ord. 2007-88, to amend the Planned Unit Development to allow for self-storage and detention proposed on lot 1 of the Northern Parcel assigned PIN: 02-30-300-011, South of Route 20, West of Thurnau Road, and North of the Railroad Tracks.

Commissioner Hintzche made a motion seconded by Commissioner Ninow, to recommend the Village Board approve a special use permit for a motor freight service facility, in accordance with the reviewed plans and public testimony, and pursuant to noted conditions as presented by Manager Ferrini. Rollcall voted unanimously. Ayes had it; motion carried.

- b. Proposed Final Plat for PIN 02-03-300-011, South of Route 20, West of Thurnau Road, and North of the Railroad Tracks

Commissioner Ninow made a motion, seconded by Commissioner McDonald, to recommend the Village Board approve the final PUD plans for Freight Union, Inc., in accordance with the reviewed plans and public testimony, pursuant to noted conditions as presented by Manager Ferrini. Rollcall voted unanimously. Ayes had it; motion carried.

## **6. OTHER BUSINESS**

None

## **7. ADJOURNMENT**

Chairman DeSalle called for a movement to adjourn. Commissioner Wangles made a motion, seconded by Commissioner Sutton, to adjourn the meeting. Rollcall voted unanimously. Ayes had it; motion carried. The meeting adjourned at 6:24 pm.



Planning and Zoning Agenda Supplement  
Agenda Item No: 6. a. i.

<b>MEETING DATE:</b>	March 3, 2025
<b>ITEM:</b>	Text Amendments to the Pingree Grove Zoning Code.
<b>PUBLIC HEARING REQUEST:</b>	Text Amendments to the Pingree Grove Zoning Code Regarding: Tobacco and Vape Shops, Allowing Grocery Stores and Pharmacies as a Special Use, and Removal of Text Regarding Other Uses Permit as Determined by the Village Board.
<b>MOTION:</b>	<b>I move to recommend the Village Board approve an ordinance to amend the Pingree Grove Zoning Code as presented.</b>
<b>STAFF CONTACT:</b>	Andy Ferrini, Village Manager Nick Partipilo, Asst to Village Manager/Development Services Director Michael Smoron, Village Attorney

**Purpose:**

Review proposed Zoning Code changes to remove ambiguity from the Zoning Code and streamline future prospective development requirements.

**Background:**

The proposed Zoning Code amendment Ordinance aims to accomplish three things:

1. The proposed Ordinance would clarify that tobacco and vape shops would be prohibited uses and would not be permitted in the Village.
2. The proposed Ordinance would streamline future commercial development by allowing grocery stores and pharmacies as a special use, rather than obligating a developer to undergo an additional zoning petition to change the Code to allow the proposed uses. The current Code is ambiguous and does not include pharmacies or grocery stores as listed uses.
3. The proposed Ordinance would Remove ambiguity from the Zoning Code and would give the Village greater control over proposed uses. This is done by removing the following language from various parts of the Code: *Other Uses which are similar and compatible to those allowed as uses in this section. Determination of what constitutes similar and compatible shall be made by the Village Board.*

On its face, this text may seem to give the Village control over allowing uses not specifically included in the Code. However, case law regarding zoning codes has dictated that zoning codes ought to be as objective as possible. If this provision were enforced, it could give an unhappy petitioner grounds to file a suit and get approval for a use that is not desired by the Village. Removal of this language would require a petitioner to petition for a change in the Code in order to allow for a Use that is not explicitly included in the Code, which would require review and recommendation by the PZC and final approval by the Board of Trustees.

**Financial Impact:**

No direct impact

**Recommendation:**

Recommend to the Village Board the approval of the proposed text amendments to the Village Code.

**Enclosures:**

1. Ordinance 2025-O-XX Amending Sections 11-2-2, 11-7-2, 11-7-3, 11-6, 11-7, and 11-8 of the Village Code
2. Public Notice
3. Signed Petition for Zoning Text Amendment



**VILLAGE OF PINGREE GROVE**

**ORDINANCE No. 2025-O-XX**

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**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE VILLAGE ZONING CODE  
IN THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS**

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PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS  
THIS \_\_\_\_ DAY OF \_\_\_\_ 2025

PUBLISHED IN PAMPHLET FORM BY AUTHORITY  
OF THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS  
THIS \_\_\_\_ DAY OF \_\_\_\_ 2025

**ORDINANCE NO: 2025-O-XX**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE VILLAGE ZONING CODE  
IN THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS**

**WHEREAS**, the Village of Pingree Grove (the “Village”) is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ICLS 5/1-1 *et seq.*; and

**WHEREAS**, the Centers for Disease Control has issued reports regarding the adverse health effects related to vaping and e-cigarettes such as harm in brain development in youth, mental health, and the transition to use of regular cigarettes and increase in the risk of addiction to other drugs, by way of example, *Health Effects of Vaping* dated May 15, 2024. These conclusions are reinforced by other studies such as *5 Vaping Facts You Need to Know* by Dr. Joseph Blaha, M.D., M.P.H., at the John Hopkins Ciccarone Center for the Prevention of Heart Disease and The 2024 Surgeon General’s Report Overview; and

**WHEREAS**, the Illinois Department of Public Health has issued a publication on the health and economic effects of smoking/vaping and secondhand smoking entitled *Health Effects of Smoking/Vaping in Illinois* which in part found as follows:

Smoking causes cancer, heart disease stroke, lung disease, type 2 diabetes, and chronic obstructive pulmonary disease (COPD), which includes emphysema and chronic bronchitis. Smoking also increases the risk for tuberculosis, certain eye diseases, and problems of the immune system, including rheumatoid arthritis. Coronary heart disease and strokes are the leading and third leading cause of death in the United States. Heart disease and stroke are both primary types of cardiovascular disease caused by tobacco use. People who have diabetes and smoke can experience serious health problems, including heart disease, kidney disease, poor blood flow in the legs, retinopathy, and peripheral neuropathy

; and

**WHEREAS**, while the Village recognizes that such tobacco products and/or e-cigarettes may be purchased at other retail outlets, where the amount of such sales are less than 50%, such retail outlets would predominantly offer other amenities for Village residents which presumably would not have a severe, adverse health effect on Village residents and others; and

**WHEREAS**, the Village has determined that it is in the best interests of the Village and the health of its residents to ban tobacco and vape shops as a permitted or special use in all zoning districts.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Pingree Grove, Kane County, Illinois, as follows:



## **SECTION ONE: VILLAGE ZONING CODE AMENDED.**

### **Section 11-2-2, Definitions, of Chapter 2, Rules and Definitions, of the Village Zoning Ordinance is amended to add the following definitions:**

**ELECTRONIC CIGARETTE:** Any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. It includes any such product, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or e-hookah, or vape pen or under any other product name or descriptor.

**SMOKE SHOP/VAPE SHOP:** An establishment engaged primarily (meaning in excess of 50% of total sales) in the retail sale and display of tobacco, tobacco products, alternative nicotine products, electronic cigarettes, vape or vaping products including, without limitation, vapes, vaporizers, vape pens, vapor cigarettes and alternative vapor transmission modalities and paraphernalia associated with any other foregoing. The term "Smoke Shop/Vape Shop" shall not include an adult use cannabis dispensing organization, adult use cannabis infuser organization, adult use cannabis processing organization or adult use cannabis transporting organization.

### **Section 11-7-2, Permitted Uses, of Chapter 7, C-1 General Commercial District, of the Village Zoning Ordinance is hereby amended to add the underlined text and to delete the stricken through text:**

#### **11-7-2: Permitted Uses:**

Permitted uses of structures and land, as hereinafter enumerated, shall be allowed in the C-1 general commercial district only in accordance with the conditions specified. The following uses constitute the only permitted uses in the C-1 zoning district except as otherwise provided in this code:

Agriculture uses.

Cultural, recreational and entertainment uses (but no smoke shop/vape shop which is prohibited and is not a permitted or special use permitted in the Village).

Educational uses.

Health, medical and care facilities.

Office and professional uses.

Public and utility uses.

Religious uses.

~~Similar and compatible uses to those allowed as permitted uses in this section. Determination of what constitutes similar and compatible shall be made by the village board.~~

### **Section 11-7-3, Special Uses, of Chapter 7, C-1 General Commercial District, is amended to read as follows with the following underlined additions and the stricken through text being deleted:**

#### **11-7-3: SPECIAL USES:**

Special uses, as hereinafter enumerated, may be allowed in the C-1 general commercial district only in accordance with all other provisions of this code. The following uses constitute the only special uses allowed in the C-1 zoning district:

Adult-use cannabis dispensing organization (not no smoke shop/vape shop).

Adult-use cannabis infuser organization.

Adult-use cannabis processing organization.

Adult-use cannabis transporting organization.

Cultural, recreational and entertainment uses:

Amusement establishments.

Amusement parks.

Auditoriums, private.

Country clubs.

Miniature golf courses.

Stables and riding academies.

Educational uses:

Colleges and universities.

Health, medical and care facilities:

Pharmacies

Daycare centers.

Nursery schools.

Planned unit developments.

Religious uses:

Chapels.

Churches.

Religious assembly halls and meeting rooms.

Synagogues.

Temples.

Retail business uses:

Agriculture implement sales and service.

Automobile, motorcycle and truck sales and service.

Boat sales and service.

Building materials and garden supply stores.

Grocery store

Motor vehicle sales and service.

Tire, battery and accessory sales and service.

Service uses:

Animal hospitals and veterinary clinics.

Animal pounds and shelters.

Automobile repair and service.

Automobile service stations.

Banquet halls.

Bars and taverns.

Car wash facilities.

Equipment rental and leasing.  
Hotels.  
Motels.  
Motor vehicle rental agencies.  
Parcel pick up and delivery services.  
Restaurants.

~~Other uses which are similar and compatible to those allowed as special uses in this section.  
Determination of what constitutes similar and compatible shall be made by the village board.~~

**In addition, the stricken through text in the last paragraph in the following sections shall be deleted:**

Section 11-6A-2, Permitted Uses:

~~Other uses which are similar and compatible to those allowed as permitted uses in this section.  
Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-6A-3, Special Uses:

~~Other uses which are similar and compatible to those allowed as special uses in this section, as determined by the village board.~~

Section 11-6A-4, Temporary Uses:

~~Other uses which are similar and compatible to those allowed as temporary uses in this section.  
Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-6A-5, Accessory Uses:

~~Other uses which are similar and compatible to those allowed as accessory uses in this section.  
Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-6B-2, Permitted Uses,

~~Other uses which are similar and compatible to those allowed as permitted uses in this section.  
Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-6B-3, Special Uses

~~Other uses which are similar and compatible to those allowed as special uses in this section, as determined by the village board.~~

Section 11-6B-4, Temporary Uses:

~~Other uses which are similar and compatible to those allowed as temporary uses in this section.  
Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-6B-5, Accessory:

~~Other uses which are similar and compatible to those allowed as accessory uses in this section.  
Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-6D-2, Permitted, Special, Temporary and Accessory Uses:

~~Other similar and compatible uses as may be so determined by the village board.~~

Section 11-6E-2, Permitted Uses:

~~Other uses which are similar and compatible to those allowed as permitted uses in this section. Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-6F-3, Temporary Uses:

~~Other uses which are similar and compatible to those allowed as temporary uses in this section as of January 1, 2004. Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-6F-4, Accessory Uses:

~~Other uses which are similar and compatible to those allowed as accessory uses in this section. Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-7-4, Temporary Uses:

~~Similar and compatible uses to those allowed as temporary uses in this section. Determination of what constitutes similar and compatible, shall be made by the village board.~~

Section 11-7-5, Accessory Uses:

~~Similar and compatible uses to those allowed as accessory uses in this section. Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-8-2, Permitted Uses:

~~Other uses which are similar and compatible to those allowed as permitted uses in this section. Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-8-3, Special Uses:

~~Other uses which are similar and compatible to those allowed as special uses in this section. Determination of what constitutes similar and compatible shall be made by the village board.~~

Section 11-8-4, Temporary Uses:

~~Other uses which are similar and compatible to those allowed as temporary uses in this section. Determination of what constitutes similar and compatible shall be made by the village board. (~~

Section 11-8-5, Accessory Uses:

~~Other uses which are similar and compatible to those allowed as accessory uses in this section. Determination of what constitutes similar and compatible shall be made by the village board.~~

**SECTION TWO: GENERAL PROVISIONS.**

REPEALER: All Ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of the Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its passage, as provided by law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Pingree Grove, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2025, by roll call vote.

\_\_\_\_\_  
Amber Kubiak, President of the Board of Trustees  
of the Village of Pingree Grove

ATTEST:

\_\_\_\_\_  
Laura L. Ortega, Clerk of the Village of Pingree Grove

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
President Amber Kubiak	_____	_____	_____	_____
Trustee Joseph Hirschbein	_____	_____	_____	_____
Trustee Luke Hall	_____	_____	_____	_____
Trustee Adam Hagg	_____	_____	_____	_____
Trustee Kevin Pini	_____	_____	_____	_____
Trustee Ed Tarnow	_____	_____	_____	_____
Trustee Brook Carey	_____	_____	_____	_____

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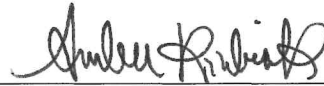
## PUBLIC NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of a public hearing before the Village of Pingree Grove Planning and Zoning Commission, to be held on March 3, 2025 at 6 p.m. at 555 Reinking Road, Pingree Grove, Illinois 60140, to consider text amendments to the Pingree Grove Zoning Ordinance. The proposed text amendments would, if adopted, amend the Village of Pingree Grove Zoning Ordinance to (i) amend Section 11-2-2, Definitions, to add the definitions of electronic cigarette and smoke shop/vape shop; (ii) amend Section 11-7-2, Permitted Uses, and Section 11-7-3, Special Uses, in C-1 General Commercial District, to prohibit tobacco and vape shops as permitted uses or special uses in the Village; (iii) amend Section 11-7-3, Special Uses, to add pharmacy and grocery store as a special use; and (iv) delete the text “similar and compatible uses to those allowed as uses in this section. Determination of what constitutes similar and compatible shall be made by the village board” from Sections 11-6A-2, 11-6A-3, 11-6A-4, 11-6A-5, 11-6B-2, 11-6B-3, 11-6B-4, 11-6B-5, 11-6D-2, 11-6E-2, 11-6F-3, 11-6F-4, 11-7-2, 11-7-3, 11-7-4, 11-7-5, 11-8-2, 11-8-3, 11-8-4, and 11-8-5; (v) delete Section 11-6-3, “Signs”; (vi) delete Section 8-1C-1 “New Signs and Awnings Prohibited”; (vii) delete Section 11-11-8, “Nonconforming Signs”; (viii) delete Section 11-5-8, “Signs”; (ix) amend Section 11-5-8 to include General Provisions, Definitions, Measurements, General Regulations, Exemptions, Temporary Signs, Signs Regulated by Zoning Districts, Nonconforming Signs, Permit applications and Fees, Substitution/No Discrimination Against Non-Commercial Signs or Speech, and Penalty.

Members of the public are invited to provide testimony and/or comments regarding the above-referenced proposed text amendments at the public hearing. At the conclusion of the hearing, the Planning and Zoning Commission will make a recommendation regarding such proposed amendments to the Village’s Board of Trustees. A copy of the proposed text amendments is available for public inspection at the Village of Pingree Grove Municipal Center, 555 Reinking Road, Pingree Grove, Illinois, during regular business hours. For further information, contact the Village Clerk at 847-464-5533.

### **PETITION FOR ZONING TEXT AMENDMENTS**

I, Amber Kubiak, as President of the Village of Pingree Grove, an Illinois municipal corporation, hereby petitions that the Village's Zoning Ordinance be amended as set forth in those text amendments substantially in the form attached hereto. I believe it would be in the Village's best interests to implement same. Thank you.

A handwritten signature in black ink, appearing to read "Amber Kubiak", written over a horizontal line.

Amber Kubiak





Planning and Zoning Agenda Supplement  
Agenda Item No: 6. a. ii

<b>MEETING DATE:</b>	March 3, 2025
<b>ITEM:</b>	Text Amendments to the Pingree Grove Zoning and Public Ways Code.
<b>PUBLIC HEARING REQUEST:</b>	Text Amendments to the Pingree Grove Zoning Code Regarding: The Addition of Sign Code Regulations to the Zoning Code
<b>MOTION:</b>	<b>I move to recommend the Village Board approve an ordinance amending the Pingree Grove Zoning and Public Ways Code as presented.</b> <b><i>(If the PZC is ready to do so)</i></b>
<b>STAFF CONTACT:</b>	Nick Partipilo, Asst to Village Manager/Development Services Director Andy Ferrini, Village Manager Michael Smoron, Village Attorney

**Purpose**

Provide an overview to the Commission on the proposed updates to the Village Code as it pertains to sign regulations within the Zoning and Public Ways Titles of the Code.

**Background**

The Village's Zoning and other relevant codes require updates as development continues in Pingree Grove. As staff reviewed the code, it was identified that the Village lacked a comprehensive and consolidated sign code. The proposed updates to the code simplify and consolidate code language that pertains to sign regulations throughout the Village.

It is important to note that specific developments may have standards and approved signage that do not align with these proposed regulations. In an Annexation or Development Agreement, sign standards can be created that differ from the default language in the Village Code. In these instances, the specific regulations of that annexation or development would apply to signage within that area. The aim of adding this language is to set a baseline for future development and regulate signage outside of area specific zoning standards.

**Sign Regulations of Note:**

**Definitions**

- The proposed Ordinance provides definitions for numerous types of signage to assist with Code interpretation and enforcement

**General Regulations**

- Illumination Standards

- Illuminated signs within direct line of sight of dwellings in a residential district shall be turned off between the hours of 11:00 PM and 7:00 AM unless the establishment is open during those hours, in which case the sign may be lit during the hours of operation
- Illuminated Signs shall be constant in color and intensity and should not flash or be animated.
- Sign Placement in Public Areas
  - Except for signs authorized by the Village or a Highway Authority, no sign shall be erected in public right-of-way. All other signs shall be placed no closer than 5 feet from any lot line.
- Planned Unit Development Signs
  - Signs located within a planned unit development shall be governed by those standards set forth in the underlying zoning district. Such standards may, however, be modified by the Village Board in accordance with the provisions of the Planned Unit Development Title 11 Chapter 9 of the Zoning Ordinance of the Village of Pingree Grove, as now or hereafter amended.
- Notification to Remove
  - If the Chief Building Official finds that any sign is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this Ordinance, the Chief Building Official shall issue written notice of such condition or violation to the person to whom the permit for said sign has been issued.

#### Exemptions

- Memorial signs, no larger than five (5) square feet.
- One (1) non-residential construction identification sign, up to a maximum of sixty-four (64) sq. ft. shall be permitted. Such signs shall be confined to the site of the construction and shall be removed within three (3) days after issuance of the Certificate of Occupancy.
- Residential Real Estate Signs, subject to the following:
  - Small real estate signs (for sale) for properties less than one (1) acre, provided such signs shall not be more than ten (10) square feet in area, provided that no more than one (1) such sign shall be permitted in each yard abutting a public street. Small real estate signs shall be freestanding signs set back from and not less than ten (10) feet from any lot line and shall not exceed six (6) feet in height and shall not be illuminated. Small real estate signs shall be removed promptly after the sale of the underlying real estate.
  - Large real estate signs (for sale) for properties more than one (1) acre, provided such signs shall not be more than thirty-two (32) square feet in area, provided that no more than one (1) such sign shall be permitted in each yard abutting a public street. Large real estate signs shall be freestanding signs set back not less than ten (10) feet from any lot line and shall not exceed ten (10) feet in height. Such signs shall not be illuminated. Large real estate signs shall be removed promptly after the sale of the underlying real estate.
- Open House Signs, subject to the following:
  - Shall not exceed four (4) sq. ft. in area per sign;
  - Shall be put up while the property on which the sign is located actively invites the public and shall be removed and no longer displayed after the conclusion of such event;
  - Shall not be placed in the State of Illinois, Kane County, or Village of Pingree Grove right-of-way.

- Garage Sale Signs, subject to the following:
  - Shall not exceed four (4) sq. fr. in area per sign;
  - Shall only be erected no more than twenty-four (24) hours before the property upon which the sign is placed actively invites the public to conduct business, and must be removed no more than twenty-four (24) hours of when the public is no longer invited to conduct business;
  - Shall not be placed in the State of Illinois, Kane County, or Village of Pingree Grove right-of-way.

#### Temporary Signs

- General standards for temporary signs.
  - Permits for temporary signs shall be approved by the Chief Building Official;
  - Only one (1) temporary sign per zoning lot is permitted at any given time, unless otherwise allowed by the Chief Building Official. The Chief Building Official may permit two (2) temporary signs per zoning lot if the lot is a corner lot;
  - Shall be safely anchored to the ground or building, as determined by the Chief Building Official and/or designated agent;
  - Illumination is prohibited in or adjacent to residential districts (excluding temporary subdivision project signs);
  - Temporary signs shall not exceed thirty-two (32) square feet in area;
  - Display shall be limited to thirty (30) day periods, and shall be limited to four (4) such periods per calendar year unless otherwise allowed. Display of less than thirty (30) days shall count as the full period – remaining days shall not be applied to subsequent display periods; and
  - Must be located on the premises of the permit holder unless otherwise indicated or allowed by the sign permit.
  - One (1) advertising banner shall be permitted per wall of a commercial building that fronts onto a public street if it advertises a temporary special site promotion or sale.

#### Signs Regulated By Zoning District

- Residential
  - Home Occupation/Name Plate Signs. Home occupation / name plate signs shall be permitted as follows:
    - There shall be a maximum of one (1) such signs per zoning lot.
    - Home occupation/nameplate signs shall be installed flat against the face of the building, rather than in a front or side yard.
    - Home occupation/nameplate signs shall not be illuminated.
- Non-Residential
  - Wall Signs. Wall signs for businesses in non-residential districts shall be permitted as follows:
    - Number. There shall be a maximum of one (1) such wall sign for each business establishment provided, however that:
      - A maximum of two (2) such wall signs shall be permitted for each business establishment when:
        - The lot on which the sign refers is located on a corner lot.
        - The building upon which the sign will be placed has more than one (1) business frontage. For the purposes of this Ordinance, a business frontage shall mean a public right-of-way, a customer access drive, or a parking lot which serves the commercial establishment

- When more than one (1) business is located in a building, each establishment shall be permitted to display a wall sign on the front and corner side façades of a building.
- Area. The maximum size of wall signs shall not exceed five (5) percent of the building facade area upon which the sign is to be located, to a maximum of one hundred (100) square feet. When more than one sign is displayed to provide identification for businesses in a single building, the following shall apply:
  - The total area of signs displayed on a building façade shall not, however, exceed five (5) percent of the building facade, to a maximum of one hundred (100) square feet.
- Free-Standing Ground Signs
  - There shall be a limit of one (1) freestanding ground sign per lot.
  - No ground sign shall exceed ten (10) feet in height as measured from the ground
  - The sign area shall not exceed forty (40) square feet per side, limited to two (2) sides, or eighty (80) square feet total.
  - Free-standing signs shall be located with a minimum setback of fifteen (15) feet from any property line or from the back of the curb of an adjacent access drive. In all cases, the free-standing sign shall be set back twenty (20) feet from the back of the curb of an adjacent public street.
  - Free-standing signs shall be installed so as not to impede normal pedestrian movement nor obstruct the driver line-of-sight for motor vehicle traffic.
- Free-Standing Signs for Converted Dwellings. Free-standing signs for businesses located in dwellings converted for commercial use shall comply with the following:
  - Free-standing signs shall be permitted only in lieu of wall signs otherwise allowed by the terms of this Ordinance.
  - Not more than one (1) free-standing sign shall be permitted for each zoning lot.
  - The total height, including the base of a free-standing sign shall not exceed ten (10) feet in height
  - The sign area shall not exceed twenty (20) square feet per side, limited to two (2) sides, or forty (40) square feet total.
  - The setback of the sign from all property lines shall be as determined by the Chief Building Official, to assure that the sign is visible from the public right-of-way, but does not obstruct line of sight for motorists.
- Awning or Canopy Signs. Letters may be painted or otherwise permanently affixed to any permissible awning or canopy subject to the following conditions:
  - Awning or canopy sign area shall count toward the total wall sign area.
  - Internal illumination of awnings and canopies shall be prohibited.
- Changeable Copy. Changeable copy shall only be permitted for free-standing and wall signs, provided such sign area does not exceed forty (40) square feet.

#### Nonconforming Signs

- Any sign which existed lawfully at the time of the adoption of this Ordinance and which becomes nonconforming upon adoption of this Ordinance shall be considered as a legal nonconforming use and permitted to remain. It is reasonable that special conditions be placed upon the continuance of existing nonconforming signs. This special condition program permits the current owner to continue using the nonconforming sign while at the same time assuring that the sign will

eventually comply with the regulations of the District in which the sign is located. A legal, nonconforming sign's status shall terminate under any of the following circumstances:

- By Abandonment. Abandonment or cessation for a period of ninety (90) days or the change of the principal use to which the nonconforming sign is accessory shall terminate immediately the right to maintain such sign.
- By Destruction, Damage or Obsolescence. The right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the sign:
  - Is damaged or destroyed, from any cause whatsoever, to the extent that its repair or replacement cost exceeds fifty (50) percent of its replacement cost as of the date it became nonconforming;
  - Becomes obsolete or substandard when a request for rezoning is initiated by the owner of the property;
  - Becomes a hazard or a danger to the safety or welfare of the general public.
- By Change in Name or Use. Change in the use or the name of the business shall terminate immediately the right to maintain a nonconforming sign. The owner has ninety (90) days from the change in use or tenant within which to bring the nonconforming sign into compliance.
- By Redevelopment. Nonconforming signs which are moved or affected by the redevelopment of a property; facade improvement program; or roadway widening shall not be reinstalled, but shall instead be brought into conformance with all elements of this Ordinance, unless these signs are determined to be of historic value to the Village of Pingree Grove.

Additionally, a glossary of various sign examples has been included for the Commission's consideration.

**Financial Impact:**

No direct impact

**Recommendation:**

Recommend to the Village Board the approval of the proposed text amendments to the Village Code. If the Commission has any further questions or additional research requests regarding the proposed text amendments, this item can be continued and staff will follow up and bring new information to the next Planning and Zoning Commission Meeting.

**Enclosures:**

1. Ordinance 2025-O-XX Amending Section 8, Signs, of Chapter 5, General Zoning Provisions, of Title 11, Zoning Regulations, Article C1, Overhanging Signs and Awnings, Chapter 1, Streets Sidewalks, and Public Ways, of Title 8, Public Ways and Property, Section 3 Signs, of Chapter 6, Residence Districts, of Title 11, Zoning Regulations, and Section 8 Nonconforming Signs, of Chapter 11, Nonconformities, of Title 11, Zoning Regulations of the Village Code  
In the Village of Pingree Grove, Kane County, Illinois
2. Sign Example Glossary
3. Public Notice
4. Signed Petition for Zoning Text Amendment

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**VILLAGE OF PINGREE GROVE**  
**ORDINANCE No. 2025-O-XX**

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**AN ORDINANCE AMENDING SECTION 8, SIGNS, OF CHAPTER 5, GENERAL ZONING PROVISIONS,  
OF TITLE 11, ZONING REGULATIONS, ARTICLE C1, OVERHANGING SIGNS AND AWNINGS,  
CHAPTER 1, STREETS SIDEWALKS, AND PUBLIC WAYS, OF TITLE 8, PUBLIC WAYS AND PROPERTY,  
SECTION 3 SIGNS, OF CHAPTER 6, RESIDENCE DISTRICTS, OF TITLE 11, ZONING REGULATIONS,  
AND SECTION 8 NONCONFORMING SIGNS, OF CHAPTER 11, NONCONFORMITIES, OF TITLE 11,  
ZONING REGULATIONS OF THE VILLAGE CODE  
IN THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS**

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PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS  
THIS 3<sup>RD</sup> DAY OF MARCH 2025

PUBLISHED IN PAMPHLET FORM BY AUTHORITY  
OF THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS  
THIS 3<sup>RD</sup> DAY OF MARCH 2025

## **ORDINANCE NO: 2025-O-XX**

**AN ORDINANCE AMENDING SECTION 8, SIGNS, OF CHAPTER 5, GENERAL ZONING PROVISIONS, OF TITLE 11, ZONING REGULATIONS, ARTICLE C1, OVERHANGING SIGNS AND AWNINGS, CHAPTER 1, STREETS SIDEWALKS, AND PUBLIC WAYS, OF TITLE 8, PUBLIC WAYS AND PROPERTY, SECTION 3 SIGNS, OF CHAPTER 6, RESIDENCE DISTRICTS, OF TITLE 11, ZONING REGULATIONS, AND SECTION 8 NONCONFORMING SIGNS, OF CHAPTER 11, NONCONFORMITIES, OF TITLE 11, ZONING REGULATIONS OF THE VILLAGE CODE  
IN THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS**

**WHEREAS**, the Village of Pingree Grove (the "Village") is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ICLS 5/1-1-1 *et seq.*; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Pingree Grove, Kane County, Illinois, as follows:

### **SECTION ONE: VILLAGE CODE AMENDED.**

Section 8 Signs, of Chapter 5, General Zoning Provisions, of Title 11 Zoning Regulations shall be amended to remove the stricken language and add the underlined language to read as follows:

- ~~—A. Advertising Signs: Advertising signs (billboard or poster panel) shall not be permitted in any zoning district.~~
- ~~—B. Business Signs, Nameplates, Real Estate Signs And Church Bulletins: Business signs, nameplates, "for sale", "for rent", and church bulletin signs are permitted in accordance with the sign regulations contained in the various zoning district regulations.~~
- ~~—C. Temporary Signs: Temporary signs of a nature not otherwise permitted by this title may be permitted as follows: (1990 Code §21.1.150)~~
  - ~~—1. A temporary identification sign for a new construction project may be allowed during the course of actual construction. Such sign shall not exceed one hundred (100) square feet in area, and shall not be so located as to constitute a traffic vision hazard, in the opinion of the building commissioner. The sign must be located on the property whereon construction is in progress. (1990 Code §21.1.150; amd. 2011 Code)~~
  - ~~—2. Other temporary signs may be permitted by specific approval of the board of trustees. Anyone desiring such approval shall make application to the building commissioner giving full particulars and details as follows:~~
    - ~~—a. Plot plan.~~
    - ~~—b. Size.~~
    - ~~—c. Legend.~~
    - ~~—d. Construction details.~~
    - ~~—e. Period of time requested for temporary sign.~~
    - ~~—f. Statement that the sign will be promptly removed at the expiration of the permit period unless an extension of time is requested of and granted by the board of trustees.~~
- ~~—D. Trailer Mounted Signs: In no cases shall trailer mounted signs be permitted. (1990 Code §21.1.150)~~



## **General Provisions**

1. Applicability. The regulations set forth in this Ordinance shall apply to and govern signs in all zoning districts in the Village of Pingree Grove. No sign shall be erected, repaired, altered, relocated or maintained except in conformance with the regulations for the district in which it is located, unless the sign is otherwise specifically regulated by a special use permit or variance ordinance.
2. Purpose. This Ordinance is established in order to create the standards for a comprehensive and balanced system of signage regulations. The purpose of this Ordinance is to regulate the size, color, illumination, movement, materials, location, height, and condition of all signs placed upon private property for exterior observation. Furthermore, this Ordinance furthers the following ends:
  1. To encourage, as a means of communication in the Village of Pingree Grove, signs that are:
    1. Compatible with existing land uses and buildings;
    2. Appropriate to the type of activity to which they pertain;
    3. Expressive of the identity of individual proprietors;
    4. Legible in the circumstances in which they are seen; and
    5. Respectful of the reasonable rights of other property and sign owners;
  2. To preserve, protect and promote public health, safety and welfare;
  3. To improve pedestrian and traffic safety;
  4. To maintain and enhance community appearance;
  5. To augment the Village's ability to attract sources of economic development by promoting the reasonable, orderly, and effective display of signs;
  6. To maintain and enhance community appearance and the Village's ability to attract sources of economic development by promoting the reasonable, orderly and effective display of signs;
  7. To minimize the possible adverse effect of signs on nearby public and private property;
  8. To ensure the value of private property by assuring the compatibility of signs with surrounding land use values;
  9. To ensure that signs are designed as integral architectural elements of the building and site, to which they principally relate; and
  10. To protect against the destruction of, or encroachment on, historic places within the Village.

## **Definitions**

The following words, terms and phrases used in this Ordinance shall be defined according to the following:

"Abandoned Sign". A sign which no longer directs attention to or advertises any person, business, lessor, owner, product, idea, place, activity, institution or service which exists, is being conducted, or available.

"Advertising Message". A commercial message or communication describing products or services being offered or available to the public.

"Animated Sign". Any sign that physically moves, uses an electronic process or remote

control, or changes lighting to express the message of the sign.

"Sign Area". Sign area shall be the gross surface area within a single continuous perimeter enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures, together with any material, or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. Structural supports bearing no sign copy shall not be included in gross surface area; however, if any portion of the required structural supports becomes enclosed for decorative or architectural purposes, that portion will be included in the total gross surface area of the sign. For computing the area of any sign which consists of individual letters or separate graphic elements, the area shall be deemed to be the area which encompasses all of the letters or elements.

"Awning". A temporary shelter supported substantially from the exterior wall of a building and composed of non-rigid materials except for the supporting framework when an awning contains, embodies or displays any verbiage, trademark, logo or similar representation, these elements shall constitute a "sign".

"Background Area". The entire area of a sign on which a copy could be placed, as opposed to the copy area, when referred to in connection with wall signs.

"Banner". A sign with its copy on non-rigid material such as cloth, plastic, fabric or paper with not supporting framework.

"Beacon". A stationary or revolving light as well as a "searchlight", which flashes or projects illumination, single color or multi-colored, in any manner which is intended to attract or divert attention. This term is not intended, however, to include any kind of lighting device which is required or necessary under the safety regulations described by the Federal Aviation Agency or similar governmental and regulatory agencies.

"Billboard". See definition of "Off-Site Sign."

"Building Face Or Wall". The wall and window area of a building in one plane or elevation.

"Business Frontage". The linear length frontage of a commercial or business lot on: a public right-of-way; a privately-owned circulation road, which functions as a collector and distributor of commercial traffic; or a parking lot that serves the business establishment.

"Canopy". A structure other than an awning made of cloth, metal or other materials with a frame or frames, affixed to a building and/or carried by a frame which is supported by the ground. When a canopy contains, embodies or displays any words, trademark, logo, text, or similar representation, those elements constitute a sign.

"Changeable Copy". Letters, numerals, or other graphics which are not permanently affixed to a structure and/or set for permanent display, and are intended to be alterable through manual or electronic means.

"Construction Sign". A temporary sign placed within a parcel of property upon which construction activities of any type are being actively performed.

"Copy". Text, letters, numerals, or other similar graphics.

"Copy Area". The space on a sign that contains text, images, numerals or other related content.

"Decorative Lighting". Any type of lighting element applied to the interior or exterior of a window door, or exterior building surface, which is intended to be viewed from the exterior of the building or structure.

"Facade". The exterior face of wall of a building as it is presented to view, or the apparent width and/or height of a building as viewed from streets, driveways and parking lots. Minor variation in wall elevations do not constitute the creation of additional facades.

"Flag". A piece of cloth or similar material, typically oblong or square, attachable by one side to a pole, rope, or structure.

"Flashing Sign". Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, reflective materials, or an externally mounted intermittent light source. Automatic changing signs such as the public service time, temperature and date signs, or electronically controlled message centers shall be classified as "changeable copy signs", not "flashing signs".

"Free-Standing Sign". Any sign supported by a structure or support that is placed on, or anchored in the ground, and is independently situated from any building or other structure.

"Gasoline Service Station". A business facility which is primarily distinguished by the retail sale of gasoline products necessary for the day-to-day operation of automobiles and commonly referred to as a "gas station". Such a facility may, in addition, offer maintenance and repair services for automobiles.

"Good Repair". For a sign to be in good repair it must possess structural integrity, the surface condition is not excessively faded, peeling, or damaged, any lighting from the sign is operational and maintained, and the sign is securely fastened to its mounting structure(s). Not included in normal maintenance or repair are the following: replacing more than fifty (50) percent of the uprights, in whole or in part, or extending the height above ground, or similar activities which changes a sign such as an increase in the size or value of the sign.

"Government Sign". A sign that is constructed, placed, or maintained by federal, state, or local government(s), or a sign that is required to be constructed, placed, or maintained by federal, state, or local law.

"Ground Sign". Any sign where the bottom side of the sign is placed, or mounted on a base that is permanently placed, on the ground. A ground sign shall not have any visible posts, poles, pylons, or other supports designed to raise the sign above the ground. Ground signs are also referred to as monument signs.

"Height of a Sign". The vertical distance measured from grade to the highest point of the sign.

"Home Occupation or Name Plate Sign". A sign less than two (2) square feet of area of the sign, installed upon the face of a residential property, without encroaching outward more than two inches.

"Illuminated Sign, External". Any sign externally illuminated by a source of light which is cast upon the surface or face of the sign to illuminate by reflection only.

"Illuminated Sign, Internal". Any sign, all or any part of which:

1. Is made of incandescent neon, or other types of lamps or light source attached thereto or otherwise incorporated into such sign.
2. Has a border of incandescent or fluorescent lamps thereto, attached and reflecting light thereon.
3. Is transparent, and lighted by electricity or other methods of illumination.

"Inflatable Sign". An inflatable object or balloon at least three (3) feet in diameter.

"Marquee". Any sign covered structure projecting from and supported by a building with independent roof and drainage provisions and which is erected over a doorway(s) as protection against the weather.

"Memorial Sign". A sign, tablet, or plaque no larger than five (5) square feet, relative to the area of the sign.

"Non-Residential Development Sign". A permanent, freestanding sign located at a major entrance of a non-residential development or commercial center.

"Non-Conforming Sign (Legal)". A non-conforming sign shall be any sign which:

1. A sign which was initially lawfully erected and maintained prior to such time as it came within the purview of this Ordinance and any amendments hereto, and which fails to conform to all applicable regulations and restrictions contained in this Ordinance; or
2. A non-conforming sign for which a permit has been issued.

"Obscene". Statements, words, suggestions, or pictures of an indecent or immoral character, such as will offend public morals or decency which are not protected by any constitutional right of expression.

"Obsolete Sign". A sign located upon the premises of a tenant, business, organization, activity, or service that has ceased to operate or occupy the site for longer than thirty (30) days.

"On-Site Sign". A sign that relates solely to a business use or profession conducted, or to a principal commodity service or entertainment sold, provided, or offered upon the premises where the sign is located.

"Off-Site Sign". A sign that relates in whole or in part to a business use or profession conducted, or to commodities, services, activities, ideas, slogans or entertainment not offered at or relating to the zoning lot upon which the sign is placed.

"Open House Sign". A sign placed upon a residential property that, while normally not publicly accessible, has been temporarily opened to the public for the sole purpose of marketing the sale of such residence on such property.

"Parapet". That vertical portion of the wall of a building that rises above the roof level.

"Pennant". Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

"Permanent Sign". Any sign that is not a temporary sign. Such signs shall be constructed in accordance with the Village Building Code in effect at the time of construction.

"Person". Any individual, corporation, partnership, limited liability company, organization, association, or other identifiable entity or group of individuals or entities that have joined together for a particular purpose.

"Pole Sign". A sign mounted on one or more freestanding pole(s) or pylons.

"Portable Sign". Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to:

1. Signs designed to be transported by means of wheels.
2. Signs converted to "A" or "T" frames.
3. Balloons and inflatable signs.
4. Signs attached to, or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business on such property.

"Projecting Sign". Any sign affixed to a building or wall in such a manner that is leading edge extends more than six (6) inches beyond the surface of such building or wall.

"Real Estate Sign". A sign placed upon a property that is actively marketed for sale or rent, as evidenced by the property's listing in a multiple listing service.

"Residential Development Sign". A permanent freestanding sign made of stone, brick, concrete, or wood located at a major entrance of a Planned Unit Development or residential subdivision.

"Roof Line". Either the edge of the roof or the top of the parapet, whichever is higher, but excluding any mansards, cupolas, pylons, chimneys or any minor projections. In cases where a building has several roof levels, this roof or parapet shall be the one belonging to that portion of the building on whose wall the sign is located.

"Roof Sign". Any sign erected, constructed, and maintained entirely or partially upon or over the roof of any building, with the principal support on the roof.

"Roof Sign, Integral". Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

"Rummage Sale or Garage Sale Sign". A sign located at a residence or other property at which (1) no routine for-profit activity is conducted, and (2) the public is temporarily invited to conduct business.

"Setback". For the purpose of this Ordinance, the setback of a sign shall be defined as the shortest horizontal distance between a property line and the closest edge of a sign, including the structure and base:

1. Where a property line extends into a street right-of-way, the setback of a sign shall be the shortest horizontal distance between the closest edge of a sign, including the

structure and base, the back of curb, and if there is no curb, then the edge of the pavement of the adjacent street.

2. Where a sign is located along an access drive, the setback of a sign shall be the shortest horizontal distance between the closest edge of a sign, including the structure and base, the back of curb, and if there is no such curb, then the edge of the pavement of the adjacent access drive.

"Sign". A sign is any name, identification, description, advertisement, display, or illustration which is affixed to or painted or represented directly upon a building, structure, or other outdoor surface or piece of land; and which directs attention to an object, idea, product, philosophy, place, activity, person, institution, service organization, or business.

The term "sign" shall not include any name, identification, description, advertisement, display, or illustration located completely within an enclosed building or structure, unless the content thereof shall be exposed to view from the outside of the building.

1. For the purpose of this Ordinance, a building, or portion of a building, or any item or material (opaque, transparent, colored or illuminated) physically attached to a building which departs from standard architectural treatment in an attempt to attract attention to the premises by reason of color scheme and/or illumination, or part of a building or façade not required structurally or for maintenance, and which is intended to direct attention to products, goods, services, events or entertainment, shall be considered a "sign" and be subject to all pertinent regulations, including sign area as defined herein.

Each display surface of a sign or sign face shall be considered to be a sign.

"Sign Face". The entire area of a sign on which copy could be placed.

"Temporary Sign". Any sign that is used only temporarily, and not permanently mounted. This includes any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, or other light materials, with or without frames, intended to be displayed for a limited period of time.

"Unlawful Sign". A sign which contravenes the terms of this Ordinance or which the Chief Building Official has declared to be unlawful because it poses a danger to public safety by reason of dilapidation or abandonment; a non-conforming sign for which any permit required under any previous ordinance was not obtained.

"Vehicular Signs". Any advertising, business, or commercial signs attached to an automobile, which is parked or placed in position for display to the public.

"Wall Sign". A sign which is painted on or placed against a building or other structure and which is attached to the exterior front, rear or side wall of a building. The term "wall sign" shall include a sign attached to a mansard roof and not protruding, wholly or partially, above the highest point of the roof of the building or structure to which the mansard roof is attached.

"Window Sign". A sign that is posted on the interior or exterior of a window of a building or



structure which is intended to be read from the exterior of the building structure.

"Temporary Sign". A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic, cardboard, wallboard, plywood, or other like materials that is intended or appears to be intended to be displayed for a limited period of time.

## **Measurements**

### 1. Area of Individual Signs.

1. The measurement area of a sign shall be determined by the outer dimensions of the frame or enclosure surrounding the sign face.
2. The area of a sign face or lettering not enclosed in a frame, is determined by calculating the smallest rectangle that will encompass the extreme limits of the sign, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. This area calculation does not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
3. A double-faced sign shall count as two (2) signs. A double-faced sign shall count as one (1) sign for Real Estate, Open House and Garage Sale Signs ONLY.

## **General Regulations**

1. Authorization by Owner. Except as provided in Section 1.7, Exceptions, below, or otherwise herein, no person shall erect, alter, or relocate any sign within the Village of Pingree Grove without first obtaining the express consent of the owner of the land upon which the sign shall be erected, altered or relocated, in addition to obtaining a sign permit from the Chief Building Official.
2. Illumination. In addition to other applicable requirements set forth in this Ordinance, all illuminated signs must comply with the following provisions:
  1. With the exception of changing signs as defined herein, all illuminated signs within the direct line of sight of dwellings in a residential district shall be turned off between the hours of eleven (11:00) p.m. and seven (7:00) a.m. unless the establishment is engaged in the operation of business during such period, in which case the sign may be lit during the hours of operation only.
  2. Illumination shall be installed or applied only through a translucent surface; or recessed into the sign structure; or if the light source is external to the sign, directed to and concentrated on the sign.
  3. Signs shall be shaded as necessary to avoid casting a bright light upon property located in any residential district or upon any public street or park.
  4. Floodlights, reflectors or other external sources of illumination shall be contained within a protective casing.
  5. Illumination shall be constant in intensity and color, and shall not consist of flashing, animated, chasing, scintillating or other illumination conveying the

- sense of movement. Signs which exhibit only time and temperature may be permitted.
6. Exposed light bulbs are prohibited unless approved as a part of a Planned Unit Development.
  3. Vertical and Horizontal Extension.
    1. Any sign placed flat against a wall, mansard roof, canopy or awning shall not extend beyond any vertical corner edge of such wall, canopy, awning, roofline or parapet.
    2. In addition to the above requirements, placement of any wall sign must meet the following provisions:
      1. Signs shall not cover, wholly or partially, any wall opening, nor project beyond the sides of the wall to which it is affixed.
      2. Signs shall not project from the wall on which they are mounted, in such a manner as to pose an obstruction or hazard to pedestrians or vehicles.
  4. Sign Placement in Public Areas. Except for official signs authorized by the Village of Pingree Grove or other Highway Authority, no sign shall be erected on any public right-of-way, tree, utility pole, traffic standard or other public sign standard.
  5. Placement of Signs on Lots.
    1. Only signs erected by the Village of Pingree Grove, Kane County or the State of Illinois shall be permitted within a public right-of-way. All other signs shall be placed no closer than five (5) feet from any lot line.
  6. Planned Unit Development Signs. Signs located within a planned unit development shall be governed by those standards set forth in the underlying zoning district. Such standards may, however, be modified by the Village Board in accordance with the provisions of the Planned Unit Development Title 11 Chapter 9 of the Zoning Ordinance of the Village of Pingree Grove, as now or hereafter amended.
  7. Inspection. Except as provided herein, every new sign in the Village of Pingree Grove shall be subject to a general inspection, electrical inspection, footing inspection, and any other inspection(s) deemed necessary by the Chief Building Official. The Chief Building Official shall authorize or conduct subsequent periodic inspections as he or she deems necessary for the purpose of ascertaining whether a sign requires removal or repair.
  8. Maintenance. Every sign in the Village of Pingree Grove, regardless of whether any permit is required for such sign, shall be maintained in a safe, presentable, legible and good structural condition at all times, including the replacement of nonfunctioning, broken or defective parts, painting, repainting, cleaning and any other acts required for the maintenance of such sign. Every sign and all parts thereof, including framework supports, background, anchors and wiring systems shall be constructed and maintained in compliance with the building and electrical codes of the Village of Pingree Grove. All signs and sign supports shall be kept painted or otherwise treated, to prevent rust, rot or deterioration.
  9. Notification to Remove.
    1. If the Chief Building Official finds that any sign is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this Ordinance, the Chief Building



Official shall issue written notice of such condition or violation to the person to whom the permit for said sign has been issued.

2. All notices issued by the Chief Building Official shall describe the sign and its location and shall specify the manner in which the sign is in violation of the ordinance(s) of the Village of Pingree Grove. All notices issued by the Chief Building Official shall be sent by Certified and First Class mail to the current owner. Any time period provided for in this Ordinance shall be deemed to commence two days after the date in which the notice was placed in the mail by the Village.
3. If the party to whom such notice is issued fails to remove or alter the sign so as to comply with the provisions of this Ordinance, within thirty (30) days of the receipt of the First Class mailing, the Chief Building Official may remove or alter the sign at the expense of the owner.
4. The cost of removing the sign may be recovered by the Village of Pingree Grove through any appropriate legal proceeding in the event that such sign is not removed by the relevant land owner. The application for a sign permit shall give the Village of Pingree Grove the right to enter the property to inspect and legally remove the sign. The cost of removal shall be deemed to include any and all incidental expenses, as well as all direct and indirect costs, incurred by the Village of Pingree Grove in connection with removal of the sign.
5. The Chief Building Official may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.
6. The Chief Building Official shall not issue any sign permit to any person who refuses to pay costs or expenses incurred by the Village of Pingree Grove in removing or altering any sign for which he or she has previously obtained a permit, regardless of whether legal proceedings have been initiated for the purpose of recovering such costs.

### **Exemptions**

Unless otherwise stated, signs listed in this Section are permitted in all zoning districts. The following exempt signs do **not** require a sign permit and shall not be counted when calculating the number of signs or square footage on a premise. However, such signs shall conform to all other general regulations in this Ordinance (for example; height area, setbacks, clearance, etc.):

1. Memorial signs, no larger than five (5) square feet.
2. Signs erected by a governmental body or government signs, or under the direction of such a body.
3. One (1) non-residential construction identification sign, up to a maximum of sixty-four (64) sq. ft. shall be permitted. Such signs shall be confined to the site of the construction and shall be removed within three (3) days after issuance of the Certificate of Occupancy.
4. Temporary non-residential property real estate signs, up to sixty-four (64) sq. ft. in any commercial or industrial zoning district, and must be located on the subject property. Such sign may not be illuminated.
5. Residential Real Estate Signs, subject to the following:

1. Small real estate signs for properties less than one (1) acre, provided such signs shall not be more than ten (10) square feet in area, provided that no more than one (1) such sign shall be permitted in each yard abutting a public street. Small real estate signs shall be freestanding signs set back from and not less than ten (10) feet from any lot line and shall not exceed six (6) feet in height and shall not be illuminated. Small real estate signs shall be removed promptly after the sale of the underlying real estate.
2. Large real estate signs for properties more than one (1) acre, provided such signs shall not be more than thirty-two (32) square feet in area, provided that no more than one (1) such sign shall be permitted in each yard abutting a public street. Large real estate signs shall be freestanding signs set back not less than ten (10) feet from any lot line and shall not exceed ten (10) feet in height. Such signs shall not be illuminated. Large real estate signs shall be removed promptly after the sale of the underlying real estate.
6. Open House Signs, subject to the following:
  1. Shall not exceed four (4) sq. ft. in area per sign;
  2. Shall be put up while the property on which the sign is located actively invites the public and shall be removed and no longer displayed after the conclusion of such event;
  3. There shall be no flags, banners, or balloons attached to the signs;
  4. Shall not be placed in the State of Illinois, Kane County, or Village of Pingree Grove right-of-way.
7. Garage Sale Signs, subject to the following:
  1. Shall not exceed four (4) sq. ft. in area per sign;
  2. Shall only be erected no more than twenty-four (24) hours before the property upon which the sign is placed actively invites the public to conduct business, and must be removed no more than twenty-four (24) hours of when the public is no longer invited to conduct business;
  3. There shall be no flags, banners, or balloons attached to the signs;
  4. Shall not be placed in the State of Illinois, Kane County, or Village of Pingree Grove right-of-way.
8. Window signs, posted within public view, shall not exceed twenty-five percent (25%) of each window surface area through which or on which they are seen. Illuminated signs shall be no larger than six (6) sq. ft. Any establishment with a liquor license shall allow for a clear view of the interior of premises.
9. Signs required by federal, state, or local law.
10. Accessory or Directional signs, may be double-sided but shall be limited to four (4) square feet of sign area per sign face. Signs shall not be greater than four (4) feet in height. The Chief Building Official may, however, approve exceptions to these requirements if additional height and area are necessary to include essential information. No more than two (2) accessory or directional signs shall be erected on a single property.

## **Temporary Signs**

1. General standards for temporary signs.
  1. Permits for temporary signs shall be approved by the Chief Building Official;

2. Only one (1) temporary sign per zoning lot is permitted at any given time, unless otherwise allowed by the Chief Building Official. The Chief Building Official may permit two (2) temporary signs per zoning lot if the lot is a corner lot;
3. Shall be safely anchored to the ground or building, as determined by the Chief Building Official and/or designated agent;
4. Illumination is prohibited in or adjacent to residential districts (excluding temporary subdivision project signs);
5. Temporary signs shall not exceed thirty-two (32) square feet in area;
6. Display shall be limited to thirty (30) day periods, and shall be limited to four (4) such periods per calendar year unless otherwise allowed. Display of less than thirty (30) days shall count as the full period – remaining days shall not be applied to subsequent display periods; and
7. Must be located on the premises of the permit holder unless otherwise indicated or allowed by the sign permit.
8. One (1) advertising banner shall be permitted per wall of a commercial building that fronts onto a public street if it advertises a temporary special site promotion or sale.

### **Signs Regulated By Zoning District**

#### 1. All Districts.

1. Development Signs. Free-standing signs shall be permitted for the purpose of identifying Planned Unit Developments or subdivisions in any zoning district, subject to the following conditions:
  1. Number. There shall be a maximum of two (2) such free-standing sign allowed provided.
  2. Size. The Sign Face shall not exceed 64 square feet.

#### 2. Residential.

1. Home Occupation/Name Plate Signs. Home occupation / name plate signs shall be permitted as follows:
  1. There shall be a maximum of one (1) such signs per zoning lot.
  2. The maximum size of any home occupation/nameplate signs shall be two (2) square feet.
  3. Home occupation/nameplate signs shall be installed flat against the face of the building, rather than in a front or side yard.
  4. Home occupation/nameplate signs shall not be illuminated.

#### 3. Non-Residential.

1. Wall Signs. Wall signs for businesses in non-residential districts shall be permitted as follows:
  1. Number. There shall be a maximum of one (1) such wall sign for each business establishment provided, however that:
    1. A maximum of two (2) such wall signs shall be permitted for each business establishment when:
    2. The lot on which the sign refers is located on a corner lot.

3. The building upon which the sign will be placed has more than one (1) business frontage. For the purposes of this Ordinance, a business frontage shall mean a public right- of-way, a customer access drive, or a parking lot which serves the commercial establishment.
    4. When more than one (1) business is located in a building, each establishment shall be permitted to display a wall sign on the front and corner side facades of a building.
  2. Area. The maximum size of wall signs shall not exceed five (5) percent of the building facade area upon which the sign is to be located, to a maximum of one hundred (100) square feet. When more than one sign is displayed to provide identification for businesses in a single building, the following shall apply:
    1. The total area of signs displayed on a building façade shall not, however, exceed five (5) percent of the building facade, to maximum of one hundred (100) square feet.
2. Free-Standing Ground Signs.
  1. There shall be a limit of one (1) freestanding ground sign per lot.
  2. No ground sign shall exceed ten (10) feet in height as measured from the ground
  3. The sign area shall not exceed forty (40) square feet per side, limited to two (2) sides, or eighty (80) square feet total.
  4. Free-standing signs shall be located with a minimum setback of fifteen (15) feet from any property line or from the back of the curb of an adjacent access drive. In all cases, the free-standing sign shall be set back twenty (20) feet from the back of the curb of an adjacent public street.
  5. Free-standing signs shall be installed so as not to impede normal pedestrian movement nor obstruct the driver line-of-sight for motor vehicle traffic.
3. Free-Standing Signs for Converted Dwellings. Free-standing signs for businesses located in dwellings converted for commercial use shall comply with the following:
  1. Free-standing signs shall be permitted only in lieu of wall signs otherwise allowed by the terms of this Ordinance.
  2. Not more than one (1) free-standing sign shall be permitted for each zoning lot.
  3. The total height, including the base of a free-standing sign shall not exceed ten (10) feet in height
  4. The sign area shall not exceed twenty (20) square feet per side, limited to two (2) sides, or forty (40) square feet total.
  5. The setback of the sign from all property lines shall be as determined by the Chief Building Official, to assure that the sign is visible from the public right-of-way, but does not obstruct line of sight for motorists.
4. Awning or Canopy Signs. Letters may be painted or otherwise permanently affixed to any permissible awning or canopy subject to the following conditions:

1. Lettering and/or symbols shall not project above, below, or beyond the physical dimensions of the awning or canopy.
2. Awning or canopy sign area shall count toward the total wall sign area.
3. Internal illumination of awnings and canopies shall be prohibited.

5. Changeable Copy. Changeable copy shall only be permitted for free-standing and wall signs, provided such sign area does not exceed forty (40) square feet.

### **Nonconforming Signs**

Any sign which existed lawfully at the time of the adoption of this Ordinance and which becomes nonconforming upon adoption of this Ordinance shall be considered as a legal nonconforming use and permitted to remain. It is reasonable that special conditions be placed upon the continuance of existing nonconforming signs. This special condition program permits the current owner to continue using the nonconforming sign while at the same time assuring that the sign will eventually comply with the regulations of the District in which the sign is located. A legal, nonconforming sign's status shall terminate under any of the following circumstances:

1. By Abandonment. Abandonment or cessation for a period of ninety (90) days or the change of the principal use to which the nonconforming sign is accessory shall terminate immediately the right to maintain such sign.
2. By Destruction, Damage or Obsolescence. The right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the sign:
  1. Is damaged or destroyed, from any cause whatsoever, to the extent that its repair or replacement cost exceeds fifty (50) percent of its replacement cost as of the date it became nonconforming;
  2. Becomes obsolete or substandard when a request for rezoning is initiated by the owner of the property;
  3. Becomes a hazard or a danger to the safety or welfare of the general public.
3. By Change in Name or Use. Change in the use or the name of the business shall terminate immediately the right to maintain a nonconforming sign. The owner has ninety (90) days from the change in use or tenant within which to bring the nonconforming sign into compliance.
4. By Redevelopment. Nonconforming signs which are moved or affected by the redevelopment of a property; facade improvement program; or roadway widening shall not be reinstalled, but shall instead be brought into conformance with all elements of this Ordinance, unless these signs are determined to be of historic value to the Village of Pingree Grove.

### **Permit Application And Fees**

Except as otherwise provided in this Ordinance, it shall be unlawful for any person to erect, re-erect, alter, or relocate any sign without first having obtained a building sign permit and in accordance with all rules and stipulations outlined in Village Code Title 10 Chapters 3 and 4 unless otherwise set forth herein. Where electrical and/or construction permits are required in connection with erecting, re-erecting, relocating, or altering a sign, these shall be obtained at the same time as the building sign permit and in accordance with all rules and stipulations outlined in Village Code Title 10 Chapters 3 and 4.

1. Variances. Any requested variance or exception from the terms of this Ordinance shall be reviewed and evaluated by the Village Planning and Zoning Commission at a public meeting. The Planning and Zoning Commission shall act as a recommending body to the Village Board of Trustees, who shall be responsible for taking action on the requested variance or exception.
2. Limitations.
  1. Sign permits allow the erection, re-erection, alteration, or relocation of a sign only on the property designated in the permit and only by the person to whom the permit was issued and shall not be transferable.
  2. A separate sign permit must be obtained for each sign for which a permit is required.

### **Substitution/No Discrimination Against Non-Commercial Signs Or Speech**

Signs containing non-commercial speech are permitted anywhere that commercial, advertising, or business signs are permitted, subject to the same regulations applicable to such signs. A substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary. This provision does not create a right to increase the total amount of signage on a parcel or allow the substitution of an off-site commercial message in place of an on-site commercial message.

### **Penalty**

Any person, firm or corporation who violates any provision of this Ordinance shall be subject to a fine neither less than twenty-five dollars (\$25.00) nor more than seven-hundred and fifty dollars (\$750.00). Each day a violation occurs or continues to occur shall be deemed a separate violation as provided by local ordinance.

Article C, Overhanging Signs and Awnings, Chapter 1, Streets Sidewalks, and Public Ways, of Title 8, Public Ways and Property shall be deleted.

Section 3 Signs, of Chapter 6, Residence Districts, of Title 11, Zoning Regulations shall be deleted.

Section 8 Nonconforming Signs, of Chapter 11, Nonconformities, of Title 11, Zoning Regulations shall be deleted.

### **SECTION TWO: GENERAL PROVISIONS.**

REPEALER: All Ordinances or portions thereof in conflict with this Ordinance are hereby repealed, amended to be consistent with this requirement, or superseded by this requirement.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and affect the same as if the invalid

provision had not been a part of the Ordinance.

EFFECTIVE DATE: This Ordinance shall take effect as provided for under Illinois law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Pingree Grove, Kane County, Illinois this **3<sup>rd</sup> day of March 2025** by roll call vote.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
President Amber Kubiak	_____	_____	_____	_____
Trustee Joseph Hirschbein	_____	_____	_____	_____
Trustee Luke Hall	_____	_____	_____	_____
Trustee Adam Hagg	_____	_____	_____	_____
Trustee Ed Tarnow	_____	_____	_____	_____
Trustee Brook Carey	_____	_____	_____	_____
Trustee Kevin Pini	_____	_____	_____	_____

\_\_\_\_\_  
Amber Kubiak, President of the Board of Trustees  
Village of Pingree Grove

ATTEST: (SEAL)

\_\_\_\_\_  
Laura L. Ortega, Clerk  
Village of Pingree Grove

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Banner Sign



Free Standing Sign



Illuminated Sign



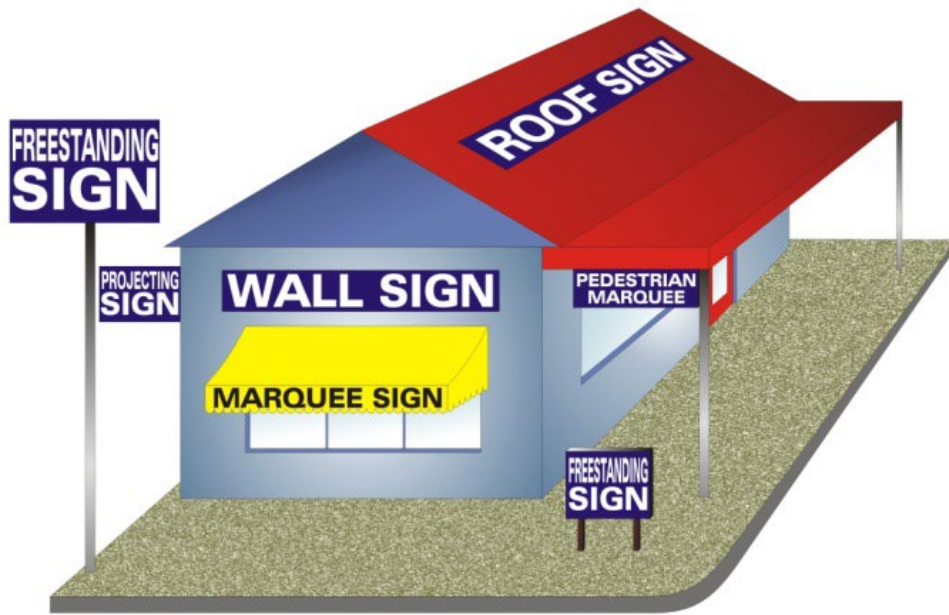
Open House Sign



Wall Sign



General Sign Types Graphic



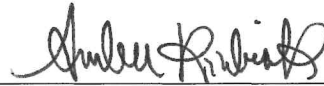
## PUBLIC NOTICE OF HEARING

NOTICE IS HEREBY GIVEN of a public hearing before the Village of Pingree Grove Planning and Zoning Commission, to be held on March 3, 2025 at 6 p.m. at 555 Reinking Road, Pingree Grove, Illinois 60140, to consider text amendments to the Pingree Grove Zoning Ordinance. The proposed text amendments would, if adopted, amend the Village of Pingree Grove Zoning Ordinance to (i) amend Section 11-2-2, Definitions, to add the definitions of electronic cigarette and smoke shop/vape shop; (ii) amend Section 11-7-2, Permitted Uses, and Section 11-7-3, Special Uses, in C-1 General Commercial District, to prohibit tobacco and vape shops as permitted uses or special uses in the Village; (iii) amend Section 11-7-3, Special Uses, to add pharmacy and grocery store as a special use; and (iv) delete the text “similar and compatible uses to those allowed as uses in this section. Determination of what constitutes similar and compatible shall be made by the village board” from Sections 11-6A-2, 11-6A-3, 11-6A-4, 11-6A-5, 11-6B-2, 11-6B-3, 11-6B-4, 11-6B-5, 11-6D-2, 11-6E-2, 11-6F-3, 11-6F-4, 11-7-2, 11-7-3, 11-7-4, 11-7-5, 11-8-2, 11-8-3, 11-8-4, and 11-8-5; (v) delete Section 11-6-3, “Signs”; (vi) delete Section 8-1C-1 “New Signs and Awnings Prohibited”; (vii) delete Section 11-11-8, “Nonconforming Signs”; (viii) delete Section 11-5-8, “Signs”; (ix) amend Section 11-5-8 to include General Provisions, Definitions, Measurements, General Regulations, Exemptions, Temporary Signs, Signs Regulated by Zoning Districts, Nonconforming Signs, Permit applications and Fees, Substitution/No Discrimination Against Non-Commercial Signs or Speech, and Penalty.

Members of the public are invited to provide testimony and/or comments regarding the above-referenced proposed text amendments at the public hearing. At the conclusion of the hearing, the Planning and Zoning Commission will make a recommendation regarding such proposed amendments to the Village’s Board of Trustees. A copy of the proposed text amendments is available for public inspection at the Village of Pingree Grove Municipal Center, 555 Reinking Road, Pingree Grove, Illinois, during regular business hours. For further information, contact the Village Clerk at 847-464-5533.

### **PETITION FOR ZONING TEXT AMENDMENTS**

I, Amber Kubiak, as President of the Village of Pingree Grove, an Illinois municipal corporation, hereby petitions that the Village's Zoning Ordinance be amended as set forth in those text amendments substantially in the form attached hereto. I believe it would be in the Village's best interests to implement same. Thank you.

A handwritten signature in black ink, appearing to read "Amber Kubiak", written over a horizontal line.

Amber Kubiak

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