

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: November 22, 2016 (B of T) Date: December 1, 2016

TITLE: PC 16-25, Text Amendment to the Sign Ordinance

SUBMITTED BY: Department of Community Development *U*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, requests a text amendment to Section 153.235(F), Shopping center identification sign, to change the setback for shopping center identification signs from seventy-five feet (75') from the centerline of the adjacent road to five feet (5') from the property line.

The Plan Commission recommended approval of this petition by a vote of 4-0.

Staff requests a waiver of first reading of the ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_

Finance Director X \_\_\_\_\_ Date \_\_\_\_\_

Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

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:** Scott R. Niehaus, Village Manager

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

**MEETING DATE:** December 1, 2016

**SUBJECT:** **PC 16-25, Text Amendment to the Sign Ordinance**

Please find the following items for Village Board consideration as part of the December 1, 2016 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 16-25; and
3. An Ordinance granting a text amendment to Section 153.235(F) of the Lombard Sign Ordinance.

The Plan Commission recommended approval of this petition by a vote of 4-0. Please place this petition on the December 1, 2016 Board of Trustees agenda with a waiver of first reading requested by staff.



## VILLAGE OF LOMBARD

255 E. Wilson Ave.  
Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org

December 1, 2016

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

**Trustees**  
Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Bill T. Johnston, Dist. 4  
Robyn Pike, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
Scott R. Niehaus

*"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. Keith T. Giagnorio,  
Village President, and  
Board of Trustees  
Village of Lombard

### **Subject: PC 16-25, Text Amendment to the Sign Ordinance**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, requests a text amendment to Section 153.235(F), Shopping center identification sign, to change the setback for shopping center identification signs from seventy-five feet (75') from the centerline of the adjacent road to five feet (5') from the property line.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on November 21, 2016. Sworn in to present the petition was Anna Papke, Senior Planner.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The petitioner, the Village of Lombard, is requesting a text amendment to the sign ordinance to change the setback for shopping center signs. Currently, the code requires shopping signs to be set back a distance of 75 feet from the center of the adjacent right-of-way. The Village proposes to change the setback to be five feet from the property line. The proposed change is similar to a change made in 2014 for freestanding signs. The proposed change

will make the setbacks for freestanding signs and shopping center signs consistent with one another.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Sweetser, and a second by Commissioner Flint, the Plan Commission voted 4-0 to recommend that the Village Board approve the petition associated with PC 16-25.

Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

**November 21, 2016**

**Title**

PC 16-25

**Petitioner**

Village of Lombard

**Property Location**

Shopping Center Signs (B3, B4 and B4A zoning districts)

**Approval Sought**

Text amendment to Section 153.235(F), Shopping center identification sign, to change the setback for shopping center identification signs from seventy-five (75) from the centerline of the adjacent road to five (5) feet from the property line.

**Prepared By**

Anna Papke, AICP  
Senior Planner

**DESCRIPTION**

In 2014, the Village Board approved a text amendment to the Sign Ordinance to change the setback for freestanding signs in the B3, B4 and B4A districts from 75 feet from the centerline of the adjacent right-of-way to five feet from the property line, in order to make the setbacks for signs in these districts consistent with setback requirements for signs in the B1 and B2 districts. At present, the Sign Ordinance still requires a setback of 75 feet from centerline of the right-of-way for shopping center signs (shopping center signs are permitted in the B3, B4 and B4A districts). For the sake of consistency, planning staff proposes to amend the setback requirements for shopping center signs to five feet from the property line.

**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 issues regarding the proposed text amendment to the Sign Ordinance.

**Public Works:**

The Department of Public Works has no objection to the proposed text amendment.

**Planning Services Division:**

Staff and the Village Board of Trustees have supported past variations from the centerline as shown below.

PC/ZBA case	Address
SPA 13-01ph	1-378 Yorktown Center
PC 11-25	321-395 E. Roosevelt Road
PC 06-11	300 E. Roosevelt Road
PC 06-06	844 E. Roosevelt Road
ZBA 05-18	105-121 E. Roosevelt Road
PC 98-11	844 E. Roosevelt Road

As previously noted, the Village Board of Trustees approved a similar text amendment in 2014 pertaining to setbacks for freestanding signs in the B3, B4 and B4A districts.

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

**EXISTING & PROPOSED REGULATIONS**

**§153.235 Shopping center identification sign**

(F) ~~Shopping center identification signs shall be set back not less than 75 feet from the centerline of the adjacent road.~~ **Shopping center identification signs shall be set back not less than five (5) feet from the property line and shall not overhang into the public right-of-way.**

**STANDARDS FOR TEXT AMENDMENTS**

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

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*

The text amendment is generally applicable to all shopping center signs on properties in the B3, B4, and B4A zoning districts. The new setback would be consistent with regulations for freestanding signs in these districts. A five (5) foot setback provides additional separation from the right-of-way and other existing utilities placed with the right-of-way. Staff and the Village Board of Trustees have supported variations from the centerline requirement in the past.

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 still allow for shopping center signs in the B3, B4, and B4A districts.

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

The proposed text amendment is additive in nature and would allow for a setback of greater than five (5) feet. Staff and the Village Board of Trustees have supported variations from the centerline requirement in the past.

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

The proposed amendment is more permissive to the extent that it is a reduced setback. Staff finds this to be acceptable since the regulations would be consistent with those for freestanding signs in the B3, B4 and B4A districts. A five (5) foot setback provides additional separation from the right-of-way and other existing utilities placed with the right-of-way. Staff and the Village Board of Trustees have supported variations from the centerline requirement in the past.

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.*

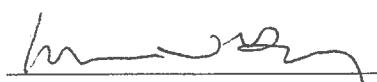
The Village has a history of amending its Sign Ordinance to address evolving circumstances presented by petition or by recognizing a desire to amend the code to address desired code regulations. The proposed amendments are consistent with established Village policy in this regard.

## **FINDINGS & RECOMMENDATIONS**

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

Based on the submitted petition and the testimony presented, the requested text amendment **complies** 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 16-25.

Inter-Departmental Review Committee Report approved by:

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



ORDINANCE \_\_\_\_\_

**AN ORDINANCE APPROVING A TEXT AMENDMENT  
TO THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 153, SECTION 153.235(F),  
OF THE LOMBARD ZONING CODE**

PC 16-25: 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 Lombard Code; and,

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

WHEREAS, a public hearing to consider text amendments to the Sign Ordinance has been conducted by the Village of Lombard Plan Commission on November 21, 2016, 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, 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;

NOW, THEREFORE, 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 153.235(F), of the Lombard Village Code is hereby amended as follows:

**§153.235 Shopping center identification sign**

(F) ~~Shopping center identification signs shall be set back not less than 75 feet from the centerline of the adjacent road.~~ **Shopping center identification signs shall be set back not less than five (5) feet from the property line and shall not overhang into the public right-of-way.**



Ordinance No. \_\_\_\_\_

Re: PC 16-25

Page 2

**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 \_\_\_\_\_, 2016.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2016.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2016.

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

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

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

Approved this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk