

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: June 21, 2010

FROM: Department of Community
Development

PREPARED BY: Michael S. Toth
Planner I

TITLE

PC 10-09; Text Amendments to the Sign Ordinance: The Village of Lombard requests text amendments to Section 153.234 of the Lombard Sign Ordinance amending the provisions for Sandwich Board Signs.

DESCRIPTION

In 2009 staff undertook a comprehensive review of various temporary banners, election and real estate sign regulations. The result of this effort was an adoption of new provisions that create greater content neutrality and places additional provisions on such signs. Village staff has been requested by the Lombard Chamber of Commerce to discuss and review aspects of the Sign Ordinance, particularly relating to sandwich board signage. Additionally, staff notes that there have been other practical concerns pertaining to the Village's regulations that warrant additional discussion. As such, staff conducted a workshop session for direction regarding sandwich board signs at the May 17, 2010 Plan Commission meeting. Staff is now bringing forward text amendments to amend the Sandwich Board Sign regulations.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The Private Engineering Services Division of Community Development has no comments.

PUBLIC WORKS

The Public Works Engineering has no comments.

BUILDING

The Building Division has no comments.

FIRE

The Fire Department has no comments relative to the proposed text amendments.

PLANNING

Sandwich Board Signs are primarily intended to guide and provide information to pedestrian traffic. The Sign Ordinance currently places geographic restrictions on the ability to display a Sandwich

Board Sign by requiring that the signs only be displayed in business districts, on public rights of way and adjacent to buildings that meet a maximum setback requirement. Staff believes that these signs can also serve a similar purpose for not only businesses, but any institution. As such, staff is proposing to modify the locational restrictions associated with Sandwich Board Signs.

Use of Property

The only requirement that an establishment must meet in order to display a Sandwich Board Sign is that the establishment itself must be non-residential. This would allow not only businesses to display the sign, but also other religious institutions and like uses.

Location Requirements

Rather than the building being required to be setback ten (10) feet from the property line (to be allowed to display a Sandwich Board Sign), the only location requirement is that the sign be located within ten feet (10') of a customer entrance or service window. This amendment keeps with the original intent of the Ordinance, which is to guide pedestrian traffic to a customer entrance or service window and provide subsequent information to patrons, such as daily specials or events.

Plan Commission Comments

During the May 17, 2010 workshop session, staff raised a number of issues relative to the current Sandwich Board Signs. While the Plan Commission did not have any issues with changes relative to the duration and location of the signs, they did not want to amend the Sign Ordinance to allow mixed signage (Temporary Signs in conjunction with Sandwich Board Signs). More specifically, the Plan Commission was concerned that mixed signage could create a negative visual impact due to extraneous signage. The Plan Commission also suggested that Sandwich Board Signs in the downtown be allowed additional hours of display. The Plan Commission originally suggested that three (3) additional hours be granted, which would require the signs in the downtown to be brought in at 12 a.m. In keeping with the suggestion of the Plan Commission, staff is proposing to extend the hours in the downtown. However, staff is proposing that the hours be extended to 2 a.m., which coincides with the time that businesses (with liquor licenses) are required to close.

Proposed Text Amendments

The proposed text amendments are noted below. **Proposed additions to the Sign Ordinance are underlined and portions that will be extracted are shown with strikethrough.** The Standards for Text Amendments are also included below.

153.234 SANDWICH BOARD SIGNS

Sandwich board signs are signs which are permitted to be placed on public sidewalks and which are intended for pedestrian-oriented businesses only. It is unlawful to construct, erect, or maintain any Sandwich Board Signs without complying with the following provisions:

- A. **Applicability:** Sandwich board signs shall be permitted only for ~~businesses~~ establishments which meet all of the following criteria:
 1. ~~The use of the property on which the business is located is zoned B1, B2, B3, B4, B4A, B5 or B5A~~ must be non-residential.

2. The establishment is on the ground level.
 - ~~3. The building in which the business is located is set no more than ten feet (10') back from the sidewalk on which the sandwich board sign will be located.~~
 - ~~4. The business has a customer entrance or service window which faces and is within ten feet (10') of the sidewalk on which the sandwich board sign will be located.~~
- B. Location: Sandwich board signs shall only be located within ten feet (10') of a customer entrance or service window. Sandwich board signs ~~shall~~ may be located partially or entirely on a sidewalk within a public right-of-way. A minimum of four feet (4') of public sidewalk shall remain unobstructed at all times.
- C. Size: Sandwich board signs shall be no more than ten (10) square feet in area and no more than four feet (4') in height.
- D. Design: Sandwich board signs shall be professionally made and maintained in good condition. Signs shall be of an "A"-frame or comparable design and properly weighted so as to not create a wind-blown hazard. Signs shall not have any nails, tacks, wires, or sharp metal edges protruding therefrom.
- E. Illumination: Sandwich board signs shall not be illuminated.
- F. Mixed signs prohibited: Establishments which display a sandwich board sign shall not display any temporary sign.
- G. Number: Not more than one sandwich board sign shall be permitted per business establishment except when a property abuts two or more rights-of-way, then the business shall be permitted one sign per right-of way, adjacent to a customer entrance or service window. ~~on each public sidewalk for which the Applicability requirements as set forth in Paragraph "A" above are met.~~
- H. Time Restrictions: Sandwich board signs shall not be displayed before sunrise and shall be taken down each day not later than 9:00 p.m. Sandwich board signs in the B5 & B5A Districts shall be taken down each day not later than 2:00 a.m.
- I. Bond and Insurance: No sandwich board sign shall be erected on public property without complying with the Bond and Insurance requirements set forth in Section 153.103E.
- J. Fees: Sandwich board signs shall be subject to the Administrative fee, as is established in Section 150.141A of the Code of Ordinances.

Standards for Text Amendments

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

The proposed text amendments are comprehensive in nature and would uniformly affect all zoning districts within the Village.

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

The proposed amendments are intended to recognize that there is a need to provide greater consistency when regulating signage. As opposed to requiring that a property be located within a particular zoning district; the ability to display such signs would revert to the use of the property. As such, the proposed amendments would not be applicable to all zoning districts, but be regulated by the specific use of the property.

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

The proposed amendments only address the allowable time and location of Sandwich Board Signs. As the proposed text amendments subsequently make Sandwich Board Sign provisions less restrictive, any existing non-conformities may actually be brought into closer compliance with Code.

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

The intent of the proposed amendments is not to make the Sign Ordinance more permissive or restrictive, but rather to address any practical concerns of the Sign Ordinance relative to Sandwich Board Signs. The Sign Ordinance currently places geographic restrictions on the ability to display a Sandwich Board Sign. Staff believes that these signs can also serve a similar purpose for not only businesses, but any institution. As such, staff is proposing to eliminate the certain restrictions associated with Sandwich Board Signs. The proposed amendments will not increase the size of - or ability to - display Sandwich Board Signs with other temporary signage, but rather allow a greater number of establishments the right to display Sandwich Board Signs.

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

Staff believes that the proposed text amendments are consistent with the Comprehensive Plan. An objective of the Comprehensive Plan is to improve and maintain the attractive appearance of all areas of the Village.

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

The Village has a history of amending its Zoning and Sign Ordinance to address evolving circumstances presented by petition or to clarify the intent of the Ordinance provisions. Staff was asked by the Lombard Chamber of Commerce to examine the Sign Ordinance relative to Sandwich Board Signs. As a result of the findings and input from the Plan Commission, staff believes that there is a need to amend the Sign Ordinance, particularly relating to Sandwich Board Signs. More specifically, the geographic requirements for properties to be able to display the signs and the time restrictions for businesses in the downtown are being proposed for amendment.

RECOMMENDATION

The Inter-Departmental Review Report includes a response to the standards for text amendments and finds that the petition meets the standards. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of the request as proposed:

Based on the submitted petition and the testimony presented, the proposed text amendments comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-department Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of the text amendments described in PC 10-09.

Inter-Departmental Review Group Report Approved By:

William J. Heniff, AICP
Director of Community Development