

November 16, 2004

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

Subject: PC 04-33: Text Amendments to the Lombard Sign Ordinance

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard requests amendments to the Sign Ordinance for clarity and consistency purposes as it relates to various types of Temporary Signs.

After due notice and as required by law, the Plan Commission conducted public hearings for this petition on October 18, 2004 and November 15, 2004.

At the October 18, 2004 meeting, William Heniff, Senior Planner, began by indicated they would present this petition in PowerPoint format. He indicated the petition was being brought forward due to the way the existing ordinance treats signs by distinguishing them primarily by content. Staff has also received permits for temporary signs and has had trouble classifying them according to the existing definitions and regulations found in the ordinance. He indicated that staff had a number of text amendments and that tonight would be the first involving temporary construction signs. This would be a proposed amendment to the Sign Ordinance. He commented that with only four Commissioners in attendance and that there was no sense of urgency, this petition could be continued if needed but also, should the Commissioners feel no need to review it any further, they could address it at this meeting. Mr. Heniff stated that the proposed amendment is an effort to have the ordinance make sense, be more consistent and user friendly.

Mr. Heniff then began the PowerPoint presentation, which included topics such as:

- Types of Signs to be Addressed
- Benefits of Development Signs
 - Used as a tool for informing public about development activity

- Makes people more familiar, promotes business to town and creates more interest in the community
- Sign Ordinance Issues
 - Difficult to distinguish between signs
 - Minimize regulations of content
 - Promote economic development
 - Clarity and consistency
- Examples of Signs under the Current Sign Ordinance showing various content, size, regulations, setbacks, and whether a permit is required
- Proposed Text Amendment
 - Objectives
 - Classify signs into development and real estate signs and eliminate the rest of the types of signs mentioned above
 - Have subsections for single-family and non single-family uses
 - Clarify that single family residential real estate signs are the only ones that do not require a permit
 - Consistency as to what signs are permitted in zoning districts
 - Definitions
 - Create broader definition for development signs

Mr. Heniff then referenced the underlining and strikethroughs in the staff report, which reflects the proposed amendments. He noted that setback requirements will be frequently struck as part of this text amendment. He indicated that by pushing a sign to the front of the property doesn't necessarily create a negative impact.

Chairperson Ryan then opened up the hearing to the Commissioners.

Chairperson Ryan used Elmhurst Memorial Hospital as an example. He commented that the development includes a sizeable piece of property but they are only are permitted to have a 32 square foot sign. He was concerned that a single-family residence could have a 6 square foot sign but a development like Elmhurst Memorial Hospital would be limited. He noted that the allowable size of the sign was not based on the size of the development. He also mention that the Plan Commission seems to review variances for a few extra feet so when you are considering thousands of square feet, it does not seem right to limit the square footage for everything.

Mr. Heniff indicated that staff could look at how wall signage is determined, and apply the same methodology as is already found in the Sign Ordinance by possibly tying the allowable footage into the frontage of the property. Also possibly having a number that anyone can have, and a cap to allow. This would allow more flexibility.

Commissioner Sweetser questioned if it would be a cap. Mr. Heniff stated that it would be like a wall sign whereby everyone would be allowed certain square footage and a not to exceed number.

Commissioner Sweetser then indicated she had some editorial comments – not content just clarification.

Mr. Heniff asked Mr. Wagner if he would like to comment. Mr. Wagner stated that there is a concern with the first amendment when dealing with signs. Ordinances should be content neutral which is hard to define and at the same time be content neutral. The preference would be to avoid content issues and to regulate temporary signs or permanent signs no matter what they said. Definitions have a potential for a claimant. Residential signs are given more scrutiny than commercial signs. It appears that this text amendment is a good step toward making the ordinance better of being defensible of claims being made. Once there are different regulations, make sure there is some government interest.

The Commissioners unanimously consented to continue the petition to the November 15, 2004 Plan Commission meeting in order for staff to investigate a sliding scale for signs.

November 15, 2004

Michelle Kulikowski, Associate Planner gave a brief overview of the Text Amendments presented at the October 18, 2004 Plan Commission meeting stating that the main purpose is to reduce, modify and simplify the regulations for temporary real estate and development signs. She gave a brief summary of the proposed changes:

1. Modify the term “Development Sign”, which will be used to encompass all signs that are classified as Construction Signs, Development Signs, and Developer’s Signs under the current Sign Ordinance.
2. Eliminate Construction Signs and Developer’s Signs. These signs would be regulated by the new “Developer Sign” provisions.
3. Modify the term “Real Estate Sign” to encompass all signs classified as Temporary Pre-Development/Real Estate Signs, Temporary Lease/Rental Signs and Real Estate Signs.
4. Remove setback requirements for developer and real estate signs.
5. Allow greater flexibility for development signs on new construction, multiple family and non-residential properties. The amendments create a supply of square footage available for development signs, with minimum and maximum square footages. These provisions will provide flexibility to the developer to create signs that address their needs and are readable from the public right-of-way.
6. Amend the Code for clarity and to remove incorrect references and citations.

Ms. Kulikowski noted that at last month’s meeting the plan commission requested that staff explore a formula for allowable square footage of development signs that would allow larger signs at larger development sites. She noted that staff reviewed five different formulas and tested each formula against several different development sites within the Village of Lombard. Ms. Kulikowski referenced the information contained in Table 1 of Appendix A. She noted that all formulas were based off of street frontage because development signs will typically be placed at the property line abutting a public street. She mentioned that street frontage will ultimately determine the level of exposure necessary for a development sign.

Ms. Kulikowski stated that staff had decided to incorporate a hybrid of formula 4 and formula 5. Formula 4 is based on the number of street frontages and gave a supply of square footage to be allocated as deemed necessary. Formula 5 is based on the allowable square footage for a permanent freestanding sign in the underlying zoning district. Ms. Kulikowski referenced the language for the formula used in the purposed text amendments:

Area: The total allowed signage shall not exceed the maximum allowed for a Freestanding Sign, by right in the underlying zoning district multiplied by the number of street frontages abutting the subject property. Every property is entitled to a minimum of thirty-two (32) square feet in area and the total area of all signs on the property shall not exceed one-hundred twenty-five (125) feet. Signage may be allocated in any proportion deemed necessary and is not limited to one (1) street sign per street frontage.

Ms. Kulikowski illustrated how the formula would be applied by using two current development projects as examples. She first discussed the Walgreens project, located on a corner lot in the B5A zoning district. She stated that the site would be given a supply of sixty (60) square feet because the maximum allowed size for a permanent freestanding sign in the B5A district is thirty (30) square feet and there are two street frontages. She noted that developer could place a sixty (60) square foot sign at the corner of the property or place two thirty (30) square foot signs along each property frontage. Another option would be to place a sixty (60) square foot sign along St. Charles Road where there is more traffic and place a forty (40) square foot sign along Elizabeth.

Ms. Kulikowski then referred to the Our Lady of Lebanon Church as an example, which is located in the B4 zoning district. She stated that the site would be given a supply of fifty (50) square feet because the maximum allowed size for permanent freestanding sign in the B4 district is fifty (50) square feet and there is only one street frontage. She noted that the developer could place one fifty (50) square foot sign or many smaller signs along the street frontage of the property.

Ms. Kulikowski concluded that the proposed formula would provide flexibility to allow the most appropriate signs for particular projects and locations and would help encourage development signs as an economic development tool.

Bill Heniff, Senior Planner, added some additional comments. He stated that staff sees a lot of value in development signs. He noted that the Community Development Department receives a lot of calls about them construction projects and development signs would give the public general information as to what is happening with the property. He also mentioned that staff did not want to go to the extent of mandating such signage, but felt it could be negotiated as a condition of approval in future plan commission cases. Mr. Heniff made reference to a memo handed out at the beginning of the meeting with additional changes that were not included in the second staff report for this meeting. He noted that after talking to counsel earlier, staff created a definition for establishment. This would clarify that businesses as well as religious and other institutions were allowed temporary signs.

Chairperson Ryan asked if there were anyone who wanted to speak either against or in favor of the petition. No one spoke in favor or against the petition.

Chairperson Ryan then open the meeting to discussion by the Plan Commission members. Mr. Burke simply stated that he felt that the proposed text amendments provided a reasonable solution.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed text amendments do comply with the standards of the Lombard Sign Ordinance. Therefore, the Plan Commission, by a roll call vote of 6 to 0, recommended to the Corporate Authorities, approval of the petition associated with PC 04-33.

Respectfully,

VILLAGE OF LOMBARD

Donald F. Ryan
Chairperson
Lombard Plan Commission

MK:
att-

c Petitioner
 Lombard Plan Commission