






## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

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

**MEETING DATE:** September 7, 2017

**SUBJECT:** **PC 17-24: Text Amendments to the Zoning Ordinance (Off-Premise Interstate Signs)**

Please find the following items for Village Board consideration as part of the September 7, 2017 Board meeting:

1. IDRC report for PC 17-24; and
2. An Ordinance granting approval of text amendments to the Zoning Ordinance relative to Off- Premise Interstate Signs.

The Plan Commission recommended approval of this petition by a vote of 4-1. As all four petitions did not receive recommendations for approval, please place this item on the September 7, 2017 Board of Trustees agenda under Items for Separate Action.

# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

### TEXT AMENDMENTS TO THE ZONING ORDINANCE – OFF-PREMISE INTERSTATE SIGNS

July 31, 2017

#### Title

PC 17-24

#### Petitioner

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

#### Property Location

Village-wide

#### Approval Sought

Text amendments to Sections 155.800 and 155.420 (C) & (F) of the Lombard Zoning Ordinance (and any other relevant sections for clarity) allowing for "Off-Premise Interstate Signs" as a conditional use.

#### Submittals

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

#### Prepared By

William J. Heniff, AICP  
Director of Community  
Development

#### DESCRIPTION

The joint petitioners, the Village of Lombard and Lamar Advertising Company, have submitted this request along with companion requests for a conditional use for off-premise interstate signs (if PC 17-23 and PC 17-24 is approved) at 630 Crescent Boulevard (Case No. PC 17-25) and 625 W. Glen Oak Road (Case No PC 17-26). The petitioners would like to place off-premise interstate signs on the subject properties.

Therefore, text amendments are required to the Zoning Ordinance for consistency with the actions sought in the Sign Ordinance amendments.

#### INTER-DEPARTMENTAL REVIEW

##### **Building Division:**

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

##### **Fire Department:**

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

##### **Private Engineering Services:**

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

##### **Public Works:**

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

##### **Planning Services Division:**

The proposed change to Section 155.420 (C) will update the Zoning Ordinance to regulate Off-Premise Interstate Signs as a conditional use subject to regulations previously set in PC 17-23. An additional two definitions (Federal Interstate Highway and Off-Premise Interstate Sign) will be added to the Zoning Ordinance and Sign Ordinance (PC 17-23) to help provide guidance to staff on the location of off-premise interstate signs.

The proposed change to Section 155.420 (F) will update the Zoning Ordinance to allow for Off-Premise Interstate Signs to be located up to the applicable front or corner side yard lot line next to a Federal Interstate Highway.

## **PROPOSED REGULATIONS**

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

For PC 17-24:

A. *Add the following definitions to Section 153.802: Rules and Definitions:*

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

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

*SIGN, OFF-PREMISE INTERSTATE. An off-premise sign (as defined within Section 153.602 of the Sign Ordinance) which includes either an automatic changeable copy board or a static copy board and which is primarily intended to communicate messages to motorists utilizing Federal Interstate Highways within the Village.*

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

B. Include the following regulations in Section 155.420 (C), as follows:

*(42) Off-Premise Interstate Signs, as a principal structure on a lot and as a conditional use, pursuant to this Sub-section as well as Sections 155.103(F) and 155.208(C) of the Zoning Ordinance.*

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

C. Include the following regulations in Section 155.420 (F), as follows:

*(5) In lieu of the required front yard setback requirements set forth within Section 155.420(F)(1) or (2), off-premise interstate signs may be located up to the applicable front or corner side yard lot line abutting a Federal Interstate Highway.*

Since off-premise interstate signs are deemed a principal structure, they would be subject to the setback requirements for the I Limited Industrial District. However, this amendment allows for the signs to abut a Federal Interstate Highway and not be subject to the yard setback requirements. This approach would allow the signs to be placed closest to the intended motorists and further away from other properties.

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

### **STANDARDS FOR TEXT AMENDMENTS**

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

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*  
The text amendment is applicable to properties zoned Industrial that meet the criteria set forth in the proposed text amendments.
2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*  
The proposed text amendment will be consistent with the Ordinance as a whole and provide for regulations on type and location of proposed billboards.
3. *The degree to which the proposed amendment would create nonconformity;*  
Staff does not believe any nonconformity would be created.
4. *The degree to which the proposed amendment would make this ordinance more permissive;*  
The proposed amendment will be more permissive and it sets forth new regulation on where the the newly defined off-premise interstate signs may be placed (PC 17-23).
5. *The consistency of the proposed amendment with the Comprehensive Plan; and*  
Staff finds that the proposed amendments would be consistent with the Comprehensive Plan.
6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*  
The Village has a history of amending the Zoning and Sign Ordinance to address edits for clarity. The proposed amendments are consistent with established Village policy in this regard.

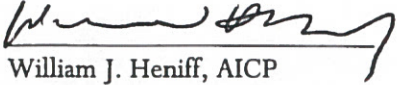
### **FINDINGS & RECOMMENDATIONS**

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

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the 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 amendments **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 17-24.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development

c. Petitioner

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ORDINANCE \_\_\_\_\_

**AN ORDINANCE APPROVING TEXT AMENDMENTS  
TO THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 155, SECTIONS 155.420 and 155.802  
OF THE LOMBARD VILLAGE CODE**

PC 17-24: Off-Premise Interstate Signs

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Lombard Code; and,

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

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on July 31, 2017 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 amendment 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 155, Section 155.802 of the Lombard Village Code is hereby amended to also include the following definitions:

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

**SIGN, OFF-PREMISE INTERSTATE.** An off-premise sign (as defined within Section 153.602 of the Sign Ordinance) which includes either an automatic changeable copy board or a static copy board and which is primarily intended to communicate messages to motorists utilizing Federal Interstate Highways within the Village.

**SECTION 2:** That Title 15, Chapter 155, Section 155.420(C) of the Lombard Village Code is hereby amended to read as follows:

- (42) Off-Premise Interstate Signs, as a principal structure on a lot and as a conditional use, pursuant to this Sub-section as well as Sections 155.103(F) and 155.208(C) of the Zoning Ordinance.

**SECTION 3:** That Title 15, Chapter 155, Section 155.420(F) of the Lombard Village Code is hereby amended to read as follows:

- (5) In lieu of the required front yard setback requirements set forth within Section 155.420(F)(1) or (2), off-premise interstate signs may be located up to the applicable front or corner side yard lot line abutting a Federal Interstate Highway.

**SECTION 4:** 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 \_\_\_\_\_, 2017

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2017.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2017.

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

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

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

Approved this \_\_\_\_ day of \_\_\_\_\_, 2017.

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



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

Re: PC 17-24

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ATTEST:

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

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

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Sharon Kuderna, Village Clerk