



## MEMORANDUM

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

**FROM:** William J. Heniff, AICP, Director of Community Development *WJH*

**DATE:** July 31, 2017

**SUBJECT:** Plan Commission Overview PC 17-23 through PC 17-26 - Lamar Companies Off-Premise Interstate Signs

In December, 2013, the Village was approached by Lamar Companies to explore opportunities to construct and operate automatic changeable copy (ACC) off-premises billboard signs on selected Village owned properties. They are seeking permission and approvals to one such sign on a tract north of Crescent and up to two additional signs on the south side of Glen Oak Road/Hill Avenue where Glenbard Wastewater Authority (GWA) has an operating treatment plant (jointly referenced as the subject properties). For purposes of this and future petitions, such signs are intended to be deemed and described as "off-premise interstate signs."

The petitioner intends on constructing one ACC board on each of the three proposed off-premise interstate signs. The opposite side of the respective ACC sign board component is intended to have a static copy sign face at the time of initial installation. However, they would like the legal ability to change the static copy sign face to an ACC one at some point during the life of the lease, when or if market conditions dictate. As such the petition is being set up to address both options and scenarios.

The Village will be considering this matter from two perspectives. The first aspect is as a property owner and co-petitioner. In August, 2014, the Village Board entered into an agreement with Lamar Companies to compensate the Village for any legal review costs associated with any lease proposal reviews. Such costs would be reimbursed regardless of whether they secure all require approvals from the Village or other approval entities.

Since passage of the reimbursement agreement, staff has been engaged with Lamar Companies and the Village Board throughout the review process. The Village and Lamar have been working on the framework of any such agreement and that discussion has been finalized in concept. The extensive time period for discussion and review included and related to determining the operating parameters of the agreement and financial considerations. Separately, Lamar was also undertaking engineering studies of the subject properties as part of their due diligence process.



The other perspective for which this matter is being brought to the Plan Commission for public hearings pertains to the zoning approval steps that must be undertaken. The draft agreements require that all requisite hearings be held and all approvals be in place prior to adoption of the lease agreements. This requirement also mandates four public hearings pertaining to this requested action, which include:

PC17-23: Text Amendments to the Sign Ordinance

PC17-24: Text Amendments to the Zoning Ordinance

PC17-25: Map Amendments and Conditional Use Approval for a billboard at 630 Crescent Blvd.

PC17-26: Map Amendments and Conditional Use Approval for a billboard at the GWA  
Treatment Facility at 625 Glen Oak Road

While not directly related to the actions above, Lamar Companies, will be obligated to remove two legal non-conforming static billboard signs located at 330 and 920 E. Roosevelt Road prior to or concurrent with the installation of any new signs approved as part of these petitions.

For reference purposes, the sign proposal being brought forward was also shared with the GWA Executive Oversight Committee (EOC) and the EOC supported the proposal for the signage that is being contemplated at the GWA site. Should the Plan Commission offer its recommendation on the zoning matters, it will be then forward to the Village Board for final consideration of the four zoning petitions followed immediately by approval of the three companion lease agreements.



July 31, 2017

**Title**

PC 17-23

**Petitioner**

Village of Lombard  
255 E Wilson St  
Lombard, IL 60148  
Lamar Advertising Company  
1770 W 41<sup>st</sup> Ave  
Gary, IN 46408

**Property Location**

Village-wide

**Approval Sought**

Text amendments to the Sign Ordinance (and any other relevant sections for clarity) adding Off-Premise Interstate Signs to the ordinance.

**Submittals**

1. Petition for a public hearing; and
2. Response to Standards for a Text Amendment.

**Prepared By**

William J. Heniff, AICP  
Director of Community Development

**DESCRIPTION**

The joint petitioners, the Village of Lombard and Lamar Advertising Company, have submitted this request along with companion requests for off-premise interstate signs approvals (if PC 17-23 and PC 17-24 are approved) at 630 Crescent Boulevard (Case No. PC 17-25) and 625 W. Glen Oak Road (Case No. PC 17-26).

This petition is to provide for text amendments to the Sign Ordinance (Chapter 153 of the Code of Ordinances) in order to facilitate Off-Premise Interstate Signs.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

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

**Fire Department:**

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

**Private Engineering Services:**

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

**Public Works:**

The Department of Public Works has no comments regarding the proposed text amendments to the Sign Ordinance.

**Planning Services Division:**

The proposed text amendments will add three definitions (Federal Interstate Highway, Nit, and Off-Premise Interstate Sign) that help provide guidance to ordinance users. The text amendments will also allow for off-premise interstate signs to be regulated as a conditional use. These signs will only be allowed in an I Limited Industrial Zoning District next to Federal Interstate Highways.

The proposed new section will limit the size of the sign structure. The maximum height of the structure shall not exceed eighty-five (85) feet. The maximum area of one sign face shall not exceed six hundred seventy-five (675) square feet. No sign shall have a greater sign face ratio of height to width than 1 to 3.5. Finally, additional regulations are in place for automatic changeable copy (ACC) signs.



In order for this petition to be considered, the proposed Sign Ordinance amendments are offered below. The proposed amendments are in black italicized text, while staff commentary is offered in red text.

## **PROPOSED REGULATIONS**

Staff proposes the following text amendments to the Sign Ordinance:

For PC 17-23, approve Text Amendments to the Sign Ordinance, as follows:

A. *Add the following definitions to Section 153.602: Definitions:*

*FEDERAL INTERSTATE HIGHWAY. For purposes of this Ordinance, Federal Interstate Highway shall be exclusively and solely be interpreted to mean Interstate 88 (Ronald Reagan Memorial Tollway) and Interstate 355 (Veterans Memorial Tollway).*

*This definition is offered to clearly note that any such references to Federal Interstate Highways are specifically limited to these two roadways and not any other roadways, regardless of whether the roadways are funded by or otherwise regulated by federal or state entities.*

*NIT. A unit of measurement to determine visible-light intensity or luminesce, commonly used to specify the brightness of a cathode ray tube (CRT) or liquid crystal display (LCD) lighting display. One nit is equivalent to one candela per square meter.*

*The term "nit" is a term used to help address light emissions associated with the perceived brightness of light emanating from an internally illuminated LCD sign. This term is needed in order to establishing permissible restrictions regarding such lighting.*

*SIGN, OFF-PREMISE INTERSTATE. An off-premise sign which includes either an automatic changeable copy board or a static copy board and which is primarily intended to communicate messages to motorists utilizing Federal Interstate Highways within the Village.*

*Rather than generically calling the proposed sign types generic off-premise or billboard signs, which could cause other significant conflicts within code, the intent of this definitional amendment is to define the proposed signs as a separate and distinct signage element and land use.*

B. Add a new Section 153.244 OFF-PREMISE INTERSTATE SIGNS, with renumbering of existing Sections 153.244 accordingly.

C. Add the following text to the new Section 153.244: Off-Premise Interstate Signs.

*It is unlawful to construct, erect or maintain any Off-Premise Interstate Signs without complying with the following provisions:*

(A) *Off-Premise Interstate Signs*

1) *Off-Premise Interstate Signs shall be deemed to be a principal structure on a lot and would constitute a conditional use, pursuant to Sections 155.103(F) and 155.208(C) of the Zoning Ordinance.*





This amendment would memorialize and subject any such off-premise interstate signage to the Village's public hearing process for conditional uses. This approach would both provide the opportunity for the Village to review each proposed sign more closely and determine whether such signage is appropriate on a case by case basis, taking into account, location, proximity to other land uses and activities and any other external impacts. Given that such signage will be deemed as a type of principal use, through the companion zoning ordinance amendments, the amendment would create consistency within overall Village Code.

2) *Off-Premise Interstate Signs shall be limited to placement on a lot within the I Limited Industrial Zoning District and must abut a Federal Interstate Highway right-of-way. All such signs must also meet the following requirements:*

a) *The outermost extent of any such signs shall be located no further than one hundred (100) feet from a Federal Interstate Highway right-of-way.*

This provision will limit the signs to only be placed abutting a Federal Interstate Highway (as previously defined), ensuring that off-premise interstate signs cannot be placed just anywhere in the Village. This provision also is intended to ensure that such signage is as close as possible to the interstate, as that is the purpose and rationale of the signage. The regulation will also help ensure that external impacts of the signage are reduced.

b) *The highest point of the sign structure shall not exceed eighty-five (85) feet in height from the grade at the base of the sign.*

Although the proposed signs are only seventy-five (75) feet in height, allowing for an additional ten (10) feet in the code provides some leeway in case grading, topography, or some other variable changes the height of the signs to exceed seventy-five (75) feet.

c) *The maximum area for any one face of a sign shall be six hundred seventy-five (675) square feet inclusive of any border and trim, but excluding the base or apron, supports and structural members. However, no sign shall have a greater sign face ratio of height to width than 1 to 3.5.*

This provision will limit the actual size of the sign face. The 675 square foot sign limitation would provide for a standard dimension commonly found for such ACC sign components.

d) *The maximum number of faces per sign structure shall be two (2) constructed back to back or in a V-shaped design, not to exceed 30 degrees, to account for interstate roadway geometrics.*

This provision is set in place to ensure that the design of the sign structure can account for geometric alignments of roadways in such a manner that the sign face is oriented toward the targeted motorists and away from other properties.



- e) *The sign shall not be erected on any building or project over any part of a building.*

This provision limits any potential new signs from being attached onto buildings or too close to buildings within the Village. This provision would help ensure that structure conflicts do not occur.

- f) *Sign faces shall not be installed side by side, stacked, tiered or decked. The display panel of off-premise interstate signs may only be visible from one direction of travel on the main-traveled way of the Federal Interstate Highway.*

This provision is set in place to ensure that the design of the sign structure will not excessively create too much sign square frontage in a single motorist view.

- g) *Only one off-premise interstate sign is permitted on each display panel with a maximum of two off-premise interstate signs facing in opposite directions on a highway advertising sign structure.*

This provision limits how many signs are allowed per display panel. The total number of signs on a single sign structure and would preclude the addition of a third dimension panel face.

- h) *No off-premise interstate sign shall be located closer than 500 feet from any other off-premise interstate sign as measured along the same side of the primary highway.*

This provision ensures that there will be an appropriate distance between such signs. This is also a standard mandated by IDOT as part of their review and approval effort.

- i) *Nonconforming signs or non-conforming sign structures will not be permitted to be retro-fitted with an off-premise interstate sign, unless said sign is approved through the conditional use process and meets Village Code requirements.*

This provision requires that nonconforming signs go through the conditional use process before being retrofitted as an off-premise interstate sign.

- 3) *Off-premise interstate signs that include an automatic changeable copy sign component shall also meet the following operational requirements:*

- a) *The sign shall be permitted to change no more frequently than ten-second intervals and shall be limited to changeable messages and not chasing messages. The change of message on an off-premise interstate sign shall occur sequentially and simultaneously across the entire display panel. The sign shall also not be illuminated by flashing lights, strobe lights, lights resembling emergency vehicles, or moving lights.*



This provision helps to maintain the safety of those driving on the highway by ensuring the display on the sign is not so distracting that drivers cannot focus.

- b) *The signs shall contain a default design that will freeze the display in one still position if a malfunction occurs.*

In the case that the display on the sign malfunctions, this provision will ensure that the display freezes so that drivers are not distracted by the sign.

- c) *The sign shall have the capability to adjust its intensity in response to ambient lighting conditions. No sign shall be erected without a light detector / photocell by which the sign's brightness shall be dimmed when ambient conditions darken so that signs are not unreasonably bright for the safety of the motoring public. The maximum brightness during the day, defined as the time period between one-half hour after sunrise and one-half hour before sunset, shall be 5,000 Nits and at night, defined as the time period between one-half hour before sunset and one-half hour after sunrise shall be 300 Nits. Furthermore, the transmitted illumination spillover from the sign at any property line shall not exceed 0.5 foot-candles.*

Driver safety is ensured by requiring signs with an ACC sign component have a maximum brightness during the day and night. This section also establishes a new standard (nit provisions) which can better account for appropriate lighting of such signage.

- d) *The sign owner shall provide the Village with the name, telephone number and electronic mail address of an on-call contact person for each sign. The contact person must have the authority and ability to make immediate modifications to the displays and lighting levels should the need arise. When a malfunction occurs, the contact person shall, when notified of the malfunction, promptly either cause the malfunction to be corrected or shall power-off the sign.*

This provision ensures that there is a contact person for each proposed sign who can modify the sign or resolve any malfunction issues should the need arise.

D. Include the following regulations in a new Section 153.507(C), as follows:

*(C) Permitted Signs through a Conditional Use Approval*

*Subject to the provisions of Section 155.103(F) of the Zoning Ordinance, the following signage may be allowed:*

1. *Off-Premise Interstate Signs, in accordance with the provisions set forth within Section 153.244.*

This amendment will allow for off-premise interstate signs to be permitted after receiving approval as a conditional use. They are also subject to the full provisions of code.

E. Approve any other related amendments to the Sign Ordinance, as it pertains to off-premise interstate signs, for clarity purposes.



## **STANDARDS FOR TEXT AMENDMENTS**

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

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*  
The text amendment is applicable to properties zoned Industrial that meet the criteria set forth in the proposed text amendments.
2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*  
The proposed text amendment will be consistent with the Ordinance as a whole and provide for regulations on type and location of proposed signs.
3. *The degree to which the proposed amendment would create nonconformity;*  
Staff does not believe any nonconformity would be created. Rather, the proposed amendments and approval will provide for the removal of other non-conforming signs along Roosevelt Road in consideration of this request.
4. *The degree to which the proposed amendment would make this ordinance more permissive;*  
The proposed amendment will be more permissive as it sets forth new regulations on where the signs may be placed.
5. *The consistency of the proposed amendment with the Comprehensive Plan; and*  
Staff finds that the proposed amendments would be consistent with the Comprehensive Plan.
6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*  
The Village has a history of amending the Zoning and Sign Ordinance to address edits for clarity. The proposed amendments are consistent with established Village policy in this regard.

## **FINDINGS & RECOMMENDATIONS**

Staff finds the proposed amendments to be consistent with the objectives of the Sign Ordinance. The proposed amendments are also consistent with the intent of the Comprehensive Plan in general.

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Sign Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 17-23.





Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP

Director of Community Development

c. Petitioner

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