

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: David A. Hulseberg, Village Manager *DAH*  
DATE: October 20, 2010 (BOT) Date: November 4, 2010  
TITLE: PC 10-09: Text Amendments to the Sign Ordinance (Sandwich Board Signs)  
SUBMITTED BY: Department of Community Development *[Signature]*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendations relative to the Village Board's remand for further consideration and discussion relative to the following specific issues:

1. Should all non-residential establishments in the downtown have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?  
*Recommendation: The Plan Commission recommended approval to amend the proposed language to allow all non-residential establishments, regardless of their zoning, the ability to display a Sandwich Board Sign within ten feet (10') of the "establishment and/or outdoor service area". The proposed amendment would address the concern raised by the Village Board for businesses whose tenant space is adjacent to the right-of-way, but their customer entrance is setback greater than 10'. The proposed amendment would apply to all zoning districts.*
2. Should all non-residential establishments (outside of the downtown area) have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?  
*Recommendation: The Plan Commission unanimously recommended against allowing non residential businesses the ability to display a Sandwich Board Sign any closer to the street than allowed (10' away from the "establishment"). The Plan Commission felt that allowing all businesses the ability to have a Sandwich Board Sign, regardless of its location to the establishment, adjacent to the right-of-way, could create visual clutter.*
3. Should establishments that are not located on ground floor have rights to display a Sandwich Board Sign?  
*The Plan Commission recommended approval to amend the proposed language to allow non-residential establishments not located on the ground level in the B5 & B5A Zoning Districts only, the ability to have a Sandwich Board Sign.*

Please place this item on the November 4, 2010 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <i>David A. Hulseberg</i>	Date <i>10/27/10</i>

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:** David A. Hulseberg, Village Manager

**FROM:** William Heniff, AICP, Director of Community Development *W*

**DATE:** November 4, 2010

**SUBJECT: PC 10-09: Text Amendments to the Sign Ordinance Remand (Sandwich Board Signs)**

At the August 19, 2010 Village Board meeting, the Village Board remanded PC 10-09 back to the Plan Commission for further consideration and discussion related to the following specific issues:

1. ***Should all non-residential establishments in the downtown have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?*** The Plan Commission recommended approval to amend the proposed language to allow all non-residential establishments, regardless of their zoning, the ability to display a Sandwich Board Sign within ten feet (10') of the "establishment and/or outdoor service area". The proposed amendment would address the concern raised by the Village Board for businesses whose tenant space is adjacent to the right-of-way, but their customer entrance is setback greater than 10'. The proposed amendment would apply to all zoning districts.
2. ***Should all non-residential establishments (outside of the downtown area) have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?*** The Plan Commission unanimously recommended against allowing non residential businesses the ability to display a Sandwich Board Sign any closer to the street than allowed (10' away from the "establishment"). The Plan Commission felt that allowing all businesses the ability to have a Sandwich Board Sign, regardless of its location to the establishment, adjacent to the right-of-way, could create visual clutter.
3. ***Should establishments that are not located on ground floor have rights to display a Sandwich Board Sign?*** The Plan Commission recommended approval to amend the proposed language to allow non-residential establishments not located on the ground level in the B5 & B5A Zoning Districts only, the ability to have a Sandwich Board Sign.

Please see the attached referral letter for specific Plan Commission discussion related to the three (3) items noted above.

**Attachments**

Attached please find the following additional items for Village Board consideration as part of the November 4, 2010 Village Board meeting:

1. Copies of the IDRC staff report dated June 21, 2010 and the Plan Commission remand memo dated October 18, 2010;
2. Minutes and notes of the May 17, 2010 and June 21, 2010 Commission meetings;
3. Minutes of the August 19, 2010 Village Board Meeting; and
4. An Ordinance approving text amendments to the Lombard Zoning Ordinance.

**Recommendation**

At their October 18, 2010 meeting, the Plan Commission unanimously recommended approval of the text amendments associated with PC 10-09, as outlined in the attached Ordinance.

Please place this petition on the November 4, 2010 Board agenda. If any Board members would like additional copies of any information previously transmitted to the Board, please let me know.

November 4, 2010

Mr. William J. Mueller,  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: PC 10-09: Text Amendments to the Sign Ordinance**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard is proposing text amendments to Section 153.234 of the Lombard Sign Ordinance amending the provisions for Sandwich Board Signs.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on June 21, 2010 and made a recommendation to the Village Board for consideration.

At the August 19, 2010 Village Board meeting, the Village Board remanded PC 10-09 back to the Plan Commission for further consideration and discussion related to the following specific issues:

1. **Should all non-residential establishments in the downtown have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?** The Village Board raised concerns about the proposed text amendments with regard to the ten feet (10') setback requirement adjacent to customer service entrances or windows. The Board stated that there are businesses located in the downtown, which would not benefit from the proposed text amendments as their customer service entrances or windows are located a greater distance from the sidewalk.
2. **Should all non-residential establishments (outside of the downtown area) have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?** The Village Board stated that the proposed ten (10) foot setback from the customer service entrance or window area may not provide adequate right of way exposure for all non-residential establishments, specifically those located along Roosevelt Road. The Board cited X-Sport Fitness and other businesses located within the Hobby Lobby Plaza Shopping Center.

3. **Should establishments that are not located on ground floor have rights to display a Sandwich Board Sign?** The Village Board raised concerns about whether or not businesses that are not located on the ground level should be afforded rights to a Sandwich Board Sign.

The Plan Commissioners are asked to review this information and offer a recommendation back to the Village Board accordingly.

The petition was heard at the October 18, 2010 Plan Commission meeting. Christopher Stilling opened the discussion by mentioning that this item was remanded back to the Plan Commission. He referenced the 3 items that the Board of Trustees remanded back for discussion and further recommendation. He stated that any comments should be related to these items.

Mr. Stilling then summarized the first item:

1. *Should all non-residential establishments in the downtown have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?*

Mr. Stilling provided additional background on the matter stating that the Village Board raised concerns about the proposed text amendments with regard to the ten foot (10') setback requirement adjacent to customer service entrances or windows. The Board stated that there are businesses located in the downtown, which would not benefit from the proposed text amendments as their customer service entrances or windows are located a greater distance from the sidewalk, such as Capone's or Praga/Bon Ton. Staff believes that Sandwich Board Signs are intended to address pedestrian-oriented traffic. As the downtown caters to pedestrian traffic, staff believes that non-residential establishments in the downtown should be afforded the right to display a Sandwich Board Sign adjacent to the sidewalk. As such, staff has further amended the proposed text amendments to allow non-residential establishments the ability to display a Sandwich Board Sign adjacent to the "establishment", rather than the customer service entrance or window.

Mr. Stilling referenced some draft language provided by staff stating that this revision allows businesses within the downtown area to display Sandwich Board Signs directly adjacent to their building or tenant space frontage - therefore closer to the sidewalk. For example, Capone's Restaurant is located along St. Charles, with the building and tenant space located up along the right of way. However, their customer entrance is greater than 40' away. Under the previous provisions, Capone's would not have been able to have a Sandwich Board Sign on or near the sidewalk. The revised text amendment would allow them to now have a sandwich board sign within the sidewalk, to the north of their building. Staff notes that this amendment would also apply to all non-residential establishments that are eligible to display a Sandwich Board Sign.

Chairperson Ryan then opened the meeting for comments among the Commissioners relative to item #1.

Chairperson Ryan asked staff to clarify if the proposed changes to the “establishment”, meant that some businesses located in the downtown that are located towards the back of the building would still not be able to have a sign within the right-of-way. Mr. Stilling clarified by stating that some businesses, such as Capone’s, have direct frontage along the street, but their entrance is further back. The proposed new language would allow them to now have a sign. However other businesses, which do not have frontage on the street, would be allowed to have a sign, provided that it was within 10’ of their tenant space.

Commissioner Sweetser supported the proposed new language stating that certain businesses that have direct frontage along the street paid a premium for that exposure. Commissioner Burke agreed and said that he would not want to see the sidewalk lined up with sandwich board signs for all businesses, unless they are within 10 feet.

The Plan Commission recommended approval to amend the proposed language to allow all non-residential establishments, regardless of their zoning, the ability to display a Sandwich Board Sign within ten feet (10’) of the “establishment and/or outdoor service area”. The proposed amendment would address the concern raised by the Village Board for businesses whose tenant space is adjacent to the right-of-way, but their customer entrance is setback greater than 10’. The proposed amendment would apply to all zoning districts.

Mr. Stilling summarized item #2:

2. *Should all non-residential establishments (outside of the downtown area) have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?*

Mr. Stilling said that the Village Board stated that the proposed ten (10’) foot setback from the customer service entrance or window area may not provide adequate right of way exposure for all non-residential establishments, specifically those located along Roosevelt Road. The Board cited X-Sport Fitness and other businesses located within the Hobby Lobby Plaza Shopping Center as an example. As previously stated, staff believes that Sandwich Board Signs are intended to address pedestrian-oriented traffic. On the contrary, staff feels that non-residential establishments located outside of the downtown already have sufficient signage mechanisms, such as banners, which are specifically intended to capture the attention of automobile traffic. Furthermore, the current permanent signage provisions allow businesses outside the downtown area, greater rights to larger freestanding and wall signs. Additional rights are also afforded to a business if they are setback at greater distances.

Mr. Stilling stated that staff believes those establishments located outside of the downtown should not be able to display a Sandwich Board Sign any closer to the street than allowed (10’ away from the establishment) as it could create visual clutter along the right of way. The intent to allow Sandwich Board Signs in other areas outside of the downtown was to cater to the customers already within the shopping center. Staff notes that the Code does not allow establishments, which display a sandwich board sign, the right to display any other temporary sign. Therefore, if a business was displaying a banner (or other temporary sign) they could not display a Sandwich Board Sign. Mr. Stilling asked the Commissioners if they supported granting

additional rights to non-residential establishments to allow all of them the ability to have a sandwich board sign up along the right-of-way.

Chairperson Ryan then opened the meeting for comments among the Commissioners relative to item #2.

The Plan Commission unanimously recommended against allowing non residential businesses the ability to display a Sandwich Board Sign any closer to the street than allowed (10' away from the "establishment"). The Plan Commission felt that allowing all businesses the ability to have a Sandwich Board Sign, regardless of its location to the establishment, adjacent to the right-of-way, could create visual clutter.

Mr. Stilling summarized item #3:

***3. Should establishments that are not located on ground floor have rights to display a Sandwich Board Sign?***

Mr. Stilling stated that the Village Board raised concerns about whether or not businesses that are not located on the ground level should be afforded rights to a Sandwich Board Sign. The Code has always required establishments must to be located on ground level in order to display a Sandwich Board Sign. The proposed text amendments did not change this provision. There are a number of businesses in Lombard that are either located on a second floor (or higher) or below ground level. Staff believes that maintaining this provision in its current state will prevent unnecessary visual clutter that could be a result of an excessive amount of Sandwich Board Signs. If the Plan Commission finds that non-residential establishments, not located on the ground level, should be afforded rights to a Sandwich Board Sign, the provision should only be applicable to properties within the B5 and B5A districts. Staff also referenced some draft language for the Plan Commission to consider.

Chairperson Ryan then opened the meeting for comments among the Commissioners relative to item #3.

Commissioner Sweetser stated that there are a few businesses within the downtown that are located on the lower level of the building and that their only sign is a sandwich board sign. She expressed a concern about limiting it to only businesses on the ground level. Mr. Stilling also reference the building at 3-15 N Main Street which has several businesses located on the second floor.

Several of the Commissioners supported allowing businesses not on the ground level the ability to have a sandwich board sign. They cited that the provisions still require a permit and staff has the ability to work with them to ensure signs are placed in the proper locations.

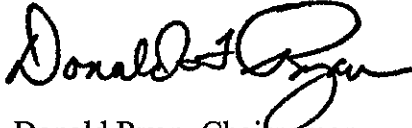
The Plan Commission agreed with the draft language provided by staff and recommended approval to amend the proposed language to allow non-residential establishments not located on the ground level in the B5 & B5A Zoning Districts only, the ability to have a Sandwich Board Sign.



On a motion by Commissioner Burke and a second by Commissioner Cooper, the Plan Commission voted 5 to 0 that the Village Board **approve** the text amendments associated with PC 10-09, as outlined in the attached exhibit B, as amended to include the provisions which allow non residential uses not on the ground floor located in the B5 & B5A District be permitted to have a sandwich board sign provided that it meets all other provisions in the Ordinance.

Respectfully,

**VILLAGE OF LOMBARD**

A handwritten signature in black ink, appearing to read "Donald Ryan", written over a horizontal line.

Donald Ryan, Chairperson  
Lombard Plan Commission

c. Petitioner  
Lombard Plan Commission





## MEMORANDUM

**TO:** LOMBARD PLAN COMMISSION  
Donald Ryan, Chairperson

**FROM:** Christopher Stilling, AICP  
Assistant Director of Community Development

**DATE:** October 18, 2010

**SUBJECT:** **PC 10-09: Text Amendments to the Lombard Sign Ordinance pertaining to Sandwich Board Signs**

At the August 19, 2010 Village Board meeting, the Village Board remanded PC 10-09 back to the Plan Commission for further consideration and discussion related to specific issues. The petition is scheduled to be heard at the October 18, 2010 Plan Commission meeting. This memorandum outlines the process and steps associated with this action and provides direction to the Commissioners relative to this petition.

### **BACKGROUND**

Staff conducted a Plan Commission workshop session for direction regarding Sandwich Board Signs at their May 17, 2010 meeting. The following is a summary of the findings at the workshop:

- The Plan Commission was comfortable with the location and applicability requirements of the current sandwich board sign regulations.
- The Plan Commission expressed a concern about allowing 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.

After direction from the Plan Commission was obtained, staff brought the amendments back to the Plan Commission at their June 21, 2010 meeting for a formal recommendation. The Plan Commission recommended approval of the proposed text amendments, specifically related to the following:

- **Applicability-** Allow all non-residential properties, regardless of zoning, the opportunity to have a Sandwich Board Signs.
- **Sign Location-** Sandwich Board Signs may be located on private property, provided that it was within ten feet (10') of a customer entrance or service window.
- **Time Restrictions-** Changes were proposed to allow sandwich board signs to be up until 2AM in the B5 and B5A districts.

The recommendation from the Plan Commission was formally discussed at the August 19, 2010 Village Board meeting. The Village Board expressed some concerns about the proposed changes and remanded this item back to the Plan Commission for further review and consideration. Specifically, the Village Board directed the Plan Commissioners to review the following items:

1. **Should all non-residential establishments in the downtown have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?** The Village Board raised concerns about the proposed text amendments with regard to the ten feet (10') setback requirement adjacent to customer service entrances or windows. The Board stated that there are businesses located in the downtown, which would not benefit from the proposed text amendments as their customer service entrances or windows are located a greater distance from the sidewalk.
2. **Should all non-residential establishments (outside of the downtown area) have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?** The Village Board stated that the proposed ten (10) foot setback from the customer service entrance or window area may not provide adequate right of way exposure for all non-residential establishments, specifically those located along Roosevelt Road. The Board cited X-Sport Fitness and other businesses located within the Hobby Lobby Plaza Shopping Center.
3. **Should establishments that are not located on ground floor have rights to display a Sandwich Board Sign?** The Village Board raised concerns about whether or not businesses that are not located on the ground level should be afforded rights to a Sandwich Board Sign.

The Plan Commissioners are asked to review this information and offer a recommendation back to the Village Board accordingly.

#### **REFERENCE MATERIALS**

For the Commissioner's reference, staff is providing a copy of the following information:

1. Copies of the IDRC staff report as previously presented to the Commissioners;

2. Minutes and notes of the May 17, 2010 and June 21, 2010 Plan Commission meetings;
3. Minutes of the August 19, 2010 Village Board Meeting;
4. Exhibit A- text amendments reflecting the Plan Commission recommendation from the June 21, 2010 meeting.
5. Exhibit B- text amendments reflecting staff changes, dated 10/13/10.

### **MEETING FORMAT**

The format of the Plan Commission meeting will be as follows:

1. Staff will outline the reason for the remand and will note the actions to be considered as part of the meeting. Staff will provide a very brief history of the petition and will summarize the zoning actions associated with the petition.
2. Staff will then present the details of the remand memorandum. Once completed, an opportunity to cross-examine staff by anyone in the public will be provided.
3. After completion of the cross-examination, the public participation period will be closed. The Plan Commissioners shall then be given an opportunity to discuss the petition. Questions may be asked to staff or objectors. The Plan Commission should provide a response to the additional signage issues raised by the Board of Trustees.
4. The Plan Commissioners shall then vote to uphold their original recommendation or amend their recommendation as deemed necessary. The Commissioners could amend the language as they deem appropriate.
5. The recommendation will be forwarded to the Village Board for their final consideration.

### **STAFF REVIEW**

Staff has reviewed each of the items identified by the Village Board and offers the following corresponding comments:

1. ***Should all non-residential establishments in the downtown have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?***

As previously mentioned, the Village Board raised concerns about the proposed text amendments with regard to the ten foot (10') setback requirement adjacent to customer service entrances or windows. The Board stated that there are businesses located in the

downtown, which would not benefit from the proposed text amendments as their customer service entrances or windows are located a greater distance from the sidewalk, such as Capone's or Praga/Bon Ton. Staff believes that Sandwich Board Signs are intended to address pedestrian-oriented traffic. As the downtown caters to pedestrian traffic, staff believes that non-residential establishments in the downtown should be afforded the right to display a Sandwich Board Sign adjacent to the sidewalk. As such, staff has further amended the proposed text amendments to allow non-residential establishments the ability to display a Sandwich Board Sign adjacent to the "establishment", rather than the customer service entrance or window. The updated amendment is as follows:

- B. Location: Sandwich board signs shall be located within ten feet (10') of the establishment and/or outdoor service area. 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.

As proposed, this revision allows businesses within the downtown area to display Sandwich Board Signs directly adjacent to their building or tenant space frontage - therefore closer to the sidewalk. For example, Capone's Restaurant is located along St. Charles, with the building and tenant space located up along the right of way. However, their customer entrance is greater than 40' away. Under the previous provisions, Capone's would not have been able to have a Sandwich Board Sign on or near the sidewalk. The revised text amendment would allow them to now have a sandwich board sign within the sidewalk, to the north of their building. Staff notes that this amendment would also apply to all non-residential establishments that are eligible to display a Sandwich Board Sign.

2. ***Should all non-residential establishments (outside of the downtown area) have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?***

The Village Board stated that the proposed ten (10') foot setback from the customer service entrance or window area may not provide adequate right of way exposure for all non-residential establishments, specifically those located along Roosevelt Road. The Board cited X-Sport Fitness and other businesses located within the Hobby Lobby Plaza Shopping Center as an example. As previously stated, staff believes that Sandwich Board Signs are intended to address pedestrian-oriented traffic. On the contrary, staff feels that non-residential establishments located outside of the downtown already have sufficient signage mechanisms, such as banners, which are specifically intended to capture the attention of automobile traffic. Furthermore, the current permanent signage provisions allow businesses outside the downtown area, greater rights to larger freestanding and wall

signs. Additional rights are also afforded to a business if they are setback at greater distances.



**Hobby Lobby Plaza (Roosevelt Road Corridor) with Superimposed Sandwich Board Signs**

As such, staff believes that those establishments located outside of the downtown should not be able to display a Sandwich Board Sign any closer to the street than allowed (10' away) as it could create visual clutter along the right of way. The intent to allow Sandwich Board Signs in other areas outside of the downtown was to cater to the customers already within the shopping center. Staff notes that the Code does not allow establishments, which display a sandwich board sign, the right to display any other temporary sign. Therefore, if a business was displaying a banner (or other temporary sign) they could not display a Sandwich Board Sign.

**3. *Should establishments that are not located on ground floor have rights to display a Sandwich Board Sign?***

The Village Board raised concerns about whether or not businesses that are not located on the ground level should be afforded rights to a Sandwich Board Sign. The Code has always required establishments must to be located on ground level in order to display a Sandwich Board Sign. The proposed text amendments did not change this provision. There are a number of businesses in Lombard that are either located on a second floor (or higher) or below ground level. Staff believes that maintaining this provision in its current

state will prevent unnecessary visual clutter that could be a result of an excessive amount of Sandwich Board Signs. If the Plan Commission finds that non-residential establishments, not located on the ground level, should be afforded rights to a Sandwich Board Sign, the provision should only be applicable to properties within the B5 and B5A districts. The following is some example language:

- 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. For properties in the B5 and B5A Zoning Districts, uses not on the ground level may be allowed to have a sandwich board sign, provided that it meets all other provisions of this Ordinance.
  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.~~

### **ACTION TO BE TAKEN**

At such time that the Plan Commission is ready to make a motion, the Commissioners have the following options:

1. *If the motion is to approve the petition with the same recommendation from the June 21, 2010 plan Commission meeting, the Commissioners can use the language below or amend it as they deem appropriate.*

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 and attached as Exhibit A.



2. *If the motion is to approve the petition with a new recommendation based on the revised information provided by staff in this memo, the Commissioners can use the language below or amend it as they deem appropriate.*

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, as amended by the staff memo dated October 18, 2010 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 and attached as Exhibit B.



# Exhibit A

## 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.

## **Exhibit B**

### **(Revised 10/18/10)**

#### **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 be located within ten feet (10') of the establishment and/or outdoor service area. 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.



**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.

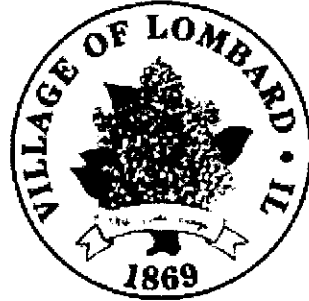
Inter-Departmental Review Group Report Approved By:

  
\_\_\_\_\_  
William J. Heniff, AICP  
Director of Community Development



# **Village of Lombard**

*Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
villageoflombard.org*



## **Meeting Minutes**

**Monday, May 17, 2010**

**7:30 PM**

**Board Room**

**Village Hall**

## **Plan Commission**

*Donald F. Ryan, Chairperson  
Commissioners: Martin Burke,  
Stephen Flint, Ronald Olbrysh,  
Ruth Sweetser, Andrea Cooper and Richard Nelson  
Staff Liaison: Christopher Stilling*

2. *Would the Plan Commission be supportive of lot width relief (from 75 feet to 64.8 feet) for the existing lot and lot area relief (to provide for a lot or lots of less than 10,000 square feet in area) to provide for a two-lot subdivision? Staff notes that as with the lots to the north, the concept of bisecting all lots on the block to turn the through lots into lots with single frontages on Meyers Road or School Street can be supported. A minor lot width variation (75' to 73') was granted on the same block face for the nearby Lund Subdivision in 2003.*

3. *Are there any other considerations the Plan Commission has regarding the properties?*

*Chairperson Ryan requested the opinions and thoughts of the Commissioners.*

*Commissioner Burke stated that this property has a lot of hurdles to overcome to support rezoning to R1. It would require significant lot width relief going from 75 feet to 64 feet. Also, having the semi-commercial use on an adjacent property is problematic as well.*

*Commissioner Sweetser agreed with Commissioner Burke's comments. Even without being subdividing it would not meet the R1 requirements. She would not be supportive when both the width and square footage would be off.*

*Chairperson Ryan also agreed with Commissioners Burke and Sweetser. He indicated that it would be difficult to have a residential use adjacent to a business use. Referring to the property to the north of the subject property, he indicated that although he was unsure how wide it was, it is definitely wider than 64'. He added he would have a lot of trouble with these requests.*

*Mr. Stilling asked the Commissioners if their opinions would differ if the lot was used as a single family lot and not subdivided.*

*Chairperson Ryan stated that you would have to be down on the southeast side where it's closer to the 75' and enter from that way. He didn't think you can have it on the west side and don't see the house being there. Just abutting up to a business he has a problem with that.*

*Commissioner Sweetser stated that it is clear that the land was intended for something else. As stated it was to be a buffer and now it's hard to go back and make something out of it. The 2' variation that we approved is probably the maximum and the Plan Commission has turned down things for less than a foot and don't see it going beyond 2'.*

## **100255**

### **Sandwich Board Signs**

#### **Play Video**

*Christopher Stilling, Assistant Director of Community Development, presented the workshop. He referred to the hard copy of the PowerPoint presentation he prepared as a reference.*

*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. Staff is seeking input from the Plan Commission in order to get direction on this issue.

Mr. Stilling noted that most sandwich board signs had an "A" frame design and mentioned the definition of sandwich board signs as noted in the Sign Ordinance. Mr. Stilling then showed examples of various sandwich board signs within the community. The first sign exists on Main Street, the second sign is located in front of Praga Restaurant on St. Charles Road and the third sign belongs to Christ the King Church, which currently doesn't meet code. It is for this reason, as well as others, that have led staff to having this discussion. It is meant to be a temporary sign giving information that is present for 1-2 hours and then pulled back.

The 6th slide shows various examples of sandwich board designs which were found online. The next two slides show examples of signs that do not meet the intent of the Sign Ordinance. In the first example the sign is portable and hard to read. The second example shows signs stacked along Roosevelt Road.

Currently, the Sign Ordinance allows sandwich board signs on public sidewalks, but are not permitted on private properties. The existing intent of this regulation is to ensure that businesses do not have excessive signage on their respective property. Staff has observed such signs on private property, private sidewalks, abutting front doors to stores, entrances to restaurants denoting specials and as part of short-term visitor information signs.

The Sign Ordinance currently states that if you want a sandwich board sign it has to be on the public right of way, within 10' of the building and/or store front. No mixed signage is allowed, so if you have a temporary banner, you cannot have a sandwich board sign. There are also time limitations, which state that a sign must be brought in before 9 p.m.

Some of the issues associated with sandwich board signs include:

1. Regulations which originated in the 1990's
2. Request for additional flexibility from the Chamber of Commerce
3. Addressing emerging trends, and
4. Addressing special events and activities on private properties many of which are non profit.

We also need to look at striking a balance between commercial business needs and the public interest, design aesthetics and safety issues.

Currently sandwich board signs do not provide for signage on private property and are restricted by hours of operation.

Mr. Stilling noted that there are four basic questions staff would like input and thoughts from the Plan Commission on. He suggested addressing the questions one by one in order to get the Commissioners' comments.

1. Are there instances where the Plan Commission would support provisions for sandwich board signs on private properties? Mr. Stilling added that it is important to address shopping centers such as Fountain Square, Highpoint Center and the Highlands of Lombard which are pulled off the right of way to draw the attention of pedestrians.

Commissioner Burke answered that he thought there might be certain instances in which it would make sense to have signs off the right-of-way, but it would be specific to certain developments within the community. Staff has named a couple of obvious ones but there would also be opportunities in certain shopping centers up and down

Roosevelt Road.

Chairperson Ryan thought the intent of the signs should be taken into consideration. He exemplified a pizza business and stated that if their signs were allowed on private property, you might end up with sandwich board signs up and down Roosevelt Road. The signs should be for announcing specials for that day or for a specific intent.

Mr. Stilling stated that the intent of the signs would be for businesses that are located right up along the right of way or a pedestrian-oriented environment, such as the downtown. This would benefit buildings that are set back less than 10' from the right of way. We are finding that certain events are taking place more and more and businesses want to draw pedestrian attention to something even if it's only for 2 hours. They want the ability to have a temporary sign or an A-frame sign to indicate specials for the day.

Commissioner Burke asked if the intent is to allow the signs on private property within 10' of the building. Mr. Stilling noted that right now they are not allowed on private property. Commissioner Burke clarified that staff is asking should we now allow these types of signs on private property within 10' of the building. Mr. Stilling answered, yes.

Chairperson Ryan exemplified the McDonald's petition just heard earlier. He asked where they could or could not place their sign if they were allowed to have one.

Commissioner Burke stated that it would be acceptable to have the sign on a sidewalk near the store, but not at the edge of the parking lot. There would have to be specific conditions and specific developments in which this would apply. Mr. Stilling noted that maybe the sign should be located within 10' of the front door or entrance.

Chairperson Ryan exemplified Roosevelt Road and stated that parking lots are usually located between the buildings and the sidewalk which results in more than 10' from the front door.

Commissioner Burke questioned if the objective for the location of the sign is to be under a canopy. Chairperson Ryan pointed out that if it's allowed to be on private property, it has to be thought through because part of their private property includes the parking lot which could extend all the way to the sidewalk. Mr. Stilling clarified that if the sign is located within 10' of the front door on private property it would be acceptable, but not on Highland Avenue or Roosevelt Road. The intent is to capture pedestrian traffic as they are already in the development or walking from one store to another.

Commissioner Cooper suggested that there be a limitation as to the width of the sign so as not to create a barrier on the sidewalk. Mr. Stilling answered that a 4' sign width would be maintained.

Commissioner Sweetser indicated that private property includes homes. Mr. Stilling answered that this is restricted to the business districts. Commissioner Sweetser asked if staff had gotten interest to display sandwich board signs in order to advertise a garage sale or a party. She noted that private property should be further distinguished by zoning districts. Mr. Stilling answered that it would be.

Commissioner Cooper asked what a church is zoned. Mr. Stilling answered, residential planned development. He stated that staff will have to develop language to ensure they are associated with non residential uses. Churches are examples where the signs will not be near the front door or within 10' of the building so staff is working with them to possibly address their signage by amending their planned development. Another possibility would be to have provisions for entities that are non residential and non



*business uses.*

*Commissioner Sweetser stated that the key to keep in mind is that the signage is intended for pedestrian traffic.*

*2. As sandwich board signs are (by intent) designed to serve a different purpose than banners, should businesses be precluded from any other type of temporary signage if they have a sandwich board sign?*

*Mr. Stilling clarified that a business that has a permit for a temporary banner is not allowed to display their sandwich board signs as it results in mixed signage.*

*Commissioner Burke stated probably not. He has no objection to sandwich board signs even though they are somewhat of a nuisance and unattractive, but he objects to mixed signage.*

*Chairperson Ryan stated that if an entity is allowed to have a temporary sign for 120 days, the two signs shouldn't be the same as their intent is different. A business should be allowed one or the other but not both.*

*Commissioner Sweetser noted that if staff is not careful there could be multiple signs within 10' of the entrance. You have to give thought to whether you want to allow multiple sandwich board signs for one business.*

*Mr. Stilling confirmed that the consensus of the Commissioners was to allow either a temporary sign or a sandwich board sign, but not both.*

*3. Rather than setting a 9:00 p.m. time limitation, should the removal limitation be adjusted to tie to the business operation and/or a later time period?*

*Mr. Stilling exemplified Praga Restaurant and how they are now advertising that their business is open after 9:00 p.m. He stated that the removal cap could be extended to midnight or 1 a.m.*

*Chairperson Ryan questioned why we need to address this issue. If sandwich board signs are intended for foot pedestrians what is the point in allowing them 9:00 p.m. as no one would see them especially on Roosevelt Road. Mr. Stilling answered that this would be specifically for downtown businesses and language would be included specifically referring to that zoning district.*

*Commissioner Sweetser indicated that the sign doesn't have to be out until the business closes.*

*4. Are there other consideration the Plan Commission has regarding sandwich board sign regulations?*

*Commissioner Burke noted safety aspects associated with sandwich board signs, exemplifying a tripping hazard as one, but also mentioned the affect of the wind on untethered signs. Mr. Stilling indicated that we currently have design provisions within the Sign Ordinance. He explained that businesses have to submit insurance, which states that they hold the Village not liable.*

*Commissioner Sweetser asked if a business can request sandbags from the entity where they get their signs from. Mr. Stilling answered that the code would require some sort of control mechanism so they don't get blown over.*

Commissioner Burke noted that the process must be managed properly so there shouldn't be a problem. His fear is that the groups we would like to see take advantage of the new code won't and the areas in which we don't want to see the signs will - so we must be careful. Mr. Stilling answered that a business would be required to get a permit and would have to go through the permit process. This would result in monitoring to ensure things are done properly.

Commissioner Cooper asked what the process is when businesses do not follow the ordinance. Mr. Stilling answered that Village policy would involve the Code Enforcement Division, who would work to get the business to come into compliance by working to correct any violations. He explained the Code Enforcement process, which begins with an advisory letter being sent to the property owner notifying them of the violation, progressing to the end step of issuing a ticket. He noted that most violations are easily correctable.

## **Adjournment**

### **Play Video**

*The meeting adjourned at 9:29 p.m.*

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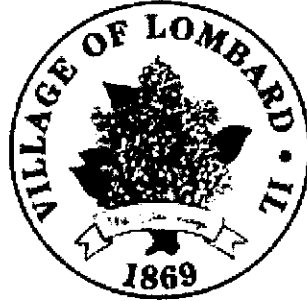
*Donald F. Ryan, Chairperson  
Lombard Plan Commission*

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*Christopher Stilling, Secretary  
Lombard Plan Commission*

# **Village of Lombard**

*Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
villageoflombard.org*



## **Meeting Minutes**

**Monday, June 21, 2010**

**7:30 PM**

**Village Hall**

## **Plan Commission**

*Donald F. Ryan, Chairperson  
Commissioners: Martin Burke,  
Stephen Flint, Ronald Olbrysh,  
Ruth Sweetser, Andrea Cooper and Richard Nelson  
Staff Liaison: Christopher Stilling*

should inquiries arise. As time goes by, we can assess this and if we need to change our code, we can take it into consideration.

Commissioner Olbrysh asked if it was staff's opinion that it was better to do this as a text amendment rather than on a case-by-case basis. Mr. Stilling stated that right now we are being proactive with building provisions and are comfortable with what we have come up with by meeting the intent of the Zoning Ordinance. If someone wants to go beyond that, for instance, have two units instead of one, they would have to get a variation. Mr. Toth added that this would be similar to a pilot program and staff will see where the market takes us. If we find that we have a lot of variations coming through, we can evolve (along with the market) and allow something above and beyond classifying it as an accessory structure.

Commissioner Sweetser stated that this is a great first step and is in favor of it as there is no definitive information about height and cost effectiveness. She suggested that when staff begins to get requests for this technology, that there be as much information available to inform people about statistics and background information. Mr. Toth referenced the green building handbook that was introduced earlier. He added that some municipalities are being reactionary and scrambling to incorporate these elements into their code. He is hoping to see more commitment between the municipalities to share this information with each other. CMAP is currently working to get communities to cull information, but topography will ultimately be the determining factor of what is in demand and what is not.

Commissioner Cooper referred to the table in the staff report, page 3 Section 155.212, water collection, about rain barrels and cisterns. She asked for clarification in that they are not permitted in the front and corner side yards. Mr. Toth answered that it is true, that is in the yard itself a rain barrel or cistern could be put on the side of your house. The more buildable area you have the larger the barrel you can have. He explained that the structure cannot encroach more than two feet into the side yard. In the front and corner side yards we do not list it as a permitted encroachment due to aesthetics but there is no specification in the rear yard. Mrs. Stilling added that it depends on the setback of your house - you are allowed a 2' encroachment.

Commissioner Cooper stated that she did not see a problem in having them located within the 30' front yard setback because now you are minimizing and prohibiting water collection points around the home.

Commissioner Olbrysh commented that it is good that the Village is taking a proactive approach. He is hoping that everyone will do research to determine if a roof mounted wind turbine is right for them. His research does show that for this area, size does matter. The bigger it is, the better chance of recouping your investment in a shorter period of time.

**It was moved by Commissioner Sweetser, seconded by Commissioner Flint, that this matter be recommended to the Corporate Authorities for approval. The motion carried by the following vote:**

**Aye:** 5 - Flint, Olbrysh, Sweetser, Nelson and Cooper

**Absent:** 1 - Burke

100346

**PC 10-09: Text Amendments to the Sign Ordinance (Sandwich Board Signs)**

The Village of Lombard requests text amendments to Section 153.234 of the Lombard Sign Ordinance amending the provisions for Sandwich Board Signs. (DISTRICTS - ALL)

[Play Video](#)

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.

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.

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.

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.

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.

If you go through the amendments you see applicability in that no longer are these signs required to be in a business district but non residential. The location of the sign has to be located within ten feet (10') of a customer entrance or service window. Sandwich board signs 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. Mr. Toth exemplified Export Fitness on Roosevelt Road indicating, if the amendments were approved, they could have a sandwich board sign located ten feet (10') from their door but not on the sidewalk along Roosevelt Road.

The allowable size of the signs will remain unchanged. The design can include the "A" frame or a comparable design which would include flat panel signs on a spring mount. The allowable number would stay the same so not more than one sandwich board sign shall be permitted per 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.

*Time restrictions would remain unchanged with the exception of the downtown. If located in the B5 or B5A zoning district, you can have a sign until 2:00 a.m.*

*Concluding, Mr. Toth stated that staff finds that the proposed text amendments meet the standards for text amendments and therefore is recommending approval.*

*Chairperson Ryan then opened the meeting for comments among the Commissioners.*

*Commissioner Sweetser referred to the staff report, page 3, A.2., and the statement that says the establishment has to be on the ground level. She stated that requirement has never been discussed. She is aware of one business in the downtown as well as others around town that are not located on the ground level and are currently using sandwich board signs. She was interested in staff's thinking behind it.*

*Mr. Toth answered that the statement was part of the original amendment and he was unsure as to why it was in there, but the intent might have been to guide pedestrian traffic. He agreed that there are establishments that have staircases and are not located on the ground level that use sandwich board signs.*

*Commissioner Sweetser asked if staff would be agreeable to eliminating the statement if there is not a good reason for it. Mr. Toth stated that if those situations are few and far between and the businesses have service entrances on the ground level, he doesn't think that should be a problem. Mr. Stilling stated that the layout of the downtown area is vertical in nature and the concern might have been having multiple signs. He doesn't see that being a problem and suggested that the Plan Commissioners could strike that statement if they chose to.*

*Commissioner Flint stated that if the entrance is on the ground level and leads to the upper floor, wouldn't that still constitute ten feet (10'). Mr. Toth stated he interprets the statement as meaning that the establishment has to be located and functioning on the ground level. Mr. Stilling indicated that staff might want to understand the historical context of the statement first by researching it. He believes the amendment isn't that old and was incorporated within the last ten years.*

*Commissioner Sweetser questioned whether the petition could move forward and suggested that if reasonable, give staff the ability to override the statement. Mr. Stilling answered that it could be continued to July if need be. He thought that the statement, when drafted, might have been intended solely for the downtown businesses, so the thought might have been there wasn't a demand or need for them.*

*Commissioner Sweetser encouraged staff to keep track of any of these situations and requests, do some research, and determine if it is reasonable or not.*

*Commissioner Sweetser asked if voting signs, which are often located at schools and the library and not necessarily within ten feet (10') from the entrances, are subject to this. Mr. Stilling answered that the types of signs they display are treated differently.*

*Commissioner Flint asked if Lombard Town Centre has a second floor. Mr. Stilling answered yes. Commissioner Flint added that should they want to promote themselves, that might be an example of not having an opportunity to utilize a sandwich board sign.*

*The Commissioners agreed to leave the wording as is, but that staff should research and analyze the amendment. If staff finds that the statement needs to be amended, the wording can be changed at a later date.*

It was moved by Commissioner Olbrysh, seconded by Commissioner Cooper, that this matter be recommended to the Corporate Authorities for approval. The motion carried by the following vote:

**Aye:** 5 - Flint, Olbrysh, Sweetser, Nelson and Cooper

**Absent:** 1 - Burke

## Business Meeting

### Play Video

*The business meeting commenced at 8:10 p.m.*

## Approval of Minutes

### Play Video

*Mr. Stilling noted that the motion for petition PC 10-05 located on page 9, should include that the Plan Commission recommended approval to the Board of Trustees. He also mentioned there were a few minor typographical errors.*

*On a motion by Nelson and seconded by Sweetser the minutes of the May 17, 2010 meeting were unanimously approved by the members present with the aforementioned corrections.*

## Public Participation

### Play Video

*There was no public participation.*

## DuPage County Hearings

### Play Video

#### **100347 DuPage County Case Z10-019: 19W725 13th Place**

Variation to reduce the west side yard setback from three (3) feet to one and sixty four hundredths (1.64) feet for an existing shed. (UNINCORPORATED)

### Play Video

*Christopher Stilling, Assistant Director of Community Development, presented the petition. He stated that DuPage County has received a filing for a public hearing for a variation to reduce the interior side yard setback to 1.64 feet from the required 3 feet to allow for a shed. The petition is for the property located at 19W725 13th Place. As the subject property is located within the ultimate municipal boundaries of the Village of Lombard, the Village has received notice of the public hearing from the County and has been asked to provide comments or concerns regarding this petition.*

*Staff would like to solicit the input and a recommendation of the Plan Commission regarding this petition. Staff has informed the County that this matter is being brought forward to the Plan Commission and the Village Board for consideration.*

*According to discussions with County representatives, the existing shed on the property does not achieve code compliance concerning County and Village Codes. Both the Village Code and County Codes require a minimum 3 foot setback.*

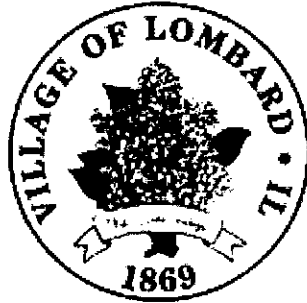
*As the petitioner's plan shows, the property is 14,091 square feet in size and bordered by single family residences on all sides. The Village's Comprehensive Plan included the subject property and identifies the site for Low Density Residential use.*





# **Village of Lombard**

*Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
villageoflombard.org*



## **Meeting Minutes**

**Thursday, August 19, 2010**

**7:30 PM**

**Village Hall Board Room**

## **Village Board of Trustees**

***Village President: William J. Mueller***

***Village Clerk: Brigitte O'Brien***

***Trustees: Greg Gron, District One; Keith Giagnorio, District Two;***

***Zachary Wilson, District Three; Dana Moreau, District Four;***

***Laura Fitzpatrick, District Five; and Bill Ware, District Six***

inspections.

Trustee Ware indicated he would be more comfortable with that.

Trustee Moreau questioned the language and asked about residential and commercial inspections.

Director Heniff stated that it was very rare that inspections were requested outside the normal work day. He stated commercial inspections are more common outside of the regular work day. He noted that this was recommended to cover the emergency inspections after hours.

Trustee Giagnorio questioned the frequency of these after hour inspections and a flexible work schedule. He felt staff could not be available 24/7, but felt it was important to be flexible. He asked if the ordinance was necessary if there were not many instances.

Director Heniff felt there should be a provision in place and noted a developer closing out a project and having deadlines to meet.

Trustee Gron questioned charging an overtime rate for after hours inspections and asked how that would work.

Director Heniff indicated this ordinance would address that. He stated there are three inspectors - building, plumbing and electrical. He indicated staff does try and work with residents.

President Mueller questioned if staff was bringing this up and where there is not already a problem. He inquired about immediate response issues.

Director Heniff indicated this ordinance was recommended so that the Village and the residents were not borne with the costs.

President Mueller suggested removing the request for a waiver of first, to pass the ordinance on first reading and have staff come back with a revised ordinance.

Trustee Fitzpatrick felt there may be more weekend warriors due to the flooding. She stated Home Depot sales were up and that this was not a time that she wanted to pinch the homeowner.

**It was moved by Trustee Gron, seconded by Trustee Giagnorio, that this matter be passed on first reading and refer back to staff for revisions. The motion carried by the following vote:**

**Aye:** 6 - Gron, Giagnorio, Wilson, Moreau, Fitzpatrick and Ware

## Other Ordinances on First Reading

- \*B. 100346 **PC 10-09: Text Amendments to the Sign Ordinance (Sandwich Board Signs)**  
The Village of Lombard requests text amendments to Section 153.234 of the Lombard Sign Ordinance amending the provisions for Sandwich Board Signs. (DISTRICTS - ALL)

### Play Video

Director of Community Development Bill Heniff indicated this matter had come to the Village Board via a request by the Chamber and some businesses. He noted sandwich boards are the portable A-frame signs that are generally used to advertise a specific event or sale. These signs are meant to be business friendly and to relax some of the standards with regard to these signs. The signs are required to be moved by 9 pm each day. He spoke of the signs being placed ten feet from the front entrance of a business or establishment.

Trustee Wilson did not feel that this resolved the issue and referred to the meeting with the church regarding signage. He felt the signs should be out at the curb to draw attention to the passers-by. He felt ten feet from the front entrance did not help businesses like X-Sport which is located a couple hundred feet from Roosevelt Road. Director Heniff indicated this could be referred back to the Plan Commission, but that the Plan Commission did not want to give blanket approval on the signs. It had been suggested to do a case-by-case evaluation and specific site plan approval. He noted

the church's needs would be addressed as well as X-Sport's. He noted there are other means of advertising including banners.

Trustee Wilson did not feel this allowed enough flexibility. He noted the Statue of Liberty in front of tax offices. He felt the ordinance could be left alone and variances granted.

Trustee Gron agreed with Trustee Wilson and questioned businesses that do not have entrances on the visible or traffic side of the property such as Capone's.

Trustee Ware stated he also agreed with Trustee Wilson and was concerned about the ten foot requirement.

Trustee Gron questioned the one sign limit.

Director Heniff indicated it was a limit of one sign. He stated the Board could refer this back to the Plan Commission. He noted that the sandwich board signs were exclusive to the right-of-way. The banner provisions would work for businesses along Roosevelt Road and temporary signage was also a possibility. He stated sandwich board signs were more to entice pedestrian traffic and used to draw attention to the business.

President Mueller questioned if the Board wanted to refer this back to the Plan Commission.

Trustee Wilson inquired about banner signs.

Director Heniff stated that they are temporary signs of wood or fabric and they can be affixed to another sign.

Trustee Wilson stated that this does not allow for the quick set up and take down option. He spoke of the issue of the sandwich board at the church.

Trustee Moreau requested clarification. She felt the modifications did not address the problems on Roosevelt Road. She indicated she was not familiar with the church issue.

Trustee Wilson reported the church issue was that Christ the King Church is set back off of Main Street and every Monday from 11 am to 1 pm they are open to help the underprivileged. Having the sign ten feet from the door does not get the attention that is needed to advertise this assistance.

Trustee Moreau felt this should be referred back to the Plan Commission for modifications. She wanted to see the emphasis on walk-ability.

Trustee Wilson felt that any business located on a second floor would not receive any benefit as well as any businesses with back entrances.

President Mueller felt that not-for-profit also needed to be addressed.

Trustee Gron questioned section H regarding signs going up an hour before the event and coming down an hour after the event. He stated that not all entrances to businesses are on the main street. He asked that the ten foot requirement be addressed. He noted some businesses downtown do not have entrances on the main street. The idea of the sandwich board is for people to see it and to draw attention to the business. He talked about businesses that are set back from the street. He felt all of these concerns should be addressed.

President Mueller asked how this would be addressed.

Director Heniff stated this ordinance was intended to relax requirements for sandwich boards. He noted that Capone's could have a banner or they could have a sandwich board within ten feet of the main entrance. Sandwich boards are intended more for the pedestrian and banners are intended more for the vehicular traffic.

Village Manager Hulseberg stated another option is to give authority to the Director of Community Development to approve permits.

**It was moved by Trustee Wilson, seconded by Trustee Ware, that this matter be remanded to the Plan Commission. The motion carried by the following vote:**

**Aye:** 6 - Gron, Giagnorio, Wilson, Moreau, Fitzpatrick and Ware

\*C. 100386

**Text Amendments to the Sign Ordinance - Political Campaign Signs**

Amending Title 15, Chapter 153 of the Lombard Village Code with regard to prohibiting time restraints on political campaign signs located on residential properties. These amendments are to ensure compatibility with Public Act 96-904 with an effective date of January 1, 2011. (DISTRICTS - ALL)



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING  
TITLE 15, CHAPTER 153 OF THE LOMBARD VILLAGE  
CODE IN REGARD TO SANDWICH BOARD SIGNS**

**(PC 10-09; Text Amendments to the Sign Ordinance)**

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

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

WHEREAS, as the Director has identified and recommends text amendments to the Sign Ordinance as set forth herein; and

WHEREAS, a public hearing to consider text amendments to the Sign Ordinance has been conducted by the Village of Lombard Plan Commission on June 21, 2010 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, at the Village Board meeting of August 19, 2010, the President and Board of Trustees remanded the petition back to the Plan Commission for further discussion; and

WHEREAS, the Plan Commission, at its meeting of October 18, 2010, discussed the additional items relative to the remand from the Village Board; and

WHEREAS, in consideration of this additional information, the Plan Commission has forwarded its findings with a recommendation for approval to the Board of Trustees; 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.

**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 153.234 of the Lombard Village Code is hereby amended to read in its entirety as follows:

### **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 establishments which meet all of the following criteria:
  - 1. The use of the property must be non-residential.
  - 2. The establishment is on the ground level. For properties in the B5 and B5A Zoning Districts, uses not on the ground level shall be permitted to have a sandwich board sign, provided that it meets all other provisions of this Ordinance.
- B. Location: Sandwich board signs shall only be located within ten feet (10') of the establishment and/or outdoor service area. Sandwich board signs 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 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 the establishment and/or outdoor service area.
- 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.

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 \_\_\_\_\_, 2010.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2010.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2010, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk