

DECEMBER 16, 2013

Title

PC 13-19

Petitioner

Village of Lombard

Property Location

Entire Village

Approval Sought

The Village requests text amendments to Section 153.602 (and any other relevant section for clarity); Section 153.209; and Section 153.237 (C), (D), and (E) of the Village of Lombard Sign Ordinance.

Prepared By

Jennifer Ganser, Assistant Director

DESCRIPTION

Staff has reviewed the definition and regulations of feather signs. Recently these signs have become popular in Lombard and surrounding communities. Sometimes this signage is used for a grand opening or other temporary event but often it is used as temporary signage to generate additional business. Staff contacted neighboring municipalities regarding their regulations on feather signs. Municipalities regulated feather signs in different ways with some prohibiting them and others allowing them with restrictions. Staff also contacted local businesses and asked about the signs effectiveness, which helped bring in more customers.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments regarding the proposed text amendments.

Fire Department:

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

Private Engineering Services:

Private Engineering Services has no comments regarding the proposed text amendments.

Public Works:

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

Planning Services Division:

Staff proposes the following text amendments in **bold and underline**. Deletions are denoted by a ~~strikethrough~~.

The only deletion is in Section 153.237 (D). Per PC 13-04 text is permitted on pennants and inflatables. The deletion addresses a section of the Sign Code staff missed in PC 13-04.

PROPOSED TEXT AMENDMENTS

§153.602 DEFINITIONS

ATTENTION GETTING DEVICE Any flag, festoon, propeller, pole covers, spinner, streamer, searchlights, and any similar device or ornamentation designated for the purposes of attracting attention, promoting or advertising.

(Ord. 6834, passed 5/16/13)

SIGN, FEATHER A freestanding type of attention getting device made of fabric or nylon affixed to a light weight pole used for attracting attention, promotion, or advertising. May also be called a flag or teardrop sign.

§153.209 ATTENTION-GETTING DEVICES

Attention-Getting Devices as defined in this Ordinance, may be permitted subject to the following provisions:

A. General Requirements

(1) Unless otherwise provided for in this ordinance, a permit must be obtained from the Village.

(2) No text or graphic symbols identifying a specific business entity exceeding thirty-six (36) square feet in total copy area shall be displayed on any surface of an attention getting device.

(3) Attention-getting devices shall only be affixed to a permanent structure, unless otherwise provided for in this ordinance.

B. Inflatables

(1) A permit must be obtained from the Village.

(2) No other attention-getting device shall be displayed or attached to the inflatable or its supports.

(3) Number: No more than one inflatable shall be permitted on the premises.

(4) Location: Inflatables may be placed on the ground or on the roof of a building no more than twenty-five (25) feet in height. When placed on the ground, inflatables and their supports shall meet the minimum building setbacks required by the zoning district in which the inflatable is located. Inflatables located on the ground and their supports shall not be located within the clear line of site area, as defined in the Lombard Zoning Ordinance. Inflatables located on the ground and their supports shall not interfere with required parking spaces.

(5) Size: When placed on the ground inflatables may not exceed twenty-five feet (25') in height, to the top of the inflatable, above the ground level. When placed on a building roof, inflatables may not exceed twenty-five (25') feet in height, to the top of the inflatable, above the roof of the building.

(6) Separation Between Buildings, Signs, and Other Structures: Inflatables shall not be located closer than ten feet (10') from any overhead utility line. When placed on the ground, inflatables shall not be located closer than four feet (4') to any other building or sign.

(Ord. 6650, passed 9/15/11; Ord. 6834, passed 5/16/13)

C. Feather Signs

- (1) A permit must be obtained from the Village.
- (2) No other attention-getting device shall be displayed concurrently or attached to the feather sign or its supports.
- (3) Number: No more than one feather sign shall be permitted per business.
- (4) Location: Feather signs are permitted only on private property and shall not be located within the clear line of sight area, as defined in the Lombard Zoning Ordinance. Feather signs and their supports shall not interfere with required parking spaces.
- (5) Size: Feather signs may not exceed thirty-six square feet in area.
- (6) Design: Feather signs shall be freestanding and be properly anchored so as to not create a wind-blown hazard. Feather signs shall not have any nails, tacks, wire, or sharp metal edges protruding therefrom.

§153.237 TEMPORARY SIGNS

The provisions of this Section shall regulate all Temporary Signs, with the exception of Temporary Signs which are specifically described and regulated in other sections of this Code. (See Sections 153.205 and 153.206 of this Code, entitled, "Signs Not Subject to Permit Fee" and "Signs Not Subject to Permit"). It is unlawful to construct, erect, or maintain any Temporary Signs without complying with the following provisions:

(A) Location:

- (1) Non-Residential Districts: Temporary Signs shall only be affixed to the following permanent structures: façade of a principal structure, wall of an accessory structure, fence, permanent freestanding sign, or shopping center identification sign, **unless otherwise provided for**. Temporary Signs shall only be affixed to a single structure at all corners of the sign and shall not be erected in a manner in which the sign is suspended and/or extending the distance between two (2) separate structures.
- (2) Residential Districts: In addition to the regulations outlined in Section 153.237(A)(1) above, Temporary Signs shall also be permitted to be affixed to the ground provided that the sign is securely erected.
- (3) All Districts: No Temporary Signs shall be located in or on the public right of way, sidewalk or other public thoroughfare. No signs shall be located in the clear line of sight area, as defined in the Lombard Zoning Ordinance (Chapter 155 of this Code). Inflatable Signs may be erected on top of structures or on the ground. Inflatable Signs erected on the ground shall not be tethered or otherwise suspended above the ground, but shall be fastened directly to the ground without any vertical clearance between the Inflatable Sign and the ground.

(B) Construction: Temporary Signs must be maintained in a structurally safe and presentable manner.

(C) Duration: Temporary Signs shall be allowed for the specified periods set forth below:

- (1) Inflatable Signs: No inflatable sign shall be permitted on the same parcel for a period of more than seven (7) consecutive days in any year, or for more than a total of fourteen (14) days in any year.

(2) Pennants: No pennants shall be permitted on the same parcel for a period of more than fourteen (14) consecutive days in any year, or for more than a total of fifty-six (56) days in any year.

(3) Banners: Up to eight (8) temporary permits may be issued for any one business in any calendar year, provided that the total of all permits issued does not exceed one hundred twenty (120) days in any calendar year.

(4) Window Signs: There shall be no time restriction placed on any window sign that is maintained in a safe and presentable manner.

(5) Feather Signs: One permit may be issued for any one business, provided that the total number of days does not exceed fourteen (14) consecutive days in any calendar year.

(D) Permitted Temporary Signs By Sign Type And Property Type: Temporary Signs shall be allowed in the Village in accordance with the following table:

PERMITTED TEMPORARY SIGNS BY SIGN TYPE AND PROPERTY TYPE

| Sign Type | Multiple-Family Dwellings; on lots less than 1 acre in area, Attached Dwellings, Two-Family Dwellings, Detached Dwellings: | All Other Areas |
|-----------------------|--|-----------------|
| Pennants | P [#] | P [#] |
| Banners | N | P |
| Inflatable | N | P [#] |
| Window | Y ⁱ | Y |
| <u>Feather</u> | <u>N</u> | <u>P</u> |

- Y = Allowed without sign permit.
- P = Allowed only with sign permit.
- N = Not allowed.

(i) = No commercial message allowed on sign, except for a commercial message drawing attention to an activity currently and legally offered on the premises.

(ii) ~~— No text, graphic, logo or symbol shall be displayed on any surface.~~

(E) Permitted Number And Size Of Temporary Signs By Sign Type: The number and size of Temporary Signs shall be allowed in accordance with the following table:

PERMITTED NUMBER AND SIZE OF TEMPORARY SIGNS BY TYPE

| Sign Type | Number Allowed | Maximum Sign Area | Height |
|-----------------------|--|--|-----------------------------|
| Pennants | n/a | n/a | n/a |
| Banners | One (1) per street exposure | Thirty-two (32) sq. ft. | n/a |
| Inflatable | One (1) per business | n/a | Twenty- five (25) ft. |
| Window | n/a | Total area of all signs shall not exceed twenty percent (20%) of total window area. | n/a |
| <u>Feather</u> | <u>One (1)</u> <u>per</u> <u>business</u> | <u>Thirty-six</u> <u>(36) sq. ft.</u> | <u>n/a</u> |

n/a =Not applicable.”

(Ord. 4700, passed 9/2/99; Ord. 5600, passed 1/20/05; Ord. 5656, passed 6/2/05; Ord. 6412, passed 11/19/09)

STANDARDS FOR TEXT AMENDMENTS

For any change to the Zoning Ordinance, the standards for text amendments must be affirmed. The standards and staff comments are noted below:

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 amendments will be applicable throughout 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 text amendments limit the number and duration but still allow for feather signs in the Village.

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

The proposed amendments would create no nonconformities as the proposed regulations are an addition to current regulations and relate to temporary attention getting devices.

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

The proposed amendments will not make the ordinance more permissive since additional, more restrictive, regulations are being proposed.

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

Staff finds that the proposed amendments would be consistent with the Comprehensive Plan.

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

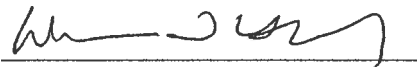
The Village has a history of amending its Sign Ordinance to address evolving circumstances presented by petition or by recognizing a desire to amend the code to address desired code regulations. The proposed amendments are consistent with established Village policy in this regard.

FINDINGS & RECOMMENDATIONS

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 13-19.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

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