

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE : February 26, 2019 **(BOT) Date:** March 7, 2019

SUBJECT: PC 19-02, Text Amendment to the Sign Ordinance: Nonconforming Signs

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development *WH*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, requests text amendments to Section 153.302(D) of the Sign Ordinance, amending the relocation provisions of non-conforming signs.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the March 7, 2019, Board of Trustees agenda with a waiver of first reading requested by staff.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

MEETING DATE: March 7, 2019

SUBJECT: **PC 19-02, Text Amendment to the Sign Ordinance, non-conforming signs**

Please find the following items for Village Board consideration as part of the March 7, 2019, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 19-02; and
3. An Ordinance granting text amendments to Section 153.302(D) of the Lombard Sign Ordinance.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the March 7, 2019, Board of Trustees agenda with a waiver of first reading requested by staff.



VILLAGE OF LOMBARD

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March 7, 2019

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees

Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 19-02, Text Amendment to the Sign Ordinance: Nonconforming Signs

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, requests text amendments to Section 153.302(D) of the Sign Ordinance, amending the relocation provisions of non-conforming signs.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on February 18, 2019. Sworn in to present the petition was Jennifer Ganser, Assistant Director.

Chairperson Flint read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chairperson Flint asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. She said the Village requests text amendments to Section 153.302(D) of the Sign Ordinance, amending the relocation provisions of non-conforming signs. She said a business inquired about relocating their freestanding sign on their property. As the sign no longer conforms to Village Code, staff could not approve the permit. This text amendment would not allow the sign life to be extended. She noted the setbacks and clear line of sight would still need to meet Code, or apply for a variance.

Commissioner Sweetser asked how life of a sign is determined. Ms. Ganser said it varies by sign. If the sign is damaged or destroyed staff would review the permit with the Building Division to determine if it was a repair or replacement. Commissioner Burke asked if it was determined for billboards. Ms. Ganser noted that was for a billboard amortization project. The Village does not amortize non-conforming signs.

Commissioner Burke asked if a non-conforming sign can do a face change and Ms. Ganser said yes. Commissioner Burke said ten years ago the Village spent time trying to get rid of non-conforming signs and we may not want to have those be relocated. He noted the business could come back for variances on a case by case basis. Ms. Ganser said staff does not have an estimate for the number of non-conforming signs. Staff's opinion is that because the life of the sign is not extended the non-conformity is not increasing. This could make it easier for a business.

Chairperson Flint asked for public comment and Mr. Walker asked to speak. He said he owns El Famous Burrito and he is in favor of the text amendment. He said when Carriage Animal Hospital received a variance to expand their sign is blocked one direction. A new sign is approximately \$20,000. This text amendment would allow them to relocate their sign. It has been up for approximately 25 years. He did reface the sign three years ago. He said he would like to relocate his sign to be more visible and help his business.

Chairperson Flint asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Burke said his comments were related to setting a precedent for future signs.

On a motion by Commissioner Giuliano, and a second by Commissioner Burke, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 19-02.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

ORDINANCE _____

**AN ORDINANCE APPROVING A TEXT AMENDMENT
TO THE LOMBARD SIGN ORDINANCE
TITLE 15, CHAPTER 153, SECTION 153.302(D),
OF THE LOMBARD ZONING CODE**

PC 19-02: Text Amendments to the Sign Ordinance: Nonconforming Signs

WHEREAS, the Village of Lombard maintains a Sign Ordinance which is found in Title 15, Chapter 153 of the Lombard Code; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Sign Ordinance and make necessary changes; and,

WHEREAS, a public hearing to consider text amendments to the Sign Ordinance has been conducted by the Village of Lombard Plan Commission on February 18, 2019, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title 15, Chapter 153, Section 153.302(D) of the Lombard Sign Ordinance shall be amended to read in part as follows:

(D) Relocation. Legal, nonconforming signs shall be allowed to be relocated wholly to any other location on the same lot, provided the new sign location meets the applicable setbacks and clear line of sight provisions. Structural elements are not allowed to be changed, as the life of the sign cannot be extended.

SECTION 2: That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2019.

Ordinance No. _____

Re: PC 19-02

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First reading waived by action of the Board of Trustees this ____ day of _____, 2019.

Passed on second reading this ____ day of _____, 2019.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2019.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this ____ day of _____, 2019.

Sharon Kuderna, Village Clerk