

July 16, 2018

Title

PC 18-21

Petitioner

Village of Lombard

Property Location

Village-wide

Approval Sought

The petitioner, the Village of Lombard, is requesting text amendments to Section 155.212 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the text for consistency regarding permitted obstructions in required yards.

Prepared By

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Senior Planner, and

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Development Intern, Community
Development

DESCRIPTION

The petitioner, the Village of Lombard, is requesting text amendments to Section 155.212 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the text regarding the percentage of a required yard that may be occupied by a permitted obstruction.

The Zoning Ordinance currently states that a maximum of 30% of a required yard may be occupied by a permitted obstruction. During permit review, staff has found that this standard creates unrealistic limits for property owners. With regard to single-family residential development, a standard 20-foot wide driveway on a standard 60-foot wide residential lot exceeds the 30% threshold in the front yard. A driveway along a side property line or a patio in the back yard may well exceed the 30% limit with respect to the interior side and rear yards, respectively. Exhibit A shows how the current calculations apply to typical development on single-family properties.

The code similarly limits the percentage of yards in commercial districts that may be occupied by obstructions, including parking and driving areas. Staff notes that most commercial properties in the Village have parking or driving areas within required yards. The current 30% coverage restriction in yards is inconsistent with existing patterns of development in commercial districts.

Accordingly, staff proposes eliminating the yard coverage limitation for commercial and multi-family development.

Staff also proposes eliminating the yard coverage limitation in rear yards and side yards for single-family residential development, where driveways and accessory structures are often located.

Staff proposes eliminating the yard coverage limitation in front and corner side yards for single-family residential development for all permitted obstructions except driveways, parking areas and patios. The proposed text amendment would allow driveways, parking surfaces and patios to occupy a maximum of 40% of front and corner side yards in single-family residential lots. Other permitted obstructions, such as front porches and sidewalks, would not count toward the 40% threshold. Staff believes these code changes will provide property owners more flexibility while maintaining a reasonable coverage limit to prevent over-development of front and corner side yards in single-family neighborhoods.

Exhibit B shows how the 40% maximum would apply to typical single-family properties.

Open space requirements will still apply to properties as a whole.

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 comments 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 amendments to the Zoning Ordinance.

EXISTING & PROPOSED REGULATIONS

Staff proposes the following text amendments. Additions are denoted by **bold and underline**. Deletions are denoted by a ~~strikethrough~~.

Section 155.212

Yard obstructions of ~~principle~~ **principal** and accessory structures and uses shall be allowed as set forth below. ~~However, such obstructions~~ **Driveways, parking areas and patios** shall not, in the aggregate, occupy more than ~~30~~ **40** percent of any required **front or corner side** yard **for single-family residential development**.

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 all single-family residential 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 amendment is consistent with the objectives of the Zoning Ordinance. The proposed text amendment is consistent with the objectives of the permitted obstructions in the Zoning Ordinance.
- 3. The degree to which the proposed amendment would create nonconformity;*
Staff does not believe any nonconformity would be created as it is a relaxation of the Zoning Ordinance to reflect existing patterns of development.

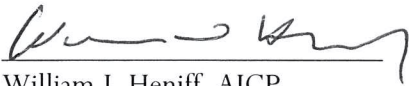
4. *The degree to which the proposed amendment would make this ordinance more permissive;*
The amendment will provide flexibility to single-family property owners with respect to driveways, porches, accessory structures and other permitted yard obstructions.
5. *The consistency of the proposed amendment 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 Ordinance to address edits for clarity. The proposed amendments are consistent with established Village policy in this regard.

FINDING & 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 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 18-21.

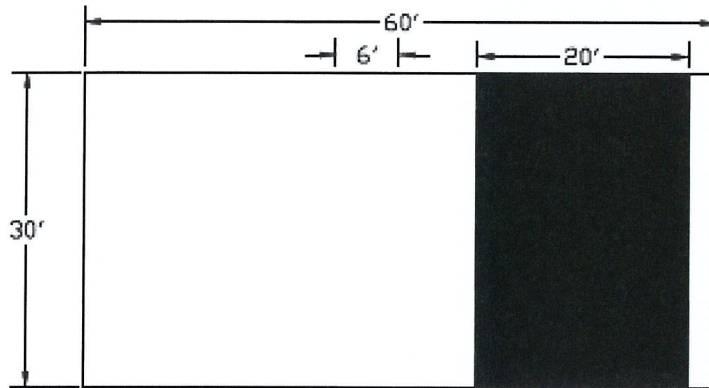
Inter-Departmental Review Committee Report approved by:



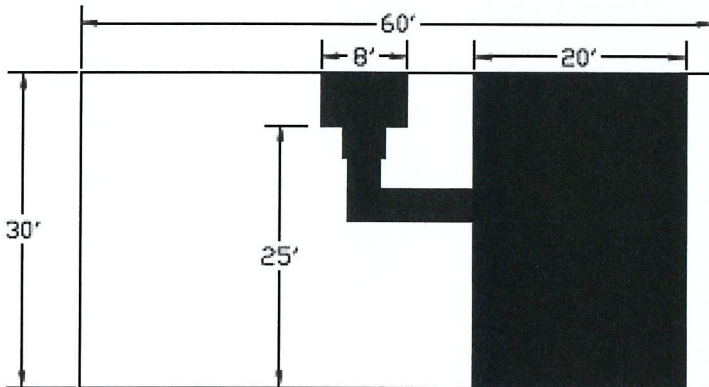
William J. Heniff, AICP
Director of Community Development

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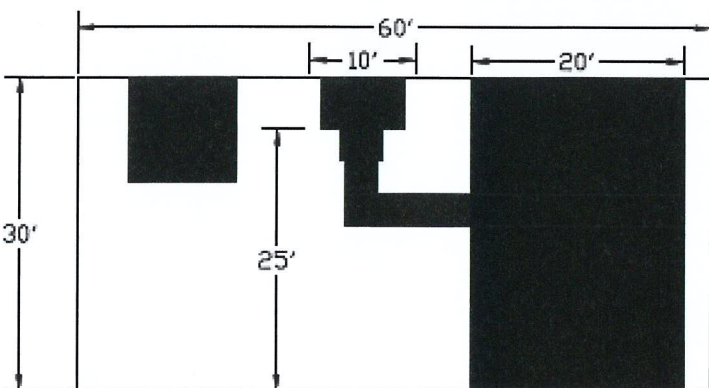
EXHIBIT A- CURRENT REGULATIONS AS APPLIED TO SINGLE-FAMILY PROPERTIES



EXAMPLE 1			
Front yard	1,800.0	SF	
driveway	600.0	SF	
Front Yard coverage	600.0	SF	33%
Exceeds Allowable Coverage			

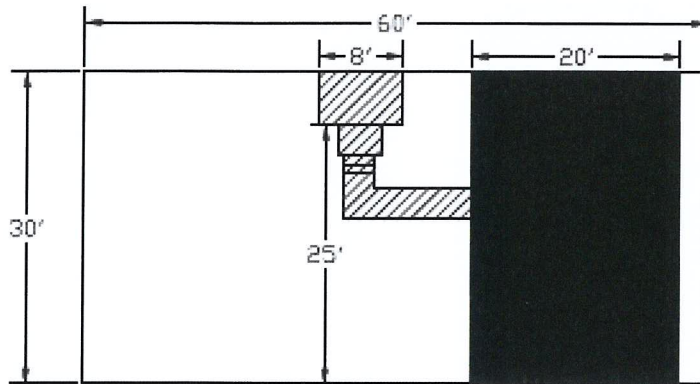


EXAMPLE 2			
Front yard	1,800.0	SF	
5'x8' front porch	40.0	SF	
driveway	600.0	SF	
4'x4' stoop	16.0	SF	
2 step	2.2	SF	
Sidewalk	40.9	SF	
Front Yard coverage	699.1	SF	39%
Exceeds Allowable Coverage			

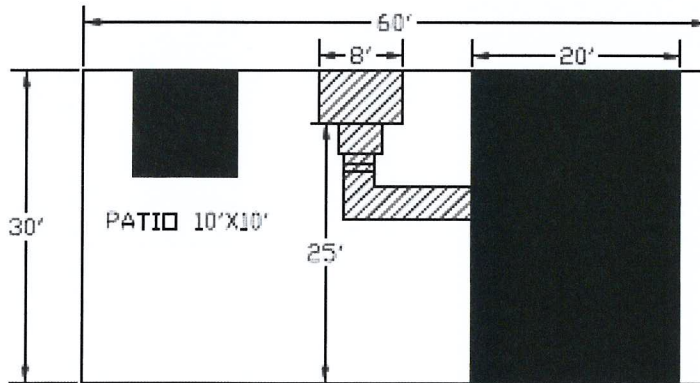


EXAMPLE 3			
Front yard	1,800.0	SF	
5'x10' front porch	50.0	SF	
driveway	600.0	SF	
4'x4' stoop	16.0	SF	
2 step	2.2	SF	
Sidewalk	40.9	SF	
Patio 10'x10'	100.0	SF	
Front Yard coverage	809.1	SF	45%
Exceeds Allowable Coverage			

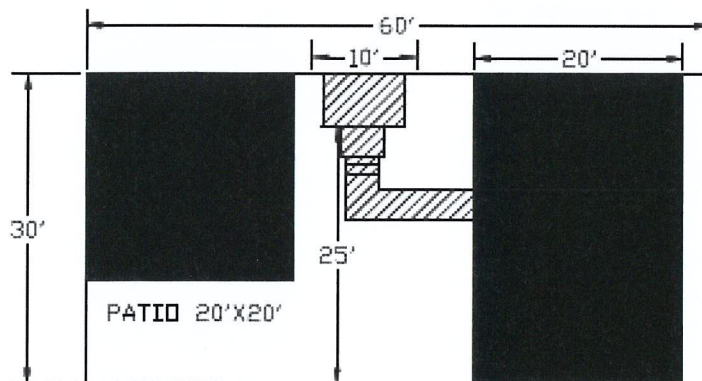
EXHIBIT B- PROPOSED REGULATIONS AS APPLIED TO SINGLE-FAMILY PROPERTIES



EXAMPLE 1			
Front yard	1,800.0	SF	
driveway	600.0	SF	
Driveway coverage	600.0	SF	33%
Meets Proposed Coverage Standards			



EXAMPLE 2			
Front yard	1,800.0	SF	
driveway	600.0	SF	
Patio 10'x10'	100.0	SF	
Front Yard coverage	700.0	SF	39%
Meets Proposed Coverage Standards			



EXAMPLE 3			
Front yard	1,800.0	SF	
driveway	600.0	SF	
Patio 20'x20'	400.0	SF	
Front Yard coverage	1,000.0	SF	56%
Exceeds Proposed Coverage Standards			