

August 18, 2014

Title

PC 14-25

Petitioner

Village of Lombard
255 E. Wilson Avenue
Lombard IL 60148

Property Location

B5 Zoning District

Approval Sought

An amendment to Section 155.207 (and any other relevant sections for clarity) of the Lombard Zoning Ordinance to establish and clarify that the clear line of sight area provisions are not applicable in the B5 Central Business Zoning District.

Submittals

1. Petition for a public hearing; and
2. Response to Standards for a Text Amendment.

Prepared By

Jennifer Ganser
Assistant Director

DESCRIPTION

The petitioner, the Village of Lombard, has submitted this request for a text amendment, an amendment to Section 155.207 (and any other relevant sections for clarity) of the Lombard Zoning Ordinance to establish and clarify that the clear line of sight area provisions are not applicable in the B5 Central Business Zoning District. Per Section 155.207(C) buildings and structures shall not be located in the clear line of sight area, except in the B5 Central Business District. Upon reviewing the terms buildings and structures it can be considered unclear if signage or other improvements would be allowed in the clear line of sight area. Staff requests this text amendment to clarify the clear line of sight area in B5 District.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

Fire Department:

The Fire Department has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

Private Engineering Services:

Private Engineering Services has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

Public Works:

The Department of Public Works has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

EXISTING & PROPOSED REGULATIONS

New Text Deleted Text

§ 155.207 Clear line of sight areas.

The following restrictions apply to objects located in the clear line of sight area, ~~as defined by this Chapter.~~ **Excepting properties located with the B5 Central Business District,** in the case of conflicts between the provisions of this section or § 155.205 (**Fences, Walls & Hedges**) and the provisions of §§ 155.701—155.712 regarding landscape requirements, the provisions of this section and § 155.205 shall govern.

(A) *Fences, walls and hedges.* Fences, walls and hedges located in the clear line of sight area shall comply with § 155.205 of this Chapter.

(B) *Landscaping.* Landscaping in the clear line of sight area shall not exceed two feet in height, except deciduous trees which are free of foliage and branches eight feet above ground level may be permitted.

(C) *Buildings.* Buildings and structures shall not be located in the clear line of sight area, except in the B5 Central Business District.

(D) The provisions set forth with Section 155.207 herein shall not be applicable to properties located within the B5 Central Business District.

§ 153.208 General specifications.

(H) Clear line of sight area. No signs shall be located in the clear line of sight area, as defined in the Lombard Zoning Ordinance, **except in the B5 Central Business District where the provisions do not apply.**

STANDARDS FOR TEXT AMENDMENTS

The petitioner has provided responses to the standards for a text amendment which are attached to this document. Staff offers the following:

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*

Staff supports amending the Zoning Ordinance to clarify the clear line of sight regulations in the B5 zoning district. This would benefit Village properties in the B5 zoning district only, and not a specific property.

2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*

This text amendment is for clarity purposes. Per Section 155.207 a building or a structure would already be allowed in the B5 District, but not a sign. Staff requests this clarification to allow for items including but not limited to sandwich board signs to be allowed within the clear line of sight area. Sandwich board signs and temporary and therefore could not be considered a structure.

3. *The degree to which the proposed amendment would create nonconformity;*

The proposed text amendment is additive in nature and does not remove any existing permitted or conditional uses from the above mentioned zoning districts. This text amendment refers mainly to signage and other improvements as buildings and structures are already allowed in the clear line of sight in the B5 District.

4. *The degree to which the proposed amendment would make this ordinance more permissive;*

The proposed amendment is more permissive to the extent that it would allow for signage and other improvements in the clear line of sight area.

5. *The consistency of the proposed amendment with the Comprehensive Plan; and*

The Comprehensive Plan does not specifically mention signage or other improvements in the B5 but it does hope for continued strength in existing retail and service corridors. The text amendment was specifically drafted to only include the B5 district which is pedestrian oriented in nature.

6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*

Staff feels this text amendment is for clarity purposes to establish that signage and other improvements are allowed in the clear line of sight area in the B5 zoning district.

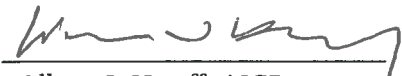
FINDINGS & RECOMMENDATIONS

Staff finds the proposed amendments to be consistent with the objectives of the Zoning Ordinance. The proposed amendments are also consistent with the intent of the Comprehensive Plan in general.

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 14-25.

Inter-Departmental Review Committee Report approved by:

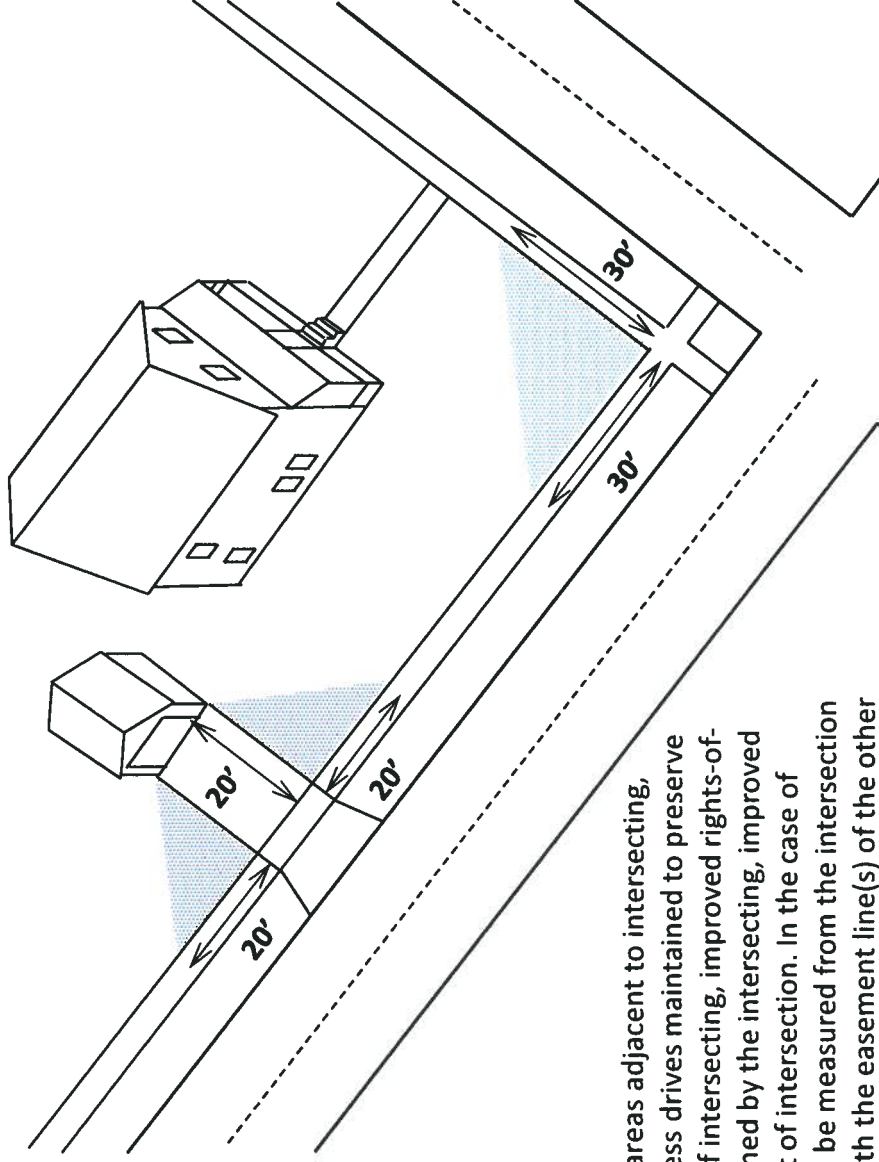


William J. Heniff, AICP
Director of Community Development

c. Petitioner

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Clear Line of Sight Area



Clear line of sight areas are triangular-shaped areas adjacent to intersecting, improved rights-of-way, private streets, or access drives maintained to preserve clear visibility at the intersection. In the case of intersecting, improved rights-of-way, the clear line of sight area is the area formed by the intersecting, improved rights-of-way lines 30 feet away from the point of intersection. In the case of private streets, the clear line of sight area shall be measured from the intersection of the easement line(s) of the private street with the easement line(s) of the other private street, the improved right-of-way, or edge(s) of pavement of a private driveway or access drive. In the case of private residential driveways intersecting with improved rights-of-way or streets, the clear line of sight area is the area formed by the intersection of the edge of pavement of such private drive with the improved rights-of-way or street, 20 feet away from the point of intersection.