

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: April 23, 2013 (BOT) Date: May 2, 2013
TITLE: PC 13-04: Text Amendments to the Sign Ordinance
SUBMITTED BY: Department of Community Development *WK*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The Village of Lombard is requesting text amendments to the Sign Ordinance (Section 153 of the Code of Ordinances), as follows:

1. Section 153.209(A)(2): amending prohibitions regarding text on attention getting devices and establishing regulations for the inclusion of text and graphics
2. Section 153.601: amending and supplementing the definition of attention getting devices to include inflatable signs and amending prohibition of specific message or copy
3. Further clarification and distinctions between balloon sign and inflatable sign regulations
4. Any requisite companion amendments and references for clarity

The Plan Commission recommended approval of this petition.

Please place this on the May 2, 2013 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 

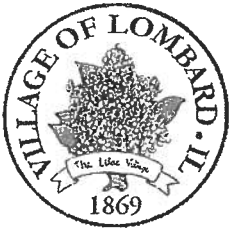
DATE: May 2, 2013

SUBJECT: PC 13-04; Text Amendments to the Sign Ordinance

Attached please find the following items for Village Board consideration as part of the May 2, 2013 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 13-04;
3. An ordinance providing text amendments to the Lombard Sign Ordinance as it pertains to balloons, inflatables and attention getting devices.

The Plan Commission recommended approval of the amendments included as part of the petition.



VILLAGE OF LOMBARD

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

May 2, 2013

Acting Village President
William "Bill" Ware

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

Village Clerk
Brigitte O'Brien

Subject: PC 13-04; Text Amendments to the Sign Ordinance

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

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 153.209 (A)(2) and Section 153.601 of the Lombard Sign Ordinance relative to attention getting devices.

Village Manager
David A. Hulseberg

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on April 15, 2013.

Chairperson Ryan noted that the petition would be presented by the Village.

"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."

William Heniff, Director of Community Development, presented the staff report. Staff has drafted this IDRC report to submit to the public record in its entirety, which also included the workshop report that was presented at the March Plan Commission meeting. Through this discussion, staff noted benefits to providing such signage and the Commission was generally supportive of considering such amendments to provide for the inclusion of text and graphics on attention getting devices such as inflatables and pennants. Through this discussion, the Commissioners and staff also noted a few companion areas in which the Sign Ordinance could be modified or clarified accordingly.

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

The Village has a history of amending its Zoning and Sign Ordinances to address evolving market conditions. Staff is proposing to amend the Sign Ordinance provisions relative to the prohibition of text on attention getting devices such as pennants, balloons, etc. The amendments also attempted to address issues of clarity between balloons and inflatables. He then discussed each of the amendments set forth within the staff report and their rationale. He also noted a couple of amendments from the IDRC report to ease readability and clarity. He concluded by noting that the standards for text amendments were reviewed and are being met.

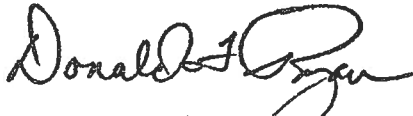
Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweetser sought clarity on the application of the 36 square foot limitation for pennants. Mr. Heniff replied that if each pennant contained a graphic symbol, it would be looked at cumulatively.

On a motion by Commissioner Sweetser and a second by Commissioner Flint, the Plan Commission voted 5 to 0 that the Village Board **approve** the conditional use associated with PC 13-04, subject to the four conditions outline in the Inter-Departmental Review Committee.

Respectfully,

VILLAGE OF LOMBARD

A handwritten signature in black ink, appearing to read "Donald Ryan". The signature is fluid and cursive, with a large initial "D" and "R".

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: April 15, 2013

FROM: Department of
Community Development

PREPARED BY: William J. Heniff, AICP
Director

TITLE

PC 13-04; Text Amendments to the Sign Ordinance: The Village of Lombard is requesting text amendments to the Sign Ordinance (Section 153 of the Code of Ordinances), as follows:

1. Section 153.209(A)(2): amending prohibitions regarding text on attention getting devices and establishing regulations for the inclusion of text and graphics
2. Section 153.601: amending and supplementing the definition of attention getting devices to include inflatable signs and amending prohibition of specific message or copy
3. Further clarification and distinctions between balloon sign and inflatable sign regulations
4. Any requisite companion amendments and references for clarity

GENERAL INFORMATION

Petitioner:

Village of Lombard

ANALYSIS

DESCRIPTION

The Village has a history of amending its Zoning and Sign Ordinances to address evolving circumstances presented by petition or through discussions with Village representatives. Following up from the March 18, 2013 workshop of the Lombard Plan Commission, staff is bring forward several amendments pertaining to attention getting devices to provide for the incorporation of text and/or graphics. Additionally, amendments are offers for additional clarity.

INTER-DEPARTMENTAL REVIEW COMMENTS

PRIVATE ENGINEERING SERVICES

Private Engineering Services has no comments.

PUBLIC WORKS

Public Works Engineering has no comments.

FIRE DEPARTMENT

The Fire Department has no issues or concerns with the proposed amendments.

BUILDING DIVISION

The Building Division has no comments.

PLANNING

The concept of revisiting the prohibition of text and graphics on attention getting devices was introduced to the Plan Commission as part of a workshop session in March, 2013 (see Attachment A). Through this discussion, staff noted benefits to providing such signage and the Commission was generally supportive of considering such amendments to provide for the inclusion of text and graphics on attention getting devices such as inflatables and pennants. Through this discussion, the Commissioners and staff also noted a few companion areas in which the Sign Ordinance could be modified or clarified accordingly.

The following are the proposed text amendments for the Sign Ordinance. Proposed changes are denoted by **underlining** new text with text to be removed denoted by a ~~striketrough~~. Additional discussion pertaining to the amendment is offered in italics.

§153.207 SIGNS SPECIFICALLY PROHIBITED

The following named signs are prohibited. They shall not be erected or displayed within the jurisdiction of this ordinance.

- (A) Abandoned Signs
- (B) Flashing Signs
- (C) Moving Signs
- (D) Portable Signs
- (E) Roof Signs, except ~~balloons~~ inflatables ~~as defined in Section 153.103.B.5.~~

This amendment is to address a previous text amendment omission pertaining to the definition of balloons and inflatables

- (F) Vehicle Signs (Including Trailer Mounted Signs)
- (G) Signs Painted Directly On Walls
- (H) Balloon Signs, in which the sting or rope length is greater than two feet (2')

The amendment is to clarify a text amendment approved last year that balloons are acceptable as long as the rope length does not exceed two feet in length. It is preferred to have regulations specifically enumerated within the text of the Sign Ordinance rather than the definitions section (153.600 et. seq.).

(I) Any sign or sign structure which by reason of size, location, content, coloring, or manner of illumination, obstructs the vision of drivers, or obstructs or detracts from the visibility or effectiveness of any traffic control device.

(J) Any sign or sign structure which by reason of size, location, content, coloring, or manner of illumination, obstructs free access to or egress from, or obscures the visibility of a fire escape, door, window, or other required exit.

(K) Any sign or sign structure which by reason of size, location, content, coloring, or manner of illumination, constitutes a hazard to public health or safety.

SPECIFICATIONS BY SIGN

§153.209 ATTENTION-GETTING DEVICES

Attention-Getting Devices as defined in this Ordinance, may be permitted subject to the following provisions:

A. General Requirements

- (1) Unless otherwise provided for in this ordinance, a permit must be obtained from the Village.

Addresses a grammatical error

(2) No text or graphic symbols identifying a specific business entity shall be displayed on any surface of an attention getting device, exceeding thirty-six (36) square feet in total copy area.

This amendment provides for the inclusion of text and graphic symbols, provided that the overall size does not exceed the maximum allowed for a traditional banner sign.

(3) Attention-getting devices shall only be affixed to a permanent structure, unless otherwise provided for in this ordinance.

B. Inflatables

- (1) A permit must be obtained from the Village.
- (2) No other attention-getting device shall be displayed or attached to the inflatable or its supports.
- (3) Number: No more than one inflatable shall be permitted on the premises.

(4) Location: Inflatables may be placed on the ground or on the roof of a building no more than ~~two (2)~~ twenty-five (25) feet in height. When placed on the ground, inflatables and their supports shall meet the minimum building setbacks required by the zoning district in which the inflatable is located. Inflatables located on the ground and their supports shall not be located within the clear line of ~~site~~ sight area, as defined in the Lombard Zoning Ordinance. Inflatables located on the ground and their supports shall not interfere with required parking spaces.

The change from two stories to twenty-five is meant to make the regulations easier to understand for the uses, as the term "story" is more of a term rather than a precise measurement. The other amendment addresses a scrivener's error.

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

(6) **Separation Between Buildings, Signs, and Other Structures:** Inflatables shall not be located closer than ten feet (10') from any overhead utility line. When placed on the ground, inflatables shall not be located closer than four feet (4') to any other building or sign.
(Ord. 6650, passed 9/15/11)

DEFINITIONS

§153.602 DEFINITIONS

ATTENTION GETTING DEVICE Any flag, festoon, ~~valance~~, propeller, pole covers, spinner, streamer, searchlights, and any similar device or ornamentation designated for the purposes of attracting attention, promoting or advertising, ~~without conveying a specific message or copy.~~

The amendments to strike valance is offered as the Sign Ordinance provides for valance signage elsewhere, as part of the awning sign provisions. The amendment to strike the specific message or copy provision is to provide for some level of accommodation, as provided for within the overall attention getting signage requirements.

PENNANTS A long, tapering, usually triangular flag, used as an attention-getting device.

SIGN, BALLOONS A type of inflatable sign which retains its shape from inflating with air, helium, or other gaseous elements, is two (2) feet or less measured in any dimension ~~which is affixed to a structure by means of attachment less than two (2) feet in length.~~

This amendments is a further clarification of the prohibition of balloon signage with excessive string length, as noted earlier.

SIGN, INFLATABLE A type of temporary sign which is two (2) feet or more when measured in any dimension and retains its shape from inflating with air, helium, or other gaseous elements. Such balloons may be of various shapes, sizes, and characters.

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 proposed amendments will be applicable throughout the entire Village.

2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*

The proposed amendments do not change the intent of any current regulations as it pertains to the ability of businesses to incorporate attention getting devices as part of their business operation. Rather, they are meant to provide an additional opportunity to incorporate text and graphics into the such temporary signage.

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

The proposed amendments would create no nonconformities as the proposed regulations primarily pertain to temporary advertising devices.

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

The proposed amendments will make the ordinance more permissive by allowing for a limited amount of text and graphics on attention getting devices, where such provisions are not currently available.

5. *The consistency of the proposed amendment with the Comprehensive Plan;*

Staff believes 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.

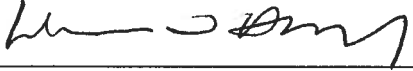
FINDINGS AND RECOMMENDATIONS

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 13-04.

Lombard Plan Commission
Re: PC 13-04
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Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP
Director of Community Development

WJH:

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APPENDIX A

MEMORANDUM

TO: LOMBARD PLAN COMMISSION
Donald Ryan, Plan Commission Chairperson

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

DATE: March 18, 2013

SUBJECT: Inclusion of Text or Graphics on Attention Getting Devices and Inflatables

Staff is seeking input of the Plan Commission on an amendment to the Sign Ordinance regulations as it pertaining to the inclusion of text and/or graphics on Attention Getting Devices and Inflatables. Specifically, staff would like to know whether or not the Plan Commission would support amending the Sign Ordinance with respect to this issue.

BACKGROUND

Attention Getting Devices are defined within Section 153.603 of the Sign Ordinance as follows:

ATTENTION GETTING DEVICE Any flag, festoon, valance, propeller, pole covers, spinner, streamer, searchlights, and any similar device or ornamentation designated for the purposes of attracting attention, promoting or advertising, without conveying a specific message or copy.

The Sign Ordinance provides opportunities for businesses to place attention getting devices and inflatables on their properties, subject to a permit and time restrictions and including:

§153.209 ATTENTION-GETTING DEVICES

Attention-Getting Devices as defined in this Ordinance, may be permitted subject to the following provisions:

A. General Requirements

- (1) Unless otherwise provided for in this ordinance (sic), a permit must be obtained from the Village.
- (2) No text shall be displayed on any surface of an attention getting device.
- (3) Attention-getting devices shall only be affixed to a permanent structure, unless otherwise provided for in this ordinance.

Staff has noted that the prohibition of text or graphics from such otherwise permissible attention getting devices has posed challenges for some commercial businesses, in the following areas:

Business/Event Identification

Attention Getting Devices are intended to draw the attention of the prospective customer to the business. The Village has had requests to provide for some level of text upon inflatables, in order to

identify the nature of the special event or activity. However, current code provisions restrict the ability to place text on inflatables or other such devices. Such a prohibition can render the device functionally ineffective in meeting its ultimate purpose (getting customers to visit an establishment). For example, staff offers the following example of an existing inflatable that was placed along Roosevelt Road.



In this example, the inflatable provides no information pertaining to the reason the device was placed on the property. The west elevation did have some text “Grand Opening” which provides some level of information to the customer, but the Ordinance does not include the ability to add text such as the name of the establishment (the text has since been removed). When placed in a shopping center parking lot and/or a planned development, it also diminishes the effectiveness of the device.

Staff would argue that the inclusion of sign text, in and of itself, does not create an adverse aesthetic impact upon its surroundings. In fact, if properly done, it can provide valued information for both the business and its prospective customers. Should the Plan Commission warrant such an amendment to the Sign Ordinance for inflatables only, staff would suggest that the sign copy area could be limited to 32 square feet in area, which is the same as the maximum permitted banner size.

Corporate Branding Issues

The Village has also received requests for attention getting device permits which, by design, also include corporate branding elements. This has included pennants with a corporate image. The Sign Ordinance already provides for multi-colored pennants to be placed upon properties, so the issue is not whether such pennants are aesthetically pleasing; rather, the issue is whether the inclusion of

additional graphics detracts from the sign elements. Staff notes that many such corporate graphics are frequently upgraded to reflect their current brand identity and may be in better overall condition than rented colored pennants. Moreover, such advertising can create further identification to the proposed special activity.

STAFF RECOMMENDATION

Staff is seeking direction from the Plan Commission as to the desirability or level of appropriateness of text or graphics on attention getting devices.

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ORDINANCE _____

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

(PC 13-04; Text Amendments to the Sign Ordinance)

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

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

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

WHEREAS, a public hearing to consider text amendments to the Sign Ordinance has been conducted by the Village of Lombard Plan Commission on April 15, 2013 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 207, of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

§153.207 SIGNS SPECIFICALLY PROHIBITED

The following named signs are prohibited. They shall not be erected or displayed within the jurisdiction of this ordinance.

- (A) Abandoned Signs
- (B) Flashing Signs
- (C) Moving Signs
- (D) Portable Signs
- (E) Roof Signs, except balloons inflatables as defined in Section 153.103.B.5.
- (F) Vehicle Signs (Including Trailer Mounted Signs)
- (G) Signs Painted Directly On Walls
- (H) Balloon Signs, in which the sting or rope length is greater than two feet (2')

(I) Any sign or sign structure which by reason of size, location, content, coloring, or manner of illumination, obstructs the vision of drivers, or obstructs or detracts from the visibility or effectiveness of any traffic control device.

(J) Any sign or sign structure which by reason of size, location, content, coloring, or manner of illumination, obstructs free access to or egress from, or obscures the visibility of a fire escape, door, window, or other required exit.

(K) Any sign or sign structure which by reason of size, location, content, coloring, or manner of illumination, constitutes a hazard to public health or safety.

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

SPECIFICATIONS BY SIGN

§153.209 ATTENTION-GETTING DEVICES

Attention-Getting Devices as defined in this Ordinance, may be permitted subject to the following provisions:

A. General Requirements

(1) Unless otherwise provided for in this ordinance s, a permit must be obtained from the Village.

(2) No text or graphic symbols identifying a specific business entity exceeding thirty-six (36) square feet in total copy area shall be displayed on any surface of an attention getting device.

(3) Attention-getting devices shall only be affixed to a permanent structure, unless otherwise provided for in this ordinance.

B. Inflatables

(1) A permit must be obtained from the Village.

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

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

(4) Location: Inflatables may be placed on the ground or on the roof of a building no more than ~~two (2) stories~~ twenty-five (25) feet in height. When placed on the ground, inflatables and their supports shall meet the minimum building setbacks required by the zoning district in which the inflatable is located. Inflatables located on the ground and their supports shall not be located within the clear line of site sight area, as defined in the Lombard Zoning Ordinance. Inflatables located on the ground and their supports shall not interfere with required parking spaces.

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

(6) Separation Between Buildings, Signs, and Other Structures: Inflatables shall not be located closer than ten feet (10') from any overhead utility line. When placed on the ground, inflatables shall not be located closer than four feet (4') to any other building or sign.
(Ord. 6650, passed 9/15/11)

SECTION 4: That Title 15, Chapter 153, Section 602, of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

§153.602 DEFINITIONS

ATTENTION GETTING DEVICE Any flag, festoon, ~~valance~~, propeller, pole covers, spinner, streamer, searchlights, and any similar device or ornamentation designated for the purposes of attracting attention, promoting or advertising, ~~without conveying a specific message or copy.~~

PENNANTS A long, tapering, usually triangular flag, used as an attention-getting device.

SIGN, BALLOONS A type of inflatable sign which retains its shape from inflating with air, helium, or other gaseous elements, is two (2) feet or less measured in any dimension ~~which is affixed to a structure by means of attachment less than two (2) feet in length.~~

SIGN, INFLATABLE A type of temporary sign which is more than two (2) feet ~~or more~~ when measured in any dimension and retains its shape from inflating with air, helium, or other gaseous elements. Such ~~balloons~~ inflatables may be of various shapes, sizes, and characters.

SECTION 5: 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 _____, 2013.

First reading waived by action of the Board of Trustees this ____ day of _____, 2013.

Passed on second reading this ____ day of _____, 2013.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2013.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Ordinance No. _____

Re: PC 13-04

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Published by me in pamphlet form this ____ day of _____, 2012.

Brigitte O'Brien, Village Clerk