

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved 8.1.23

PLAN COMMISSION/ZONING BOARD OF APPEALS June 6, 2023 7:00 P.M.

1. Call to Order, Roll Call and Establishment of a Quorum

Chairperson Laimins called the meeting to order at 7:15 p.m. Roll call found Chairperson Laimins, and Commissioners Banasiak, Slattery, and Henkin present. Commissioners Billingsley, Hale, and Kasprak were absent. With four members present, a quorum was established.

Staff in attendance included City Planner John Sterrett.

2. Pledge of Allegiance

Chairperson Laimins led the Commission in the Pledge of Allegiance.

3. Chairperson's Comments

None.

4. Public Comment

None.

5. Approval of draft meeting minutes from May 2, 2023

Commissioner Slattery made a motion, seconded by Commissioner Banasiak, to approve the draft meeting minutes of the May 2, 2023 Plan Commission meeting. With a voice vote of two ayes, zero noes, and two abstentions, the motion carried.

6. Public Hearing of Case PC 23-05 – Zoning Text Amendment – Article XII of Appendix A of the Code of Ordinances of the City of West Chicago

Commissioner Slattery made a motion, seconded by Commissioner Henkin, to open the public hearing. With a voice vote of all ayes, the motion carried.

Mr. Sterrett was duly sworn in. Mr. Sterrett stated that staff has prepared a series of amendments to the text of the City's sign regulations located in Article XII of the Zoning Code. The majority of the proposed amendments deal with deleting references to the regulation of signage content. In the 2015 U.S. Supreme Court decision of *Reed v. Town of Gilbert*, the Court held that the content of a sign may not be regulated and that local sign ordinances must be "content-neutral". Regulating signs based on their content is considered a violation of First Amendment rights, according to the decision in *Reed*. The Court further explained that signs may only be regulated by their size, location, building materials, lighting, moving parts, and portability. Staff has proposed amendments that will allow the sign regulations to be consistent with the *Reed* decision. Other amendments proposed by staff include inserting language into Article XII that reflects existing regulations for signs found elsewhere in the Code as well as clarification of existing regulations.

The Plan Commissioners members went through each proposed zoning text amendment to the Sign Code. Members discussed the prohibited signs as they relate to flashing lights. The Commission was in favor of broadly stating that any lighting around a window or opening of a building is prohibited. The Commission also believed that flashing lights, including strobe lighting should be prohibited.

With all members of the public having had the opportunity to speak, and with all Plan Commissioners having the opportunity to question the petitioner and staff, Commissioner Henkin made a motion, seconded by Commissioner Slattery, to close the public hearing. With a voice vote of all ayes, the motion carried and the public hearing was closed.

7. Review and Recommendation of Case PC 23-05 – Zoning Text Amendment – Article XII of Appendix A of the Code of Ordinances of the City of West Chicago

The Plan Commission deliberated the proposed amendments to the Zoning Code relating to the sign regulations. After a brief discussion, Commissioner Banasiak made a motion, seconded by Commissioner Slattery, to recommend approval of the proposed amendments with a change to the prohibition of lighting around windows and other openings and to add a prohibition to flashing lights, including strobe lights.

A roll call vote found Commissioners Banasiak, Slattery, Henkin, and Chairperson Laimins voting “aye” and no one voting “no”. With a roll call vote of four (4) “aye” and zero (0) “no”, the motion carried.

11. Petition Updates/Staff Report

Mr. Sterrett provided a brief update on upcoming projects and previously approved projects.

12. Adjournment

With no further business to discuss, Commissioner Kasprak made a motion, seconded by Commissioner Hale to adjourn the meeting. With a voice vote of all ayes, the motion carried and the Plan Commission, at 7:20 p.m., adjourned.

Respectfully Submitted,
John Sterrett, City Planner