



CITY OF FOREST PARK

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STAFF REPORT – Text Amendments

Public Hearing Date: April 21, 2022

City Council Meeting: May 2, 2022

Case: PC-2022-03

Proposed Request: Text Amendments

Staff Report Compiled By: Caity Chandler

PROPOSED TEXT AMENDMENTS

The Planning & Community Development Department is proposing several text amendments. The proposed code amendments are considered maintenance revisions, or minor clean-up actions, such as typographical errors, and updates for clarity. PC-2022-03 (TEXT) includes a typographical update to *Sec. 8-8-38. Institutional Commercial District (IC)*. Also included is an update to the *Sec. 8-3-16. Nonconforming Signs* section of the Sign Ordinance and updated language for freestanding signs under *Sec. 8-3-23. Restrictions Based on Location*. Additionally, *Sec. 8-8-77. Home Occupation Standards* section of the Zoning Ordinance will be updated for clarity.

BACKGROUND

In September 2021, the City Council approved the City of Forest Park's new Zoning Ordinance and Sign Ordinance. With these changes, the Planning & Community Development Department has discovered some areas of these ordinances that need to be amended for clarity. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner. The following text amendments have been proposed:

1. An update to a scrivener's error in *Sec. 8-8-38. Institutional commercial district (IC)*. During the drafting or submittal of the new Zoning Ordinance, a typographical error was made. In the list of permitted uses for the IC District, the scrivener recorded "Professional offices pub and tavern" under the same bullet point. These uses should be included under two different bullet points, as they are different uses.

Current: • *Professional offices pub and tavern*

Corrected: • *Professional offices*
• *Pubs and Taverns*

2. An update to *Sec. 8-3-16. Nonconforming Signs*. A new subsection of the Legal Nonconforming section of the Sign Ordinance has been proposed. It states that a business must bring their sign

into compliance once the sign loses its legal nonconforming status before the applicant can be issued a business license. This portion is intended to address dilapidated and noncompliant signs in the city. It also gives the City the ability to more easily enforce the standards set forth in this section. The new subsection states (see highlighted sections for updates):

Sec. 8-3-16. Nonconforming signs.

It is the policy of the City of Forest Park to encourage the compliance of all signs within the city with the terms and requirements of this section. The city finds that nonconforming signs may adversely affect the public health, safety, and welfare of the city. Such signs may adversely affect the aesthetic characteristics of the city and may adversely affect public safety due to the visual impact of said signs on motorists and the structural characteristics of said signs.

(1) No sign shall be permitted or erected on any lot which has located thereupon an existing nonconforming sign until the nonconforming sign has either been removed or brought into compliance with this section.

(2) Maintained. A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of quality material panels, painted boards, or dismountable material on nonconforming signs shall be permitted as long as the nonconforming sign retains its grandfathering rights. All nonconforming signs shall be maintained in good repair, free from peeled paint, rust, missing panels, missing letters, etc. Minor repairs and maintenance of nonconforming signs shall be permitted. However, no structural repairs, changes in shape, size, or design shall be permitted except to make a nonconforming sign comply with all requirements of this section. Repairs; material change. Minor repairs and maintenance of nonconforming signs shall be permitted when the cost of such repair does not exceed twenty-five (25) percent of the replacement cost of the existing sign, provided, however, that no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this chapter.

(3) Legal-nonconforming or "grandfathering" and provisions. Nonconforming signs may stay in place until one (1) of the following conditions occurs:

a. The advertised business ceases at the location for a period of more than thirty (30) days and/or the sign is not used for a period of more than thirty (30) days;

b. The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly, or unkempt;

c. The sign has been damaged to such an extent that more than minor repairs (greater than twenty-five (25) percent of the sign replacement cost of the existing sign) or a material change is required to restore the sign. No structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this chapter; or

d. If the business or use for which the nonconforming sign(s) was installed is expanded or modified, and if the value of the expansion or modification exceeds fifty (50) percent of the value of the existing improvements. The sign or signs shall be immediately brought into compliance with this chapter with a new permit secured therefore or shall be removed. All improvements to a single business or use within any 12-month period shall be treated cumulatively in the administration of this subparagraph.

(4) In the event that a sign loses its legal-nonconforming (grandfathering) status, the applicant shall not be granted a business license until the nonconforming sign is brought into compliance with the regulations in the Chapter 3. – Signs, otherwise known as the sign ordinance.

All signs within the city must be brought into compliance or removed within three (3) years from the adoption of this chapter. At this time, all signs will lose their legal nonconforming status.

3. An update to the language for freestanding signs under Sec. 8-3-23. *Restrictions Based on Location*. The intent of the Sign Ordinance update was to strengthen the standards for signs in the community and create a sense of consistency, to enhance the aesthetics of the city. Part of this enhancement included putting restrictions on freestanding signs due to the overconcentration of large pole signs throughout the city. The solution was to restrict freestanding signs, only allowing for new monument signs to be erected in place of pole signs. This will increase visibility and enhance the appearance of Forest Park. The update to the ordinance did not, however, explicitly state that the freestanding signs must be monument signs, despite that being the intent of the ordinance. The following section Sec. 8-3-23. has been updated to reflect the intent of the Sign Ordinance (see sections):

Sec. 8-3-23. Restrictions based on location.

If not otherwise stated, any sign not specifically allowed in a zoning district as provided under this section shall be prohibited in that district, except as otherwise provided for under this chapter. The following standards govern signs within specific zoning districts.

The following standards govern signs within specific zoning districts.

(1) RS—Single family residential district.

- a. *Entry feature sign/freestanding sign. One (1) maximum thirty-two (32) square foot, freestanding **monument** sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.*

1. *One (1) maximum thirty-two (32) square foot, freestanding **monument** sign or two (2) single-faced freestanding **monument** signs not to exceed sixteen (16) square feet for each side of a platted single-family subdivision entrance shall be permitted for each street on which the subdivision has an entrance. If developed with a mixture of detached and attached dwellings in separate pods or phases, an additional sixteen (16) square foot sign shall be permitted for the attached dwelling phase.*
2. *Entry feature signs shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.*
3. *Entry feature signs may be attached to a subdivision entrance wall, provided the wall is no more than eight (8) feet in height, and so long as the top of the sign panel is no more than six (6) feet in height.*

(2) RT—Two family residential district.

- a. *Entry feature sign/freestanding sign.*

1. One (1) maximum thirty-two (32) square foot, freestanding **monument** sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.
 2. One (1) maximum thirty-two (32) square foot, freestanding **monument** sign or two (2) single-faced freestanding **monument** signs not to exceed sixteen (16) square feet for each side of a platted single-family subdivision entrance shall be permitted for each street on which the subdivision has an entrance. If developed with a mixture of detached and attached dwellings in separate pods or phases, an additional sixteen (16) square foot sign shall be permitted for the attached dwelling phase.
 3. Entry feature signs shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.
 4. Entry feature signs may be attached to a subdivision entrance wall, provided the wall is no more than eight (8) feet in height, and so long as the top of the sign panel is no more than six (6) feet in height.
- (3) *RM—Multiple family residential district.*
- a. *Entry feature sign/freestanding sign.*
 1. One (1) maximum thirty-two (32) square foot freestanding **monument** sign shall be permitted for each street on which the multi-family lot has frontage. The sign shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.
 2. One (1) maximum thirty-two (32) square foot, freestanding **monument** sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.
- (4) *MH—Mobile home park district.*
- a. *Entry feature sign/freestanding sign.*
 1. One (1) maximum thirty-two (32) square foot freestanding **monument** sign shall be permitted for each street on which the multi-family lot has frontage. The sign shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.
 2. One (1) maximum thirty-two (32) square foot, freestanding **monument** sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.
- (5) *IC—Institutional commercial district.*
- a. *Freestanding signs.*
 1. One (1) maximum thirty-two (32) square foot, freestanding **monument** sign per street frontage shall be permitted for each lot which contains less than fifteen (15) acres.

2. For lots that contain more than fifteen (15) acres, one (1) maximum sixty-four (64) square foot, freestanding **monument** sign for the primary frontage and one thirty-two (32) square foot, freestanding **monument** sign for each street on which the lot has secondary frontage. If the primary frontage of the lot is five hundred (500) linear feet or more and if the lot has two (2) or more entrances on the street on which it has primary frontage, the one (1) maximum sixty-four (64) square foot sign may be substituted by two (2) single-faced freestanding **monument** signs not to exceed thirty-two (32) square feet. The sign shall have a maximum height of six (6) feet if thirty-two (32) square feet or less and eight (8) feet if sixty-four (64) square feet or less.
3. All freestanding **monument** signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.

(6) GC—General commercial district.

a. Freestanding signs.

1. One (1) maximum thirty-two (32) square foot per street frontage for each lot which contains less than fifteen (15) acres. The freestanding **monument** sign shall have a maximum height of six (6) feet.
2. For lots that contain more than fifteen (15) acres, one (1) maximum sixty-four (64) square foot, freestanding **monument** sign for the primary frontage and one thirty-two (32) square foot, freestanding **monument** sign for each street on which the lot has secondary frontage. If the primary frontage of the lot is five hundred (500) linear feet or more and if the lot has two (2) or more entrances on the street on which it has primary frontage, the one (1) maximum sixty-four (64) square foot **monument** sign may be substituted by two (2) single-faced freestanding **monument** signs not to exceed thirty-two (32) square feet. The sign shall have a maximum height of six (6) feet if thirty-two (32) square feet or less and eight (8) feet if sixty-four (64) square feet or less.
3. All freestanding signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding **monument** sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.

(8) UV—Urban village district.

a. *Freestanding signs.*

1. *One (1) maximum thirty-two (32) square foot, freestanding **monument** sign per street frontage shall be permitted for each lot which contains less than fifteen (15) acres.*
2. *For lots that contain more than fifteen (15) acres, one (1) maximum sixty-four (64) square foot, freestanding **monument** sign for the primary frontage and one thirty-two (32) square foot, freestanding **monument** sign for each street on which the lot has secondary frontage. If the primary frontage of the lot is five hundred (500) linear feet or more and if the lot has two (2) or more entrances on the street on which it has primary frontage, the one (1) maximum sixty-four (64) square foot **monument** sign may be substituted by two (2) single-faced freestanding **monument** signs not to exceed thirty-two (32) square feet. The sign shall have a maximum height of six (6) feet if thirty-two (32) square feet or less and eight (8) feet if sixty-four (64) square feet or less.*

(9) *Industrial districts.*

b. *Freestanding signs.*

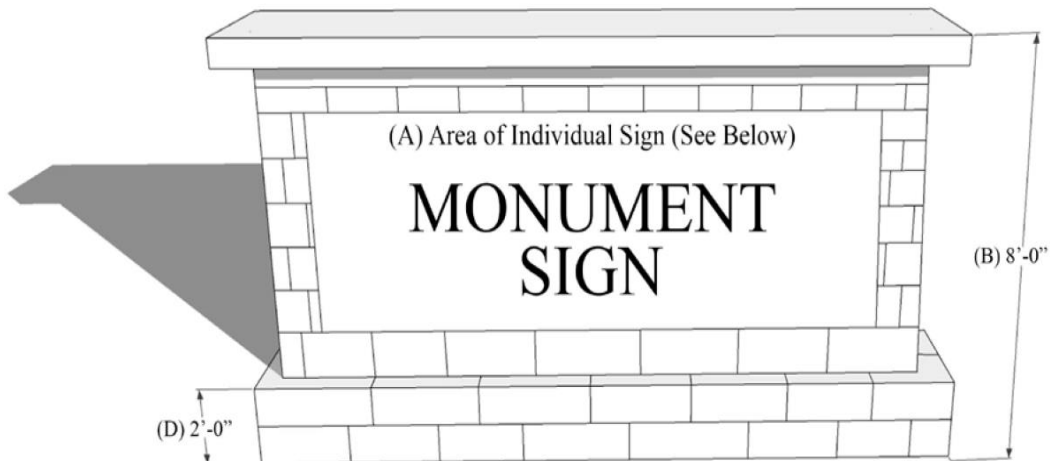
1. *One (1) maximum thirty-two (32) square foot, freestanding **monument** sign shall be permitted for each street on which the lot has up to and including five hundred (500) feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
2. *One (1) maximum sixty-four (64) square foot, freestanding **monument** sign shall be permitted for each street on which the lot has more than five hundred (500) linear square feet and up to one thousand (1,000) linear feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
3. *One (1) maximum seventy-two (72) square foot, freestanding **monument** sign shall be permitted for each street on which the lot has more than one thousand (1,000) linear feet of frontage (excludes spin sites and out-parcels). The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
4. *One (1) maximum thirty-two (32) square foot, freestanding **monument** sign per spin site or out-parcel which is identified on a site plan approved pursuant to a single zoning case.*
5. *Freestanding **monument** signs on arterial streets may be ten (10) feet in height.*
6. *All freestanding signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.*

(10) *GZ Gillem zoning district.*

a. *Billboards. Billboards are prohibited.*

b. *Freestanding.*

1. *One (1) maximum thirty-two (32) square foot, freestanding **monument** sign shall be permitted for each street on which the lot has up to and including five hundred (500) feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
2. *One (1) maximum sixty-four (64) square foot, freestanding **monument** sign shall be permitted for each street on which the lot has more than five hundred (500) linear square feet and up to one thousand (1,000) linear feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
3. *One (1) maximum seventy-two (72) square foot, freestanding **monument** sign shall be permitted for each street on which the lot has more than one thousand (1,000) linear feet of frontage (excludes spin sites and out-parcels). The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
4. *One (1) maximum thirty-two (32) square foot, freestanding sign per spin site or out-parcel which is identified on a site plan approved pursuant to a single zoning case.*
5. *Freestanding signs on arterial streets may be ten (10) feet in height.*
6. *All freestanding signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.*



4. An update to Sec. 8-8-77. *Home Occupation Standards*. The current Home Occupation Standards section is not explicit in the allowable uses for home occupations, nor does it list the

prohibited uses. The proposed update clearly lists the allowable and prohibited uses for home occupations. The following changes have been proposed (see highlighted sections).

Sec. 8-8-77. Home occupation standards.

Home occupations are those which meet the following standards: representing requirements which permit minimal business practices in certain residential zoning districts while maintaining residential character.

- (1) *Location. Home occupation shall be conducted only within the principal residential structure, including garage area, and only if garage door remains closed.*
- (2) *Use of premises. An area equal to not more than twenty-five (25) percent of the full area of the principal structure and garage area may be utilized for home occupational purposes.*
- (3) *Group instruction/assembly. No home occupation shall be permitted wherein group instruction or group assembly, or activity is involved.*
- (4) *Employees. Only members of a family residing on the premises may be employed on the premises in pursuit of the business, trade, or occupation or profession.*
- (5) *Commodity. No commodity shall be sold on the premises.*
- (6) *Outdoor storage. No outdoor storage of any items related to the business, trade, profession, or occupation shall be allowed in connection with any home occupation.*
- (7) *Maintenance of residential character. No alteration of the residential character of the premises may be made, and the home occupation shall not be allowed to create a nuisance or to create any undue disturbance.*
- (8) *Signs. No signs relating to the home occupation shall be allowed on the premises.*
- (9) *Noise. No business, trade, profession, or occupation shall qualify as a home occupation if the pursuit of such generates noise which is audible beyond the property lines of the property upon which the premises is located.*
- (10) *Vehicles.*
 - a. *No business, trade, profession, or occupation which generates vehicular trips or nonresidents to the premises exceeding ten (10) per day shall qualify as a home occupation. No business delivery may be made to the premises holding the home occupation license by any semi-tractor trailer.*
 - b. *For purposes of this paragraph, the term "common carrier" shall include any delivery vehicle having more than two (2) axles.*
- (11) *Vehicle advertising. No vehicles which display advertising relating to an occupation, business, trade, or profession carried on the premises of a home occupation may be utilized in such a manner to avoid the restriction on signs contained above.*
- (12) *Vehicle limitations. No more than one (1) vehicle displaying advertising relating to the business, trade, profession, or occupation carried on the premises may be parked on or about the premises at any one (1) time. Off street parking must be provided on paved surfaces.*
- (13) *Storage or parking of equipment. Except as allowed by item (12) above, no business, trade, occupation, or profession otherwise qualifying as a home occupation shall be permitted to park or store any vehicular or motorized equipment, including, but not limited to, trucks, vans,*

tractors, earth moving equipment, construction vehicles, trailers, or like items used in conducting of such business on the premises.

- (14) *Chemicals.* No business, trade, occupation, or profession which would otherwise qualify as home occupation may store any chemical not normally used for common household purposes on the premises.
- (15) *Inspections.* As a condition for the granting of the home occupation license, the licensee agrees the city shall conduct an inspection during normal business hours for the purpose of determining whether the provisions of this Code section are being complied with.
- (16) *Occasional use.* The occasional use of portions of the premises for the receipt of telephone calls, of consultation with clients, or the maintenance of a home office by an employee or owner of a business which maintains an active office location in a properly zoned area shall not require a home occupation permit, provided that all the other limitations of this section shall control.
- (17) *Produce.* Nothing contained within this chapter shall prohibit the occasional sales of seasonal produce grown entirely upon the premises from a home garden.

(18) Interference. No equipment or processes shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference, outside the dwelling unit. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any television or radio receivers off the premises or causes fluctuations in line voltage off the premises.

(19) The following are permitted home occupations provided they do not violate any of the provisions of this section or any other section within this Ordinance:

- a. Dressmaking, sewing and tailoring.**
- b. Painting, sculpturing, writing and other fine arts.**
- c. Telephone answering and marketing.**
- d. Home crafts, such as model making, rug weaving, and lapidary work.**
- e. Instruction or teaching, such as academic, tutoring, performing arts, or fine arts limited to one (1) student at any given time.**
- f. Computer application and internet sales, not including the sale of computers.**
- g. Office uses for consulting professionals, such as attorneys, realtors, insurance agents, engineers, architects, and other consultants, accountants, brokers, etc.**
- h. Administrative or clerical support services, such as transcription, court reporters, stenographers, notary public, or addressing services.**
- i. Repair of clocks, instruments or other small appliances which do not create a nuisance due to noise, vibration, glare, fumes, odors or result in electrical interference.**
- j. Janitorial and cleaning services.**
- k. Consultants and representatives for the sales industry, having no product displays onsite.**

(20) Due to incompatibility with the residential character and qualities of residential zoning districts, no license shall be issued for a home occupation in any of the following trades or businesses:

- a. Automotive repair.**

- b. Auto sales.
- c. Firearms and firearms' supplies dealers/sales/service (including gunsmithing).
- d. Group assembly or instruction involving more than four (4) persons.
- e. Dancing or band instrument instruction in groups.
- f. Mobile oil change.
- g. Pest control services.
- h. Septic tank operation or repair.
- i. Taxicab/limousine services.
- j. Transporting autos for dealerships.
- k. Wrecker/towing service.
- l. Florists, flower shops, or greenhouses.
- m. Tearooms and restaurants.
- n. Fish hatcheries, worm farms or bait houses.
- o. Kennels and animal hospitals.
- p. Maintenance or similar operations.
- q. Retail or wholesale shops.
- r. Boarding houses, rooming houses, or other motel type establishments.
- s. Activities that involve the use of chemicals, machinery or matter of energy that may create or cause to be created, noise, noxious odors or hazards that will endanger the health, safety, or welfare of the community.