

ORDINANCE 5523

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

(PC 04-22: Religions Institutions and Meeting Halls as Conditional Uses in Business Districts)

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

WHEREAS, the Village has received a petition to operate a religious institution on a property zoned B4 Corridor Commercial District and located at 950 North Grace Street, Lombard, IL; and

WHEREAS, as currently adopted, the Lombard Zoning Ordinance does not allow for religious institutions in the B4 Corridor Commercial District; and

WHEREAS, approval of said request can only be granted through a text amendment to the Zoning Ordinance; and

WHEREAS, an application has been filed requesting approval of a text amendment to allow for religious institutions as a conditional use within the B4 Corridor Commercial District in the Village of Lombard; and

WHEREAS, the Village also recommends that companion text amendments should also be approved designating religious institutions as conditional uses in all Business Districts and the I Limited Industrial District within the in the Village of Lombard; and

WHEREAS, the Village also recommends that companion text amendments should also be approved designating clubs and lodges as conditional uses in Business Districts and the I Limited Industrial District within the in the Village of Lombard; and

WHEREAS, the Village also recommends that companion text amendments should also be approved to various sections of the Zoning Ordinance pertaining to religious institutions for clarity; 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 a text amendment to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on July 19, 2004 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 the Title 15, Chapter 155, Section 405 (C), of the Code of Lombard, Illinois is hereby amended to read in part as follows:

SECTION 155.405 R1 SINGLE-FAMILY RESIDENCE DISTRICT REQUIREMENTS

C. Conditional Uses

8. Religious institutions

SECTION 2: That the Title 15, Chapter 155, Section 406 (C), of the Code of Lombard, Illinois is hereby amended to read in part as follows:

SECTION 155.406 R2 SINGLE-FAMILY RESIDENCE DISTRICT REQUIREMENTS

(C) Conditional Uses

8. Religious institutions

SECTION 3: That the Title 15, Chapter 155, Section 407 (C), of the Code of Lombard, Illinois is hereby amended to read in part as follows:

SECTION 155.407 R3 ATTACHED SINGLE-FAMILY RESIDENCE DISTRICT REQUIREMENTS

C. Conditional Uses

8. Religious institutions

SECTION 4: That the Title 15, Chapter 155, Section 408 (C), of the Code of Lombard, Illinois is hereby amended to read in part as follows:

SECTION 155.408 R4 LIMITED GENERAL RESIDENCE DISTRICT REQUIREMENTS

C. Conditional Uses

9. Religious institutions

SECTION 5: That the Title 15, Chapter 155, Section 409 (C), of the Code of Lombard, Illinois is hereby amended to read in part as follows:

SECTION 155.409 R5 GENERAL RESIDENCE DISTRICT REQUIREMENTS

C. Conditional Uses

11. Religious institutions

SECTION 6: That the Title 15, Chapter 155, Section 410 (C), of the Code of Lombard, Illinois is hereby amended to read in part as follows:

SECTION 155.410 R6 CENTRAL RESIDENCE DISTRICT REQUIREMENTS

C. Conditional Uses

12. Religious institutions

SECTION 7: That the Title 15, Chapter 155, Section 412 (C), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

SECTION 155.412 B1 LIMITED NEIGHBORHOOD SHOPPING DISTRICT REQUIREMENTS

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, the following conditional uses may be allowed:

1. Cultural facilities/institutions
2. Day care centers

3. Learning Centers, with an outdoor component
4. Package liquor and party supply stores
5. Parking lots, open, including commercial and other than accessory, for the storage of private passenger automobiles
6. Planned developments in conformance with Section 155.500 of this Ordinance
7. Public utility and service uses
8. Religious Institutions
9. Taverns and cocktail lounges, not including entertainment and dancing
10. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

SECTION 8: That the Title 15, Chapter 155, Section 413 (C), of the Code of Lombard, Illinois is hereby amended to read in part as follows:

**SECTION 155.413 B2 GENERAL NEIGHBORHOOD SHOPPING DISTRICT
REQUIREMENTS**

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, the following conditional uses may be allowed:

1. Amusement establishments, including: bowling alleys, pool halls, gymnasiums, swimming pools, and skating rinks
2. Animal hospitals and kennels
3. Automobile repair
4. Automobile service
5. Club (Non-profit/Fraternal)

6. Cultural facilities/institutions
7. Day care centers
8. Drive-in and drive-through establishments/services
9. Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.
10. Gasoline sales
11. Greenhouses and nurseries
12. Funeral homes
13. Learning Centers, with outdoor component
14. Motor vehicle sales
15. Outside display and sales of products the sale of which is a permitted or conditional use in this district
16. Outside service areas for other permitted or conditional uses in this district
17. Planned developments in conformance with Section 155.500 of this Ordinance
18. Public utility and service uses
19. Religious Institutions
20. Taverns and cocktail lounges, not including entertainment and dancing
21. Theaters, indoor
22. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

SECTION 9: That the Title 15, Chapter 155, Section 414 (B) and (C), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

SECTION 155.414 B3 COMMUNITY SHOPPING DISTRICT REQUIREMENTS

B. Permitted Uses

Any use permitted in the B1 District shall be permitted in the B3 District; and, in addition, the following uses shall be permitted in the B-3 District:

1. Automobile accessory stores
2. Banks and financial institutions
3. Bicycle sales
4. Business machine sales
5. Camera and photographic supply stores
6. Carpet and rug stores, retail sales only
7. Closet and storage organizer stores
8. Department stores
9. Electrical and household appliance stores, including radio and television sales
10. Furniture stores, including upholstering when conducted as part of the retail operations and secondary to the principal use
11. Furrier shops
12. Garden supply, tool, and seed stores
13. Health services, gymnasiums, and weight reduction services
14. Home improvement stores
15. Interior decorating shops, including upholstering and making of draperies, slip covers, and other similar articles, when conducted as part of the retail operations and secondary to the principal use
16. Leather goods and luggage stores
17. Liquor stores, packaged goods

18. Locksmith shops
19. Mail order, catalog store
20. Musical instrument sales
21. Offices, business and professional
22. Office supply stores
23. Paint, glass, and wallpaper stores
24. Pet shops
25. Phonograph record and sheet music stores
26. Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises
27. Picture framing, when conducted for retail trade on the premises only
28. Printing and duplicating services
29. Repair, rental , and servicing of any article the sale of which is a permitted use in the district
30. Secondhand stores and rummage shops
31. Sewing machine sales and service-household appliances only
32. Shoe stores
33. Sporting goods stores
34. Tailor shops
35. Theater, indoor
36. Ticket agencies, amusement
37. Tobacco shops
38. Toy shops

39. Travel bureaus and transportation ticket offices

40. Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with Section 155.210

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, any conditional use in the B1 District shall be a conditional use in the B3 District and in addition, the following conditional uses may be allowed:

1. Amusement establishments including bowling alleys, pool halls, swimming pools, skating rinks
2. Automobile repair
3. Automobile service
4. Bus station
5. Catering services
6. Day Care Centers
7. Drive-through and drive-in establishments/services
8. Funeral homes
9. Gasoline sales
10. Hotel and Convention Hall
11. Hotels and motels
12. Learning Centers, with outdoor component
13. Medical and dental laboratories
14. Meeting hall
15. Motor vehicle sales

16. Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
17. Outside display and sales of products the sale of which is a permitted or conditional use in this district
18. Outside service areas for other permitted or conditional uses in this district
19. Parking garages or structures, other than accessory parking for private passenger automobiles only
20. Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
21. Psychics, ESP Readers, and fortune tellers
22. Public utility and service uses
23. Recreation and community centers, noncommercial
24. Religious Institutions
25. Restaurants including entertainment, dancing, and/or amusement devices
26. Taverns and cocktail lounge
27. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance
28. Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.

SECTION 10: That the Title 15, Chapter 155, Section 415 (B) and (C), of the Code of Lombard, Illinois is hereby amended to read in their entirety as follows:

SECTION 155.415 B4 CORRIDOR COMMERCIAL DISTRICT REQUIREMENTS

B. Permitted Uses

Any use permitted in the B3 District shall be permitted in the B4 District, and, in addition, the following uses shall be permitted in the B4 District:

1. Amusement establishments, indoor only, including: bowling alleys, pool halls, gyms, and skating rinks
2. Bakeries
3. Commercial greenhouses and nurseries
4. Electrical showrooms and shops
5. Funeral homes
6. Furniture re-conditioning
7. Health services, gymnasiums, and weight reduction services
8. Hotels and motels
9. Laboratories; medical, dental, research, and testing
10. Laundries
11. Parking lots and structures
12. Pawn shops
13. Plumbing showrooms and shops, including hot tubs, spas, and supplies
14. Repair, rental or servicing of any article, the sale of which is a permitted use in the district
15. Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, the following conditional uses may be allowed:

1. Amusement establishments, outdoor, including: archery ranges, shooting galleries, miniature golf facilities, and other similar outdoor amusement facilities

2. Amusement parks, including: permanent carnivals, kiddie parks, golf driving ranges, pitch and putt, miniature golf courses, and other similar outdoor amusement facilities
3. Animal hospitals and kennels
4. Automobile repair
5. Automobile service
6. Boat showrooms, sales and repairs
7. Building material and products sales and storage
8. Clubs and lodges, nonporfit and fraternal
9. Contractor construction offices, shops, and yards
10. Day Care Center
11. Drive-through and drive-in establishments/services
12. Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.
13. Gasoline sales
14. Learning Centers, with outdoor component
15. Machinery sales
16. Mobile homes sales
17. Model homes and garage displays
18. Motor vehicle sales
19. Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
20. Outside display and sales of products the sale of which is a permitted or conditional use in this district
21. Outside service areas for other permitted or conditional uses in this district
22. Photographic processing business

23. Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
24. Planned developments in conformance with Section 155.500 of this Ordinance
25. Psychics, ESP Readers, and fortune tellers
26. Public utility and service uses
27. Religious Institutions
28. Restaurants, which include entertainment, dancing, and/or amusement devices
29. Stadiums, auditoriums, and arenas—open or enclosed
30. Storage centers, provided that the use fronts along an arterial roadway with an average daily trip volume (ADTV) of less than 25,000
31. Theaters, drive-in
32. Trailer and camper trailer sales and rental for use with private passenger motor vehicles
33. Four (4) story buildings and buildings which are forty feet (40') to forty-five feet (45') in height.
34. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

SECTION 11: That the Title 15, Chapter 155, Section 416 (C) of the Code of Lombard, Illinois is hereby amended to read in part as follows:

SECTION 155.416 B5 CENTRAL BUSINESS DISTRICT REQUIREMENTS

C. Conditional Uses

17. Religious institutions

SECTION 12: That the Title 15, Chapter 155, Section 417 (C) of the Code of Lombard, Illinois is hereby amended to read in part as follows:

SECTION 155.417 B5A DOWNTOWN PERIMETER DISTRICT REQUIREMENTS

(C) Conditional Uses

18. Religious institutions

SECTION 13: That the Title 15, Chapter 155, Section 418 (C) of the Code of Lombard, Illinois is hereby amended to read in part as follows:

SECTION 155.418 I LIMITED INDUSTRIAL DISTRICT REQUIREMENTS

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) in this Ordinance, the following conditional uses may be allowed:

1. Adult uses (including but not limited to adult book stores, adult cabarets, adult theaters, and adult video stores) subject to the adult use:
 - (a) Not being located within 500 feet of a zoning district which permits (or allows as a conditional use) residential development, educational or religious institutions, parks, or playgrounds;
 - (b) Not being located within 1,000 feet of another adult use (distances to be measured from property lines);
 - (c) Being conducted in a manner that prohibits the observation of any material depicting, describing or relating to any specified sexual activities or specified anatomical areas by display, decorations, sign, show window or other opening from any public way.
2. Automobile repair
3. Automotive service
4. Banks
5. Building material sales and storage
6. Cartage and express facilities

7. Catering Services
8. Clubs and Lodges, non-profit and fraternal
9. Compost collection facility
10. Concrete and cast stone fabrication and molding
11. Contractors, architects, and engineers equipment and material storage yards
12. Cosmetics production
13. Dairy products processing or manufacture
14. Food manufacture, packaging, and processing
15. Gasoline sales
16. Glass products production
17. Heliports, private or commercial
18. Metal Plating, Forging, or Casting
19. Mortuarial Services
20. Off-site parking, conforming to Section 155.602 (A) (3) (b) of this Ordinance
21. Outpatient medical and dental offices
and clinics
22. Paper products manufacture
23. Parks and playgrounds
24. Planned developments in conformance with Section 155.500 of this Ordinance
25. Plastic extruding
26. Recreation buildings or community centers
27. Recycling collection centers

28. Religious Institutions

29. Restaurants

30. Schools: public and/or private elementary, middle and high

31. Soap manufacture

32. Stadiums, auditoriums, and arenas – open or enclosed

33. Outside Storage of Motor Vehicles

34. Trade school

35. Other manufacturing, processing, storage, or industrial uses as determined by the Director of Community Development to be of the same general character as the uses permitted in Subsection 155.418(C), above, and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, toxic or noxious matter or glare or heat

36. Four (4) story buildings within one hundred feet (100') of residentially-zoned property or a minor or major arterial street and buildings which are forty feet (40') to forty-five feet (45') in height and which are within one hundred (100') of a residentially-zoned property or a minor or major arterial street.

37. Accessory uses and buildings incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

SECTION 14: That the Title 15, Chapter 155, Section 802 of the Code of Lombard, Illinois is hereby amended to read in part as follows:

SECTION 155.802 RULES AND DEFINITIONS

RELIGIOUS INSTITUTION: A building whose principal use is for religious worship. Religious institutions shall include churches, chapels, temples, synagogues and mosques. Religious institutions shall also include those ancillary activities and uses typically associated with religious institutions, such as religious study activities, clergy residences, and congregation offices.

SECTION 15: 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. 5523
Re: PC 04-22
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Passed on first reading this ___ day of _____, 2004.

First reading waived by action of the Board of Trustees this 19th day of August, 2004.


Passed on second reading this 19th day of August, 2004.

Ayes: Trustees Tross, Koenig, Sebby, Florey and Soderstrom

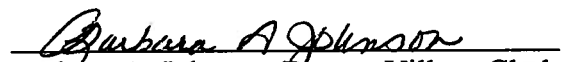
Nayes: None

Absent: Trustee DeStephano

Approved this 19th day of August, 2004.


William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk