

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
DATE: August 22, 2011 (BOT) Date: September 1, 2011
TITLE: PC 11-16: Text Amendments to the Lombard Sign Ordinance
SUBMITTED BY: Department of Community Development *WAD*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The Village of Lombard is proposing the following text amendments to the Lombard Sign Ordinance:

1. An amendment to Section 153.233 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Motor Fuel Rate Signs.
2. An amendment to Section 153.210 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Automatic Changeable Copy Signs.
3. An amendment to Section 153.103 & 153.209 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Attention-Getting Devices and Inflatables.

The Plan Commission recommended approval of this petition with one change to the sandwich board sign provisions requiring all sandwich board signs, including any balloons, to maintain a minimum one foot setback from the back of the curb.

Please place this item on the September 1, 2011 Board of Trustees agenda.

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: David A. Hulseberg, Village Manager

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

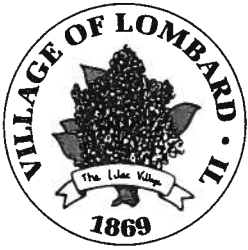
DATE: September 1, 2011

SUBJECT: **PC 11-16: Text Amendments to the Lombard Sign Ordinance**

Attached please find the following items for Village Board consideration as part of the September 1, 2011 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 11-16; and
3. An Ordinance approving text amendments to the Lombard Sign Ordinance Title 15, Chapter 153 of the Code of Lombard, Illinois.

The Plan Commission recommended approval of the text amendments associated with the petition with one change.



VILLAGE OF LOMBARD

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September 1, 2011

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Trustees

Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Peter Breen, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
David A. Hulseberg

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

Subject: PC 11-16: 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 is proposing the following texts amendment to the Lombard Sign Ordinance:

1. An amendment to Section 153.233 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Motor Fuel Rate Signs.
2. An amendment to Section 153.210 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Automatic Changeable Copy Signs.
3. An amendment to Section 153.103 & 153.209 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Attention-Getting Devices and Inflatables.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on August 15, 2011.

Presenting the petition on behalf of the Village was Michael Toth, Planner I. Mr. Toth stated that staff has prepared a revised IDRC report which reflects today's date. The revised staff report includes some editorial comments but no substantive revisions to the language.

Staff recently undertook a comprehensive review of the Sign Ordinance based upon current regulatory trends of particular sign types. More specifically, staff examined the trends in motor fuel rate signs and attention-getting devices. The result of this effort was to address industry standards for motor fuel rate signs (as they relate to other sign types) and a more business-friendly approach to the regulation of attention-getting devices on sandwich board signs.

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. In 2009, the Village approved text amendments (as part of PC 09-26) relative to the regulation of temporary signage. Due to recent demand, staff examined amendments to the Sign Ordinance relative to automatic changeable copy signs, more specifically as they pertain to motor fuel rate signs.

Motor fuel rate signs currently have their own separate and distinct provisions. Due to frontage requirements of automatic changeable copy signs; in most cases, motor fuel rate signs do not have the ability to display electronic message reader boards. As electronic reader boards have become the standard in the motor fuel industry, staff believes that a variation should not be required any time a gas station wishes to install an electronic message reader sign. As such, staff examined amendments to the Sign Ordinance relative to automatic changeable copy signs, more specifically as they pertain to motor fuel rate signs and other product rate signs.

As a result, staff created a new sign classification that would allow motor fuel rates to be displayed electronically, but also allow other businesses and institutions to display similar electronic messages. For purposes of consistency, staff is proposing to combine motor fuel rate signs with the newly-created 'product rate signs' to allow other businesses to utilize electronic reader boards as well. Furthermore, staff believes that the numerical fuel rate should not be regulated different than any other business wishing to advertise their specific products. Such signs will only be permissible in non-residential districts as to not impact or residential properties with any additional lighting.

As previously mentioned, motor fuel rates can be displayed electronically as automatic changeable copy signs; however, to be able to display an electronic message reader, the property would have to consist of at 500 lineal feet of right-of-way frontage. As automatic changeable copy signs are intended to be ancillary features of shopping center identification signs, the 500 lineal foot frontage requirement specifically limits the use of such signs to larger properties that typically contain regional shopping centers and the like. As the 500 lineal foot frontage requirement will not be included as part of motor fuel and product rate signs, any business located on properties in non-residential districts could display electronic message reader signs where it may not have been previously possible. The provisions of automatic changeable copy signs will also be amended to be consistent with the newly-created motor fuel and product rate signs. If you look at the language created they have been morphed together and the automatic changeable copy signs were amended to be more consistent with the motor fuel rate sign.

Aside from the 500 lineal foot frontage requirement, the only difference between said signs would be the interval ratio. As motor fuel and product rate signs are intended to advertise products, which contain static prices, they will only be allowed to change twice in a twelve-hour period, whereas automatic changeable copy signs will still be allowed to change messages in two-second intervals. Again, automatic changeable copy signs are intended to be ancillary features of shopping center identification signs so they are relaying messages from a number of different tenants; as such, they are required to change more frequently. Staff used similar provisions from Glen Ellyn as a reference to the proposed text amendments. Staff finds that

proposed amendments will address evolving circumstances by allowing businesses greater access to electronic message readers.

Mr. Toth mentioned how this amendment is a result of a demand mostly by gas stations and how this type of sign has become an industry trend. He noted how staff had granted a couple of variations in the past and gave the Shell Gas Stations as examples.

Continuing, Mr. Toth stated there has been a recent demand from the business community to have greater flexibility to be able effectively advertise their businesses. To address such need, the sandwich board sign provisions were amended in 2010 to allow all businesses located in non-residential zoning districts the ability to display a sandwich board sign. There has been a surge in sandwich board sign use since such amendments were approved. Additionally, businesses have been displaying attention-getting devices on their sandwich board signs. Under the current attention-getting device regulations such devices can only be displayed for a certain time period once a permit has been obtained. The permits are restricted to 14 days each with four permits being allowed for the calendar year for a total of 56 days. To allow businesses to effectively draw attention to their establishment, staff is proposing to remove the time limitations and need for a permit for balloons attached to a lawfully establish sandwich board sign.

Staff is also proposing to clean up the provisions relative to balloons and inflatables. There are no changes being proposed to the regulations of inflatables, just the reference made to the correct device.

Staff finds that allowing balloons that are less than two feet when measured in any dimension on a lawfully-established sandwich board sign or attached to a permanent structure will not be detrimental to public safety or neighborhood aesthetics, but rather will provide businesses with another tool to effectively draw attention to their establishment.

Concluding, Mr. Toth stated that the proposed amendments meet the standards set forth in the Zoning Ordinance and is recommending approval of PC 11-16.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no who one spoke in favor or against the petition.

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

Commissioner Burke referred to the approval of the variances for the Shell Gas Stations and remembered that staff's recommendation at that time was strict. He questioned why staff now has had a change of heart as there was a different approach at that time.

Christopher. Stilling, Assistant Director of Community Development, answered that when staff initially looked at the variations it was from an automatic changeable copy sign standpoint, but after speaking to Village Counsel, as well as the business community, we found that these signs are becoming a growing trend. Staff did the research and thought this was a fair compromise as it seems that most gas station signs in the future will be this type.

Commissioner Burke asked about the two second interval on some of the signs. Mr. Toth answered that it is a current requirement that automatic changeable copy signs can only change the message after a two second interval. The motor fuel signs we are discussing have a more static message. Mr. Stilling noted that there is a provision in place that prohibits flashing signs.

Commissioner Olbrysh indicated that he missed the meeting when the Commissioners discussed approval of the fuel rate sign petitions. He referred to the Shell sign on Westmore and Roosevelt and asked if that particular sign comes within the 9 square feet or if it is less because it is hard to see. Mr. Toth answered that he did not think that they used the maximum allowable square footage allowed by code. Commissioner Olbrysh stated how it can be dangerous if it is too small and cause an accident, if unreadable. He hoped that was not the standard. Mr. Toth answered that staff looked at various applications and submittals and also talked with business owners and other communities and the 9 square feet seemed to be a good fit. Christopher. Stilling added that 9 square feet is consistent with code. If you sell gas you are required to post the price - our code recognizes this and it was always at 9 square feet. Staff feels comfortable with that provision as long as it is static.

Commissioner Sweetser asked about the automatic changeable copy sign that has a crawling message and how that fits into these provisions. Mr. Stilling answered that it would not be allowed as this is a product rate sign and that type of sign you are referring to is a scrolling sign. If someone wanted to have a crawling sign or a scrolling sign they would have to meet the provisions of an automatic changeable copy sign that allows a message that changes more frequently. This would include having 500 foot linear feet of frontage. Commissioner Sweetser asked if the crawling sign is covered by this ordinance. Mr. Toth referred to the language on page 5, letter D. which prohibits the use of animation, flashing, scrolling or blinking characters. He added that if someone desired this, they would have to go through the variation process.

Commissioner Mrofcza questioned legally established sandwich board signs that have balloons attached to it. He asked how far the sign has to be from the curb and if the length of the balloon string is regulated. He is worried about the balloons possibly obstructing traffic if the sign is placed too close to the curb. Mr. Toth referred to the provision on page 8, 2.B. which indicates that a sandwich board sign has to be at least 10' away from the building and/or outdoor service area with a minimum of 4' of public sidewalk remaining unobstructed. Commissioner Mrofcza acknowledged that the provision addresses how far away it has to be located from the building but does not address how close it can be located to the curb. He was concerned that if the balloons fly into traffic they could possibly obstruct someone's view. Mr. Stilling noted that was a good point and staff will amend the language so it states that at no point shall any portion of the sign and balloons extend beyond the curb.

Commissioner Cooper commented that she thinks that balloons are a management responsibility to ensure that they are maintained, not blowing into traffic, not deflated and aesthetically pleasing. She asked how the Village will control and monitor the use of balloons. Mr. Stilling answered that if they are located in the right of way they have to carry insurance and staff ensures they have the proper paperwork. There are also maintenance provisions within code so code enforcement is active in ensuring that the signs comply with code.

September 1, 2011

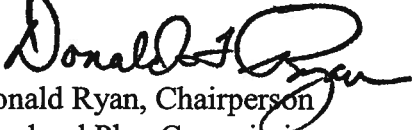
PC 11-16

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On a motion by Commissioner Burke and a second by Commissioner Sweetser, the Plan Commission voted 6 to 0 that the Village Board approve the requested text amendments associated with PC 11-16 amending the language to add the provision that a one foot setback from the back of any curb shall be maintained.

Respectfully,

VILLAGE OF LOMBARD

A handwritten signature in black ink, appearing to read "Donald Ryan", written over the printed name.

Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT
Revised 8/15/2011

TO: Lombard Plan Commission HEARING DATE: August 15, 2011
FROM: Department of PREPARED BY: Michael S. Toth
 Community Development Planner I

TITLE

PC 11-16: Text Amendments to the Lombard Sign Ordinance: The Village of Lombard is proposing the following texts amendment to the Lombard Sign Ordinance:

- 1) An amendment to Section 153.233 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Motor Fuel Rate Signs.
- 2) An amendment to Section 153.210 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Automatic Changeable Copy Signs.
- 3) An amendment to Section 153.103 & 153.209 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Attention-Getting Devices and Inflatables.

GENERAL INFORMATION

Petitioner: Village of Lombard
 255 E. Wilson Ave.
 Lombard, IL 60148

ANALYSIS

DESCRIPTION

Staff recently undertook a comprehensive review of the Sign Ordinance based upon current regulatory trends of particular sign types. More specifically, staff examined the trends in motor fuel rate signs and attention-getting devices. The result of this effort was to address industry standards for motor fuel rate signs (as they relate to other sign types) and a more business-friendly approach to the regulation of attention-getting devices on sandwich board signs.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Private Engineering Services has no comments.

PUBLIC WORKS

Public Works has no comments.

FIRE DEPARTMENT

The Fire Department has no comments.

BUILDING DIVISION

The Building Division has no comments.

PLANNING

Motor Fuel Rate Signs

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. In 2009, the Village approved text amendments (as part of PC 09-26) relative to the regulation of temporary signage. Due to recent demand, staff examined amendments to the Sign Ordinance relative to automatic changeable copy signs, more specifically as they pertain to motor fuel rate signs.

Motor fuel rate signs currently have their own separate and distinct provisions. Due to frontage requirements of automatic changeable copy signs; in most cases, motor fuel rate signs do not have the ability to display electronic message reader boards. As electronic reader boards have become the standard in the motor fuel industry, staff believes that a variation should not be required any time a gas station wishes to install an electronic message reader sign. As such, staff examined amendments to the Sign Ordinance relative to automatic changeable copy signs, more specifically as they pertain to motor fuel rate signs and other product rate signs.

As a result, staff created a new sign classification that would allow motor fuel rates to be displayed electronically, but also allow other businesses and institutions to display similar electronic messages. For purposes of consistency, staff is proposing to combine motor fuel rate signs with the newly-created 'product rate signs' to allow other businesses to utilize electronic reader boards as well. Furthermore, staff believes that the numerical fuel rate should not be regulated different than any other business wishing to advertise their specific products. Such signs will only be permissible in non-residential districts as to not impact or residential properties with any additional lighting.

As previously mentioned, motor fuel rates can be displayed electronically as automatic changeable copy signs; however, to be able to display an electronic message reader, the property would have to consist of at 500 lineal feet of right-of-way frontage. As automatic changeable copy signs are intended to be ancillary features of shopping center identification signs, the 500 lineal foot frontage requirement specifically limits the use of such signs to larger properties that typically contain regional shopping centers and the like. As the 500 lineal foot frontage requirement will not be included as part of motor fuel & product rate signs, any business located on properties in non-residential districts could display electronic message reader signs where it may not have been

previously possible. The provisions of automatic changeable copy signs will also be amended to be consistent with the newly-created motor fuel & product rate signs. Aside from the 500 lineal foot frontage requirement, the only difference between said signs would be the interval ratio. As motor fuel & product rate signs are intended to advertise products, which contain static prices, they will only be allowed to change twice in a twelve-hour period, whereas automatic changeable copy signs will still be allowed to change messages in two-second intervals. Again, automatic changeable copy signs are intended to be ancillary features of shopping center identification signs so they are relaying messages from a number of different tenants; as such, they are required to change more frequently. Staff used similar provisions from Glen Ellyn as a reference to the proposed text amendments. Staff finds that proposed amendments will address evolving circumstances by allowing businesses greater access to electronic message readers.

Attention-Getting Devices

There has been a recent demand from the business community to have greater flexibility to be able effectively advertise their businesses. To address such need, the sandwich board sign provisions were amended in 2010 (as part of PC 10-09) to allow all businesses located in non-residential zoning districts the ability to display a sandwich board sign. There has been a surge in sandwich board sign use since such amendments were approved. Additionally, businesses have been displaying attention-getting devices (more specifically balloons) on their sandwich board signs. Under the current attention-getting device regulations such devices can only be displayed for a certain time period once a permit has been obtained. The permits are restricted to 14 days each with four permits being allowed for the calendar year. To allow businesses to effectively draw attention to their establishment, staff is proposing to remove the time limitations and need for a permit for balloons (two feet or less in any dimension) attached to a lawfully establish sandwich board sign.

Staff is also proposing to clean up the provisions relative to balloons and inflatables. When the Village approved the text amendments as part of PC 09-26, relative to the regulation of temporary signage, the definition of attention-getting devices was amended to include balloons (less than two feet in any dimension) as attention-getting devices. The definition of 'inflatable sign' was also created and is considered any balloon two feet or more when measured in any dimension. Inflatables have separate and distinct regulations; however, Section 153.209(B) was never amended to classify parenthetical "B" as 'inflatables', as it refers to such device. Furthermore, there are no changes being proposed to the regulations of inflatables, just the reference made to the correct device.

Staff finds that allowing balloons that are less than two feet when measured in any dimension on a lawfully-established sandwich board or attached to a permanent structure will not be detrimental to public safety or neighborhood aesthetics, but rather will provide businesses with another tool to effectively draw attention to their establishment.

Proposed 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.

Motor Fuel Rate Signs

~~Motor Fuel Rate Sign~~ Any sign upon which is designated or written out in words, numbers or figures, a description of rates, price, or any combination thereof.

Motor Fuel & Product Rate Sign - Any sign upon which is designated or written out in words, numbers or figures, a description of rates, price, or any combination thereof on which the copy changes automatically on an electronic message reader or manually on a reader board.

Sign, Changeable Copy (Automatic) – A sign on which the copy changes automatically on an ~~lamp bank~~ electronic message reader or through mechanical means, ~~e.g., electrical or electronic time and temperature units.~~

Sign, Changeable Copy (Manual) - A sign on which the copy is changed manually in the field; e.g., reader-boards with changeable letters.

§153.223 MOTOR FUEL & PRODUCT RATE SIGNS

~~It is unlawful to construct, erect, or maintain any Motor Fuel Rate Sign without complying with the following provisions:~~

~~(A) Display of any Motor Fuel Rate Sign shall be permitted only in conjunction with the retail sale of motor fuel.~~

~~(B) One Motor Fuel Rate Sign shall be permitted per street frontage.~~

~~(C) Motor Fuel Rate Signs shall not exceed nine (9) square feet in surface area.~~

~~(D) Placement of the signs shall not obstruct the view of vehicles entering, exiting, or traveling on the public right of way and shall be approved by the Director.~~

Motor Fuel & Product Rate signs are allowable only as a component of a wall or freestanding sign. Motor Fuel & Product Rate signs are allowable only in non-residential zoning districts. Motor Fuel & Product Rate signs are allowable in accordance with the following provisions:

(A) The sign surface area of the message board shall be counted in the overall surface area of the sign.

(B) Allowed only when all of the signs on the site are in total compliance with the Sign Ordinance.

(C) The sign shall be permitted to change no more frequently than twice in a twelve hour period.

(D) The use of animation, flashing, scrolling or blinking characters is prohibited.

(E) No reader board shall exceed nine (9) square feet in area.

(F) For automatic message reader boards, the sign shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.

§153.210 AUTOMATIC CHANGEABLE COPY

Automatic Changeable Copy signs are allowable as a component of a wall or freestanding sign and shall be included in the total area of the sign. Automatic Changeable Copy signs are allowable only in non-residential zoning districts on property with a minimum of 500 lineal front footage in accordance with the following provisions:

(A) Allowed only when all of the signs on the site are in total compliance with the Sign Ordinance.

(B) The sign surface area of the changeable copy sign shall be counted in the overall surface area of the freestanding sign.

(C) The sign shall be permitted to change no more frequently than two-second intervals and shall be limited to changeable messages and not chasing messages.

(D) The use of animation, flashing, scrolling or blinking characters is prohibited.

(E) (D) No automatic changeable message reader boards shall exceed two (2) nine (9) square feet in area. height, with the display screen not to exceed eighteen (18) inches in height.

(F) (E) The changeable message board shall be equipped with automatic dimming devices, sun screens and no external spotlight illumination. The changeable message reader board shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.

(F) The changeable message board shall be located between twelve (12) and fifteen (15) feet above grade at the edge of the right of way; however, this may be changed at the discretion of the Director.

Attention-Getting Devices

§153.103 ADMINISTRATIVE PROCEDURES

B. Permit Issuance.

5. Attention-Getting-Device-Permits: Permits for certain attention-getting devices, as defined in this Ordinance, ~~promoting community activities, special events such as grand openings, or activities of non-profit organizations,~~ may be issued subject to the following provisions:

a. General Requirements

- (1) Time limits: Permits for attention-getting devices shall be limited for fourteen days or less.
- (2) Removal Required: such devices shall be removed within twenty-four (24) hours after the expiration of the permit unless a new permit is obtained.
- (3) Number of Permits Issued: No more than four (4) permits for any attention-getting devices shall be issued for any one business in any calendar year.

b. ~~Balloons~~ Inflatables/Requirements

- (1) Time Limits: permits for ~~balloons~~ inflatables shall be limited to seven (7) consecutive days or less
- (2) Removal Required: Such devices shall be removed within twenty-four (24) hours after the expiration of the permit unless a new permit is obtained.
- (3) Number of Permits Issued: No more than two (2) permits for an balloon inflatable shall be issued for any one business in any calendar year.

ATTENTION GETTING DEVICE Any flag, festoon, valance, propeller, pole covers, spinner, streamer, searchlights, balloons two (2) feet or less measured in any dimension, and any similar device or ornamentation designated for the purposes of attracting attention, promoting or advertising, without conveying a specific message or copy.

§153.209 ATTENTION-GETTING DEVICES

Attention-Getting Devices as defined in this Ordinance, may be permitted ~~for promoting special community activities, special events such as grand openings, or activities of non profit organizations,~~ subject to the following provisions:

A. General Requirements

- (1) Unless otherwise provided for in this ordinance, a ~~special~~ permit must be obtained from the Village Director as per Section 153.103.B.5.

- (2) No text shall be displayed on any surface of an attention getting device.
- (3) ~~Location of an Attention-getting devices on lot shall only be affixed to a permanent structure, unless otherwise provided for in this ordinance. must be approved by the Director.~~

B. Balloons Inflatables

- (1) A ~~special~~ permit must be obtained from the ~~Director as per Village Director as per Section 153.103.B.5.~~
- (2) No other attention-getting device shall be displayed or attached to the ~~balloon~~ inflatable or its supports.
- (3) Number: No more than one ~~balloon~~ inflatable shall be permitted on the premises.
- (4) Location: Balloons Inflatables may be placed on the ground or on the roof of a building no more than two (2) stories in height. When placed on the ground, balloons inflatables and their supports shall ~~have~~ meet the minimum building setbacks required by the zoning district in which the ~~balloon~~ inflatable is located. Balloons Inflatables located on the ground and their supports shall not be located within the clear line of sight area, as defined in the Lombard Zoning Ordinance. Balloons Inflatables located on the ground and their supports shall not interfere with required parking spaces.
- (5) Size: When placed on the ground balloons inflatables may not exceed twenty-five feet (25') in height, to the top of the ~~balloon~~ inflatable, above the ground level. When placed on a building roof, balloons inflatables may not exceed twenty-five (25') feet in height, to the top of the ~~balloon~~ inflatable, above the roof of the building.
- (6) Separation Between Buildings, Signs, and Other Structures: Balloons Inflatables shall not be located closer than ten feet (10') from any overhead utility line. When placed on the ground, balloons inflatables shall not be located closer than four feet (4') to any other building or sign.

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 which meet all of the following criteria:

1. The use of the property must be nonresidential.

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 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. Sandwich board signs shall not be located within the clear line of sight area, as defined in the Lombard Zoning Ordinance

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.

E. Illumination: Sandwich board signs shall not be illuminated.

F. Mixed signs prohibited: Businesses 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.

K. Balloon(s) (two feet or less in any dimension) attached to a lawfully permitted Sandwich Board Sign may be allowed as part of the Sandwich Board Sign as long as the overall height of the Sandwich Board Sign and balloon(s) does not exceed six feet (6') in height.

(Ord. 4700, passed 9/2/99; Ord. 6459, passed 11/18/10)

Standards for Text Amendments

For any change to the Zoning and/or Sign Ordinance, the standards for text amendments must be addressed. 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 proposed amendments will be applicable for all non-residential districts.

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 still a need to provide greater consistency when regulating signage. Motor fuel rate signs have their own separate and distinct provisions, which do not afford them the ability to display electronic message reader boards. As electronic reader boards have become the standard in the motor fuel industry, staff believes that a variation should not be required any time a gas station wishes to install an electronic message reader sign. Furthermore, staff is proposing to include product rate signs so that other businesses can utilize electronic reader boards. Such signs will only be permissible in non-residential districts as to not impact or residential properties with any additional lighting.

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

The proposed amendments will create no nonconformities, but rather potentially bring existing nonconformities into compliance.

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

With respect to automatic changeable copy signs, the intent of the proposed amendments is not to make the Sign Ordinance more permissive or restrictive, but rather to ensure that all sign types are regulated. Conversely, the proposed amendments will actually alter the format of the Sign Ordinance by creating a new sign type (motor fuel & product rate signs). This will now allow certain properties in non-residential districts to display electronic message reader signs where it may not have been previously possible due to the 500 lineal foot property frontage requirement.

All attention-getting devices are currently subject to time restrictions (fourteen days per permit – four permits total). The proposed amendment will actually allow attention-getting devices being displayed on a lawfully established sandwich board sign to be displayed without permit or time restriction, which would be more permissive than today's standard.

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. The proposed amendments address appearance by regulating signage through the appropriate land use designation.

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

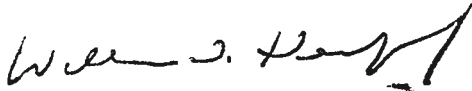
The Village has a history of amending its Zoning and Sign Ordinance to address evolving circumstances presented by petition or to clarify the intent of the Ordinance provisions. In 2009, the Village approved text amendments (as part of PC 09-26) relative to the regulation of temporary signage. Due to recent demand, staff examined amendments to the Sign Ordinance relative to automatic changeable copy signs, more specifically as they pertain to motor fuel rate signs. As a result, staff created a new sign classification that would allow motor fuel rates to be displayed electronically, but also allow other businesses and institutions to display similar electronic messages.

FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee recommends that the petition as presented does meet the standards set forth in the Zoning Ordinance and recommends that 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 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 11-16.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP
Director of Community Development

WJH:MT

ORDINANCE _____

**AN ORDINANCE APPROVING TEXT AMENDMENTS
TO THE LOMBARD SIGN ORDINANCE
TITLE 15, CHAPTER 153 OF THE CODE OF LOMBARD, ILLINOIS**

(PC 11-16; 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 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 August 15, 2011 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 103, of the Code of Lombard, Illinois is hereby amended to read in whole, as follows:

§153.103 ADMINISTRATIVE PROCEDURES

B. Permit Issuance.

5. Attention-Getting-Device-Permits: Permits for certain attention-getting devices, as defined in this Ordinance, ~~promoting community activities, special events such as grand openings, or activities of non-profit organizations,~~ may be issued subject to the following provisions:

a. General Requirements

(1) Time limits: Permits for attention-getting devices shall be limited for fourteen days or less.

(2) Removal Required: such devices shall be removed within twenty-four (24) hours after the expiration of the permit unless a new permit is obtained.

(3) Number of Permits Issued: No more than four (4) permits for any attention-getting devices shall be issued for any one business in any calendar year.

b. ~~Balloons~~ Inflatables/Requirements

(1) Time Limits: permits for ~~balloons~~ inflatables shall be limited to seven (7) consecutive days or less

(2) Removal Required: Such devices shall be removed within twenty-four (24) hours after the expiration of the permit unless a new permit is obtained.

(3) Number of Permits Issued: No more than two (2) permits for an balloon inflatable shall be issued for any one business in any calendar year.

SECTION 2: That Title 15, Chapter 153, Section 209, of the Code of Lombard, Illinois is hereby amended to read in whole, as follows:

§153.209 ATTENTION-GETTING DEVICES

Attention-Getting Devices as defined in this Ordinance, may be permitted ~~for promoting special community activities, special events such as grand openings, or activities of non-profit organizations,~~ subject to the following provisions:

A. General Requirements

(1) Unless otherwise provided for in this ordinance, a special permit must be obtained from the Village Director as per Section 153.103.B.5.

(2) No text shall be displayed on any surface of an attention getting device.

(3) Location of an Attention-getting devices on lot shall only be affixed to a permanent structure, unless otherwise provided for in this ordinance. must be approved by the Director.

B. ~~Balloons~~ Inflatables

(1) A ~~special~~ permit must be obtained from the ~~Director as per Village~~ Director as per Section 153.103.B.5.

(2) No other attention-getting device shall be displayed or attached to the ~~balloon~~ inflatable or its supports.

(3) Number: No more than one ~~balloon~~ inflatable shall be permitted on the premises.

(4) Location: ~~Balloons~~ Inflatables may be placed on the ground or on the roof of a building no more than two (2) stories in height. When placed on the ground, ~~balloons~~ inflatables and their supports shall ~~have~~ meet the minimum building setbacks required by the zoning district in which the ~~balloon~~ inflatable is located. ~~Balloons~~ Inflatables located on the ground and their supports shall not be located within the clear line of sight area, as defined in the Lombard Zoning Ordinance. ~~Balloons~~ Inflatables located on the ground and their supports shall not interfere with required parking spaces.

(5) Size: When placed on the ground ~~balloons~~ inflatables may not exceed twenty-five feet (25') in height, to the top of the ~~balloon~~ inflatable, above the ground level. When placed on a building roof, ~~balloons~~ inflatables may not exceed twenty-five (25') feet in height, to the top of the ~~balloon~~ inflatable, above the roof of the building.

(6) Separation Between Buildings, Signs, and Other Structures: ~~Balloons~~ Inflatables shall not be located closer than ten feet (10') from any overhead utility line. When placed on the ground, ~~balloons~~ inflatables shall not be located closer than four feet (4') to any other building or sign.

SECTION 3: That Title 15, Chapter 153, Section 210, of the Code of Lombard, Illinois is hereby amended to read in whole, as follows:

§153.210 AUTOMATIC CHANGEABLE COPY

Automatic Changeable Copy signs are allowable as a component of a wall or freestanding sign and shall be included in the total area of the sign. Automatic Changeable Copy signs are allowable only in non-residential zoning districts on property with a minimum of 500 lineal front footage in accordance with the following provisions:

(A) Allowed only when all of the signs on the site are in total compliance with the Sign Ordinance.

(B) The sign surface area of the changeable copy sign shall be counted in the overall surface area of the freestanding sign.

(C) The sign shall be permitted to change no more frequently than two-second intervals and shall be limited to changeable messages and not chasing messages.

(D) The use of animation, flashing, scrolling or blinking characters is prohibited.

(E) (D) No automatic changeable message reader boards shall exceed two (2) nine (9) square feet in area. height, with the display screen not to exceed eighteen (18) inches in height.

(F) (E) The changeable message board shall be equipped with automatic dimming devices, sun screens and no external spotlight illumination. The changeable message reader board shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.

~~(F) The changeable message board shall be located between twelve (12) and fifteen (15) feet above grade at the edge of the right of way; however, this may be changed at the discretion of the Director.~~

SECTION 4: That Title 15, Chapter 153, Section 223, of the Code of Lombard, Illinois is hereby amended to read in whole, as follows:

§153.223 MOTOR FUEL & PRODUCT RATE SIGNS

~~It is unlawful to construct, erect, or maintain any Motor Fuel Rate Sign without complying with the following provisions:~~

~~(A) Display of any Motor Fuel Rate Sign shall be permitted only in conjunction with the retail sale of motor fuel.~~

~~(B) One Motor Fuel Rate Sign shall be permitted per street frontage.~~

~~(C) Motor Fuel Rate Signs shall not exceed nine (9) square feet in surface area.~~

~~(D) Placement of the signs shall not obstruct the view of vehicles entering, exiting, or traveling on the public right of way and shall be approved by the Director.~~

Motor Fuel & Product Rate signs are allowable only as a component of a wall or freestanding sign. Motor Fuel & Product Rate signs are allowable only in non-residential zoning districts. Motor Fuel & Product Rate signs are allowable in accordance with the following provisions:

(A) The sign surface area of the message board shall be counted in the overall surface area of the sign.

(B) Allowed only when all of the signs on the site are in total compliance with the Sign Ordinance.

(C) The sign shall be permitted to change no more frequently than twice in a twelve hour period.

(D) The use of animation, flashing, scrolling or blinking characters is prohibited.

(E) No reader board shall exceed nine (9) square feet in area.

(F) For automatic message reader boards, the sign shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.

SECTION 5: That Title 15, Chapter 153, Section 234, of the Code of Lombard, Illinois is hereby amended to read in whole, 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 businesses which meet all of the following criteria:

1. The use of the property must be nonresidential.
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 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. Sandwich board signs shall not be located within the clear line of sight area, as defined in the Lombard Zoning Ordinance. Sandwich board signs and attached balloons shall maintain at least a one foot (1') setback from the back of any curb.

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.

E. Illumination: Sandwich board signs shall not be illuminated.

F. Mixed signs prohibited: Businesses 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.

K. Balloon(s) (two feet or less in any dimension) attached to a lawfully permitted Sandwich Board Sign may be allowed as part of the Sandwich Board Sign as long as the overall height of the Sandwich Board Sign and balloon(s) does not exceed six feet (6') in height.

SECTION 6: That Title 15, Chapter 153, Section 800, of the Code of Lombard, Illinois is hereby amended to read in whole, as follows:

~~**Motor Fuel Rate Sign** — Any sign upon which is designated or written out in words, numbers or figures, a description of rates, price, or any combination thereof.~~

Motor Fuel & Product Rate Sign - Any sign upon which is designated or written out in words, numbers or figures, a description of rates, price, or any combination thereof on which the copy changes automatically on an electronic message reader or manually on a reader board.

Sign, Changeable Copy (Automatic) – A sign on which the copy changes automatically on an ~~lamp bank~~ electronic message reader or through mechanical means; ~~e.g., electrical or electronic time and temperature units.~~

Sign, Changeable Copy (Manual) - A sign on which the copy is changed manually in the field; e.g., reader-boards with changeable letters.

SECTION 7: 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.

Ordinance No. _____

Re: PC 11-16

Page 7

Passed on first reading this ____ day of _____, 2011.

First reading waived by action of the Board of Trustees this ____ day of _____, 2011.

Passed on second reading this ____ day of _____, 2011.

Ayes: _____

Nayes: _____

Absent: _____

Approved this ____ day of _____, 2011.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2011.

Brigitte O'Brien, Village Clerk