

**VILLAGE OF LOMBARD**  
**INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission

HEARING DATE: May 16, 2005

FROM: Department of Community  
Development

PREPARED BY: Michelle Kulikowski  
Associate Planner

**TITLE**

**PC 05-15; Text Amendments to the Lombard Zoning Ordinance:** The Village of Lombard requests text amendments to the following sections of the Sign Ordinance to refine the restrictions related to the display of Banners and Temporary Signs. Subsequently, any cross-references to the sections listed below will also be amended accordingly.

1. Section 153.103 Administrative Procedures
2. Section 153.236 Temporary Signs
3. Section 153.602 Definitions

**BACKGROUND**

The Village is proposing text amendments to selected sections of the Sign Ordinance as it relates to selected types of temporary signage. The proposed amendments are being brought forth to address discrepancies within the existing Ordinance as well as to better differentiate and define temporary signage within the community. From an aesthetic and design standpoint, the amendments are also intended to place greater restriction of the location and design of temporary signage.

The standards for text amendments are provided in Appendix A. A narrative describing the amendments is provided within the report and with the proposed amendments itself.

**INTER-DEPARTMENTAL REVIEW COMMENTS**

**Private Engineering Services**

The Private Engineering Services Division has no comments.

**Engineering - Public Works**

The Department of Public Works has no comments.

**Fire and Building**

The Fire Department/Bureau of Inspectional Services has no comments.

## **Planning**

The proposed text amendments are intended to address the following issues:

### *Differentiation Between Portable and Temporary Signs*

Staff has had some difficulty in the enforcement and regulation of temporary commercial signs. The current language in the Sign Ordinance makes it difficult to distinguish between temporary and portable signs. The definition of Temporary Signs refers to the manner in which the sign must be installed so temporary signs cannot be construed as portable signs. However, a portable sign can easily be converted into a temporary sign by sinking a pole into concrete and/or attaching the temporary sign to a pole at least 48 inches in depth. Staff believes that the intent of the ordinance is to restrict or limit the applicability placement of such signs on properties.

### *Aesthetic Concerns*

Staff has also noticed a problem with the unprofessional manner in which some temporary signs are affixed to the ground. Without narrower regulations on how and where temporary signs can be placed, the number of temporary signs has been increasing and creates visual clutter. The Sign Ordinance amendments propose to address the manner in which temporary signs are installed and creates clearer definitions for temporary and portable signs.

The amendments would place greater location restrictions for such signs. The proposed amendments will prevent temporary signs as free standing structures within commercial districts – such signs will need to be placed on exterior building walls or attached to the permitted free-standing sign itself.

### *Banner Sign Limitations*

Staff has also noticed several businesses using banners (a type of temporary sign) to serve as business identification signs. These businesses will typically use all of their allowable time for displaying banners on one permit for the banner identifying the business. Often businesses continue displaying the banner beyond the expiration of the permit. The proposed amendments limit the amount of time that a banner may be used as a business identification sign and ties the banner to the “permanent” sign.

### *Motor Vehicle Promotional Signage*

Classifying promotional signage displayed at auto dealerships has also been difficult. While the interpretation could be made that this type of signage constitutes vehicle signage, which is prohibited by code, it is frequently considered an integral part of the motor vehicle sales element. However, as a practical matter, such establishments frequently include signage placed on their product (e.g., the price of the vehicle, special deals, etc.).

However, because of the unique nature of auto dealerships, staff feels the alternative parameters for temporary promotional signs would be more appropriate. The Sign Ordinance already creates

special signage provisions for gas stations, in the form of “Motor Fuel Promotional Signage”. The proposed amendments are intended to provide greater flexibility for motor vehicle dealerships with approved conditional uses.

### **PROPOSED TEXT AMENDMENTS**

For the purpose of comparison and reference, staff has included the relevant Sections of the Zoning Ordinance. **Proposed changes to the ordinances are denoted by striking out old text and underlining new text. Additional staff discussion regarding the proposed changes is included in *italics*.**

#### **§153.103 ADMINISTRATIVE PROCEDURES**

##### (B) Permit Issuance

- (1) Review of Applications: It shall be the duty of the Director, upon the filing of application for a permit, to examine such plans and specifications and other data related to proposed erection of the sign and the sign structure. If it appears that the proposed sign and sign structure is in compliance with all the requirements of this ordinance, and there are no violations of any other ordinances of the Village, the permit shall then be issued. ~~The time limitations for permits issued under this ordinance shall be as established in the Building Code of the Village.~~
- (2) Denial and revocation of Permit: When a permit is denied by the Director, a written notice shall be given to the applicant along with a brief statements of the reasons for denial. The Director may suspend or revoke a permit for any false statement or misrepresentation.
- (3) Void if Work not Commenced: A permit issued by the Village ~~Director~~ becomes null and void if work is not commenced within ~~365 days of issuance~~ the time period prescribed within Section 150.142 of the Code of Ordinances.

*This amendment is proposed to remove time conflicts within the Village’s Building Code, (Section 150.142 of the Code of Ordinances).*

- (4) Temporary Sign Permits; Permits for a temporary sign shall be limited to the time period set forth within the Sign Ordinance for the respective type of temporary sign. ~~thirty (30) days or less as determined by the Director.~~ Such signs shall be removed within twenty-four (24) hours after the expiration of the permit unless a new permit is obtained. ~~No more than four (4) temporary permits shall be issued for any one business in any calendar year.~~

*These amendments are proposed to eliminate conflicts between the time period requirements within the Ordinance.*

- (a) Up to eight (8) temporary permits may be issued for any one establishment in any calendar year, provided that the total of all permits issued does not exceed one hundred twenty (120) days in any calendar year. Temporary sign permits associated with a special event permit application shall not be included within the one hundred twenty (120) day limitation.
- (b) A non-renewable permit for a period of up to sixty (60) days may be issued for a temporary sign in lieu of a permanent wall sign, provided that a permit for a future permanent wall sign has been submitted.

*Section 153.103(B)(4)(b) has been added to limit the time frame that a business can use a banner to serve as a wall signs to identify the business establishment. This amendment will preclude businesses from making banner signs permanent signs for their respective establishments. However, it still provides flexibility for new business moving into Lombard for interim signage while their new signs are fabricated.*

#### **§153.224 MOTOR VEHICLE PROMOTIONAL SIGN**

It is unlawful to construct, erect, or maintain any Motor Vehicle Promotional Signs without complying with the following provisions:

- (A) Display of any Motor Vehicle Promotional Signage shall only be permitted in conjunction with the retail sale of motor vehicles with an approved conditional use for motor vehicle sales.
- (B) Area: No Motor Vehicle Promotional Sign shall exceed sixteen (16) square feet in sign area. The area of the sign shall not be included in the total sign area when determining compliance with the maximum sign area limitations for permanent signs.
- (C) Location
  - (1) The leading edge of the sign shall not protrude beyond the edge of any right-of-way.
  - (2) Placement of signs shall not obstruct the view of vehicles entering, exiting, or traveling on the public right-of-way and shall not interfere with the maneuvering of vehicles on site.

*Rather than folding these provisions into the definition of temporary signage, staff is recommending that it be reclassified as its own special signage requirements.*

### **§153.236 TEMPORARY SIGNS**

The provisions of this Chapter 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 & 153.206, 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) Area: No temporary sign shall exceed thirty-two (32) square feet in sign area. The area of the temporary sign shall not be included in the total sign area when determining compliance with the maximum sign area limitations for permanent signs.
- (B) Number: Not more than one temporary sign, as defined by this Chapter, shall be permitted per establishment on a parcel of property, except when a property abuts two or more streets, then one (1) sign shall be permitted for each street frontage.

(C) 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. 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 separate structures.
- (2) Residential Districts: In addition to the regulations outlined in Section 153.235(C)(1) above, Temporary signs shall also be permitted to be affixed to the ground provided that the sign is securely erected.

*Section 153.235(C) was inserted to address the location of temporary signs. Subsections pertaining to permit limitations, insurance requirements and permit fees will be subsequently re-lettered. The proposed regulations will only allow banners and temporary signs to be affixed to certain permanent structures. These structures include the façade of a principal structure, wall of an accessory structure, fence, permanent freestanding sign, or shopping center identification sign. This will help insure that temporary signs and banners are not located within the public right of way or clear line of sight area. Affixing temporary signs and banners to traffic signs and*

*light posts would not be permitted. Other measures within Section 153.235(C) ensure that signs and banners are securely erected in aesthetically pleasing manner. The text amendments to Section 153.235(C) include regulations that require signs and banners to be affixed at all corners. Also, temporary signs and banners can only be affixed to a single structure and can not be installed in a manner in which the sign or banner is suspended or extending between two separate structures. The amendments allow temporary signs to be affixed to the ground in residential districts because temporary signs pose less of an impact in residential districts and would likely be associated with temporary off-premise signage for not-for-profit institutions permitted by Section 153.103 (B)(6) of the Sign Ordinance.*

## **§153.602 DEFINITIONS**

**SIGN, BANNER** A temporary sign made of fabric or any non-rigid material with no enclosing framework.

*Staff amended the definition for banner to include the word temporary to clarify that banners are a type of temporary sign and are subject to the same regulations as temporary signs outlined in Section 153.235.*

**SIGN, MOTOR VEHICLE PROMOTIONAL** A temporary sign located on the site of business engaged in the retail sale of motor vehicles to promote goods or services to persons already upon the site. Provided that the signage is specifically for the sale of motor vehicles on the premises, motor vehicle promotional signs shall not be considered vehicle signs.

*A definition for motor vehicle promotional signs was added to distinguish temporary signs for auto dealerships from temporary signs in general. Because of the unique nature of auto dealerships, as implied by the requirement for conditional use approval, staff feels that separate regulations for auto dealerships is appropriate.*

**SIGN, TEMPORARY** ~~A banner sign made of fabric or any non-rigid material with no enclosing framework, or a rigid sign not constructed or intended for long term use, but whose support structure in all ways meets the requirements for a permanent sign. Banner signs shall be firmly attached at all four (4) corners. Rigid temporary signs shall be attached to a permanent structure such as a building, wall, or post placed to a depth of not less than 48 inches below grade. Temporary signs shall not include portable signs. Signs specifically listed in Sections 153.225, 153.227, 153.229 and 153.231 of this Code shall be considered temporary signs. A non-permanent sign erected, affixed or maintained on a premises for a intermittent period of time.~~

*Staff also amended the definition of temporary sign. The current definition refers to how the sign is constructed, and according to this definition, a portable sign can easily be converted to a temporary sign. The proposed definition refers to the nature of the sign rather than how the sign is constructed. Staff feels that regulations pertaining to the construction and/or installation of temporary signs would be more appropriate in Section 153.235 Temporary Signs.*

**SIGN, VEHICLE** Any advertising or business sign painted on, or attached to, a motor vehicle which is parked and placed in position for the purpose of displaying the same to the public, or not regularly and customarily used to transport persons or property for business use. Vehicle signs shall include political campaign signs. For the purposes of this ordinance, Motor Vehicle Promotional Signs shall not be classified as Vehicle Signs.

*This provision distinguished Motor Vehicle Promotional Signs from Vehicle Signs, thus allowing auto dealerships to affix Motor Vehicle Promotional Signs to automobiles which are on display for retail purposes.*

## **FINDINGS AND RECOMMENDATIONS**

Based on the above findings, 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 proposal does comply with the standards required by the Lombard Zoning and Sign Ordinances, and, therefore, I move that the Plan Commission find that the recommendations of the Inter-Departmental Review Report are the findings of the Plan Commission and therefore, the Plan Commission recommends to the Corporate Authorities **approval** of PC 05-15.

Inter-Departmental Review Group Report Approved By:

---

David A. Hulseberg, AICP  
Director of Community Development

DAH:MK

att

H:\CD\WORDUSER\PCCASES\2005\PC 05-15\Report 05-15.doc

## **Appendix A** **Standards for Text Amendments**

- 1. The degree to which the proposed amendments has general applicability within the Village of Lombard at large and not intended to benefit a specific property;*

The proposed text amendments relating to Temporary Signs and Motor Vehicle Promotional Signs will have general applicability. All businesses in Lombard will be subject to the Temporary Sign regulations and all auto dealers will be subject to the same Motor Vehicle Promotional Sign regulations.

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

The original intent of the amended sections of the Sign Ordinance is to regulate non-permanent signage. The Ordinance allows temporary signs, but includes regulations that address aesthetic and safety concerns. The Ordinance construes portable signs as a nuisance.

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

By the very nature of temporary sign, any non-conformities that are created will be temporary and only exist until the current temporary sign or banner permit expires.

- 4. The degree to which the proposed amendment would make this ordinance more permissive;*  
The proposed amendments would give greater flexibility to auto dealerships with promotional signage. Because of the size of auto dealerships, increased signage will impose less of an impact. The amendments pertaining to temporary signs will be more restrictive relative to installation.

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

The amendments can provide a visual enhancement to commercial corridors as expressed within the Plan.

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

The proposed test amendments will in fact create a consistent village policy for the permitting and enforcement of temporary signs and banners.