



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

MEETING DATE: November 3, 2022

SUBJECT: **PC 22-25: Text Amendments to Chapter 155 of the Village Code (the Zoning Ordinance), pertaining to cultural facilities and institutions**

Please find the following items for Village Board consideration as part of the November 3, 2022, Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 22-25; and
3. An Ordinance granting approval of text amendments to the Lombard Zoning Ordinance, Title 15, Chapter 155 of the Lombard Village Code.

The Plan Commission recommended approval of this petition by a vote of 6-0 (with one commissioner abstaining due to late arrival during the public hearing). Please place this petition on the November 3, 2022, Board of Trustees agenda with a waiver of first reading requested by staff.



VILLAGE OF LOMBARD

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

November 3, 2022

Village President
Keith T. Giagnorio

Village Clerk
Liz Brezinski

Trustees

Brian LaVaque, Dist. 1
Anthony Puccio, Dist. 2
Bernie Dudek, Dist. 3
Andrew Honig, Dist. 4
Dan Militello, Dist. 5
Bob Bachner, 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 22-25: Text Amendments to Chapter 155 –
Cultural Facilities and Institutions**

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 Chapter 155 of the Village Code (the Zoning Ordinance), and any other relevant sections for clarity and consistency, as it pertains to cultural facilities and institutions in the following Districts: B1 Limited Neighborhood Shopping District; B2 General Neighborhood Shopping District; B3 Community Shopping District; B4 Corridor Commercial District; Roosevelt Road Corridor B4A District; B5 Central Business District; and B5A Downtown Perimeter District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on October 17, 2022. Sworn in to present the petition was Anna Papke, Senior Planner, and Bill Heniff, Community Development Director

Acting-Chair Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Ms. Papke presented the petition and staff report. The IDRC report for PC 22-25 was entered into the public record in its entirety. Ms. Papke said that staff is proposing to amend the Zoning Ordinance as it pertains to cultural facilities and institutions. These uses are currently conditional uses in the Business Districts. The proposed text amendments would make them permitted uses in the Business Districts. In support of the amendments, staff notes that cultural facilities and institutions, which include libraries, museums and other such entities, are commonly located in Business Districts. This change was one that staff had identified should be included as part of the comprehensive land use amendments considered by the Plan Commission in September 26 (PC 22-23), but was inadvertently left out of the earlier text amendment. These amendments would correct that omission.

Staff recommended approval of the proposed text amendments.

Acting-Chair Giuliano asked if there were any questions or comments on the petition and staff report. Hearing none, she opened the meeting for comments among the Commissioners.

On a motion by Commissioner Spreenberg, and a second by Commissioner Invergo, the Plan Commission voted 6-0, with one commissioner abstaining from the vote, to recommend that the Village Board approve the petition associated with PC 22-25.

Respectfully,

VILLAGE OF LOMBARD

Leigh Giuliano, Acting Chairperson
Lombard Plan Commission

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

TEXT AMENDMENTS TO THE ZONING ORDINANCE – CULTURAL FACILITIES AND INSTITUTIONS

October 17, 2022

Title

PC 22-25

Petitioner

Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148

Property Location

Village-wide

Approval Sought

The petitioner is requesting text amendments to Chapter 155 of Village Code as it pertains to cultural facilities and institutions in the Business Districts

Prepared By

Anna Papke, AICP
Senior Planner

DESCRIPTION

The Village of Lombard is proposing text amendments to the Zoning Ordinance as it relates to cultural facilities and institutions. Per Section 155.802 of Village Code, cultural facilities and institutions include libraries, museums, and other similar public or quasi-public uses.

Cultural facilities and institutions are currently conditional uses in the Business Districts. The proposed text amendment would make them permitted uses in the Business Districts. This change was inadvertently left out of the comprehensive amendments to permitted and conditional uses in Chapter 155 considered by the Plan Commission on September 26, 2022 (PC 22-23). This petition will correct the earlier omission.

APPROVAL(S) REQUIRED

The petitioner, the Village of Lombard, is requesting text amendments to Chapter 155 of the Village Code (the Zoning Ordinance), and any other relevant sections for clarity and consistency, as it pertains to cultural facilities and institutions in the following Districts: B1 Limited Neighborhood Shopping District; B2 General Neighborhood Shopping District; B3 Community Shopping District; B4 Corridor Commercial District; Roosevelt Road Corridor B4A District; B5 Central Business District; and B5A Downtown Perimeter District.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments regarding the proposed text amendments to the Village Code.

Fire Department:

The Fire Department has no comments regarding the proposed text amendments to the Village Code.

Private Engineering Services:

Private Engineering Services has no comments regarding the proposed text amendments to the Village Code.

Public Works:

The Department of Public Works has no comments regarding the proposed amendments to the Village Code.

Planning Services Division:

Cultural facilities and institutions are currently conditional uses in all the Business Districts. During the comprehensive review of permitted and conditional uses in Chapter 155, staff identified this use as one that should be reclassified to a permitted use in the Business Districts. Staff notes that cultural facilities such as museums and libraries are commonly located in business districts. Aspects of their operations are similar to retail uses, restaurant uses, banquet halls, offices, and other land uses that are open to the general public, all of which are permitted uses in the B District.

Additionally, parking requirements for cultural facilities and institutions are consistent with parking requirements for other permitted uses in the Business Districts. Cultural facilities and institutions presently require 3 ½ parking spaces per 1,000 square feet. An upcoming text amendment to the parking requirements proposes amending the requirement for cultural facilities/institutions as well as retail uses and offices to 3 spaces per 1,000 square feet.

EXISTING & PROPOSED REGULATIONS

The proposed text amendments are as follows. Additions are denoted by **bold and underline**. Deletions are denoted by a ~~strickthrough~~.

§ 155.413 - B1 Limited Neighborhood Shopping District requirements.

(B) Permitted uses.

(23) Cultural facilities/institutions.

(C) Conditional uses.

~~(1) Cultural facilities/institutions.~~

§ 155.417 Roosevelt Road Corridor B4A District requirements.

(G) Use regulations.

(1) Permitted uses.

(b) Service uses.

(iii) Cultural facilities/institutions

§ 155.419 - B5A Downtown Perimeter District requirements.

(C) Conditional Uses

~~(23) Cultural facilities/institutions~~

STANDARDS FOR TEXT AMENDMENTS

For any change to the Village Code, 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 proposed text amendments are applicable to all properties in the Village.

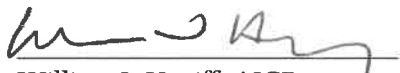
2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*
The proposed text amendments are consistent with the objectives of the Village Code.
3. *The degree to which the proposed amendment would create nonconformity;*
Staff does not believe any nonconformity would be created as a result of the proposed amendments.
4. *The degree to which the proposed amendment would make this ordinance more permissive;*
The proposed amendments will make reclassify cultural facilities/institutions as permitted rather than conditional uses.
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 Village Code to address changing circumstances or to provide clarity. The proposed amendments are consistent with established Village policy in this regard.

FINDINGS & RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Village Code. 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 22-25.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

H:\CD\WORDUSER\PCCASES\2022\PC 22-25 cultural facilities\PC 22-25_IDRC Report.docx

ORDINANCE _____

**AN ORDINANCE APPROVING A TEXT AMENDMENT
TO THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155
OF THE LOMBARD ZONING CODE**

PC 22-25: Text Amendments to the Zoning Ordinance – Cultural Facilities and Institutions

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 October 17, 2022, 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 155, Section 155.413 of the Lombard Zoning Ordinance shall be amended as follows:

(B) Permitted uses.

(23) Cultural facilities/institutions.

(C) Conditional uses.

~~(1) Cultural facilities/institutions.~~

SECTION 2: That Title 15, Chapter 155, Section 155.417 of the Lombard Zoning Ordinance shall be amended as follows:

(G) Use regulations.

Ordinance No. _____

Re: PC 22-25

Page 2

(1) Permitted uses.

(b) Service uses.

(iii) Cultural facilities/institutions.

SECTION 3: That Title 15, Chapter 155, Section 155.419 of the Lombard Zoning Ordinance shall be amended as follows:

(C) Conditional Uses

~~(23) Cultural facilities/institutions~~

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 _____, 2022.

First reading waived by action of the Board of Trustees this ____ day of _____, 2022.

Passed on second reading this ____ day of _____, 2022.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2022.

Keith T. Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this ____ day of _____, 2022.

Elizabeth Brezinski, Village Clerk