

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


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

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : February 11, 2020 **(BOT) Date:** February 20, 2020

SUBJECT: PC 20-04; Text Amendment – Outdoor Dining

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, is requesting text amendments to the following Section of Village Code, and other relevant sections for clarity, all in order to establish outdoor dining on private property as a permitted use in business districts in the Village:

1. Amend Section 155.413(B) and 155.413(K) of the Village Code to add “Outdoor Dining, as an accessory use to a restaurant or grocery store, subject to Chapter 119 of the Lombard Zoning Ordinance” to the list of permitted uses in the B1 Limited Neighborhood Shopping District and amend the Restrictions on Business Uses;
2. Amend Section 155.414(K) of the Village Code of Restrictions on Business Uses in B2 General Neighborhood Shopping Districts;
3. Amend Section 155.415(I) of the Village Code of the Restrictions on Business Uses in B3 Community Shopping Districts;
4. Amend Section 155.416(K) of the Village Code of Restrictions on Business Uses in B4 Corridor Commercial Shopping Districts;
5. Amend Section 155.417(G)(1)(a) and Section 155.417(G)(10) of the Village Code to add “Outdoor Dining, as an accessory use to a restaurant or grocery store, subject to Chapter 119 of the Lombard Zoning Ordinance” to the list of permitted uses in the B4A Roosevelt Road Corridor District and amend the Restrictions on Business Uses;
6. Amend Section 155.418(I) of the Village Code of the Restrictions on Business Uses in B5 Central Business District;

7. Amend Section 155.419(I) of the Village Code of the Restrictions on Business Uses B5A Downtown Perimeter District;
8. Amend Section 155.802 to define "outdoor dining" and amend the definition of "outdoor café".

The Plan Commission recommended approval of this petition by a vote of 4-0. Please place this petition on the February 20, 2020 Board of Trustees consent agenda.

Fiscal Impact/Funding Source:

Review (as necessary):


Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

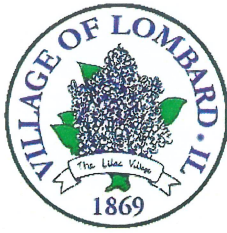
MEETING DATE: February 20, 2020

SUBJECT: **PC 20-04; Text Amendment, Outdoor Dining**

Please find the following items for Village Board consideration as part of the February 20, 2020 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 20-04; and
3. An Ordinance granting approval of the text amendments of the Lombard Zoning Ordinance.

The Plan Commission recommended approval of this petition by a vote of 4-0. Please place this petition on the February 20, 2020 Board of Trustees consent agenda.



VILLAGE OF LOMBARD

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

February 20, 2020

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Anthony Puccio, Dist. 2
Reid Foltyniewicz, Dist. 3
Andrew Honig, Dist. 4
Daniel Militello, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

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

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

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

Subject: PC 20-04; Text Amendment – Outdoor Dining

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, is requesting text amendments to the following Section of Village Code, and other relevant sections for clarity, all in order to establish outdoor dining on private property as a permitted use in business districts in the Village:

1. Amend Section 155.413(B) and 155.413(K) of the Village Code to add "Outdoor Dining, as an accessory use to a restaurant or grocery store, subject to Chapter 119 of the Lombard Zoning Ordinance" to the list of permitted uses in the B1 Limited Neighborhood Shopping District and amend the Restrictions on Business Uses;
2. Amend Section 155.414(K) of the Village Code of Restrictions on Business Uses in B2 General Neighborhood Shopping Districts;
3. Amend Section 155.415(I) of the Village Code of the Restrictions on Business Uses in B3 Community Shopping Districts;
4. Amend Section 155.416(K) of the Village Code of Restrictions on Business Uses in B4 Corridor Commercial Shopping Districts;
5. Amend Section 155.417(G)(1)(a) and Section 155.417(G)(10) of the Village Code to add "Outdoor Dining, as an accessory use to a restaurant or grocery store, subject to Chapter 119 of the Lombard Zoning Ordinance" to the list of permitted uses in the B4A Roosevelt Road Corridor District and amend the Restrictions on Business Uses;

6. Amend Section 155.418(I) of the Village Code of the Restrictions on Business Uses in B5 Central Business District;
7. Amend Section 155.419(I) of the Village Code of the Restrictions on Business Uses B5A Downtown Perimeter District;
8. Amend Section 155.802 to define “outdoor dining” and amend the definition of “outdoor café”;

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on February 3, 2020. Sworn in to present the petition were Jennifer Ganser, Assistant Director and Anna Papke, Senior Planner.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner, the Village of Lombard, is requesting text amendments to the Lombard Zoning Ordinance to allow outdoor dining on private property as a permitted use in all business districts. The definitions of outdoor dining and outdoor cafes will be defined separately. The Plan Commission held a workshop on August 19, 2019. Commissioners provided positive feedback to the research conducted by staff. Unanimous approvals of conditional uses of outdoor dining and that many other municipalities allow outdoor dining as a permitted use prompted staff to recommend simplifying the process for restaurant owners to install outdoor dining. Staff will update Chapter 119 to add business regulations for outdoor dining on private property. This will be reviewed by the ECDC.

Vice Chairperson Flint opened the meeting for comments among the Commissioners.

On a motion by Commissioner Johnston, and a second by Commissioner Mrofcza, the Plan Commission voted 4-0 to recommend that the Village Board approve the petition associated with PC 20-04.

Respectfully,

VILLAGE OF LOMBARD

Stephen Flint, Vice Chairperson
Lombard Plan Commission

ORDINANCE _____

**AN ORDINANCE AMENDING
TITLE XV., CHAPTER 155 OF THE LOMBARD VILLAGE CODE
IN REGARD TO THE ZONING REGULATIONS
APPLICABLE TO OUTDOOR DINING**

WHEREAS, the Village of Lombard (the “Village”) maintains a Zoning Code which is found in Title XV., Chapter 155 of the Lombard Village Code (the “Village Code”); and

WHEREAS, the Village has enacted Village Code regulations for the purpose of improving and protecting the public health, safety and welfare of the residents of the Village; and

WHEREAS, the President and Board of Trustees of the Village (the “Corporate Authorities”) deem it reasonable to periodically review said Zoning Code and make necessary changes thereto; and

WHEREAS, a public hearing, to consider text amendments to the Zoning Code, relative to outdoor dining, as set forth below, was conducted by the Village’s Plan Commission (the “Plan Commission”) on February 3, 2020, pursuant to appropriate and legal notice; and

WHEREAS, the Plan Commission has filed its recommendations with the Corporate Authorities recommending approval of the Zoning Code text amendments as set forth below; and

WHEREAS, the Corporate Authorities 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 XV., Chapter 155, Section 155.413(B) of the Lombard Village Code is amended as follows:

- A. Current subsection (28) is relabeled as subsection (29).
- B. A new subsection (28) is hereby added thereto, to read in its entirety as follows:
“(28) Outdoor Dining, as an accessory use to a restaurant or grocery store, subject to Chapter 119 of the Lombard Village Code.”

SECTION 2: That Title XV., Chapter 155, Section 155.413(K) of the Lombard Village Code is amended as follows:

“(4) All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings.”

SECTION 3: That Title XV., Chapter 155, Section 155.414(K) of the Lombard Village Code is amended as follows:

“(2) All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to § 155.103 of this Chapter.”

SECTION 4: That Title XV., Chapter 155, Section 155.415(K) of the Lombard Village Code is amended as follows:

“(2) All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to § 155.103 (F) of this Chapter.”

SECTION 5: That Title XV., Chapter 155, Section 155.416(K) of the Lombard Village Code is amended as follows:

“(2) All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to § 155.103 (F) of this Chapter.”

SECTION 6: That Title XV., Chapter 155, Section 155.417(G)(1)(a) of the Lombard Village Code is amended as follows:

- A. Current subsection (xxxvii) is relabeled as subsection (xxxviii).
- B. A new subsection (xxxvii) is hereby added thereto, to read in its entirety as follows:

“(xxxvii) Outdoor Dining, as an accessory use to a restaurant or grocery store, subject to Chapter 119 of the Lombard Village Code.”

SECTION 7: That Title XV., Chapter 155, Section 155.417(G)(10) of the Lombard Village Code is amended as follows:

“(b) All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to § 155.103 (F) of this Chapter.”

SECTION 8: That Title XV., Chapter 155, Section 155.418(I) of the Lombard Village Code is amended as follows:

“(I) Restrictions on business uses. The operation and design of business uses shall conform to the following restriction.

All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to § 155.103 (F) of this Chapter.”

SECTION 9: That Title XV., Chapter 155, Section 155.419(I) of the Lombard Village Code is amended as follows:

“(I) Restrictions on business uses. The operation and design of business uses shall conform to the following restriction.

All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to § 155.103 (F) of this Chapter.”

SECTION 10: That Title XV., Chapter 155, Section 802 of the Lombard Village Code is amended as follows:

Outdoor cafe as an accessory use to a restaurant or grocery store when no more than six tables, with a maximum of 24 chairs, and located on the public right of way within the B5 Central business district. within the buildable area of a lot.

Outdoor dining as an accessory use to a restaurant or grocery store located on private property within the buildable area of a lot.

SECTION 11: 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 _____, 2020.

First reading waived by action of the Board of Trustees this ____ day of _____, 2019.

Passed on second reading this ____ day of _____, 2020, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this ____ day of _____, 2020.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2020.

Sharon Kuderna, Village Clerk