

ORDINANCE 6123

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

(PC 07-39: Collection Centers)

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, Section 155.102 (E)(13) of the Zoning Ordinance directs the Director of Community Development to initiate a review of the provisions established within the Zoning Ordinance; and

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

WHEREAS, as the Director has identified and recommends text amendments to the Zoning Ordinance as set forth herein; and

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on November 19, 2007 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 415 (C), of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

§155.415 B3 COMMUNITY SHOPPING DISTRICT REQUIREMENTS

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. Collection Centers, Attendant
7. Day Care Centers
8. Drive-through and drive-in establishments/services
9. Funeral homes
10. Furniture upholstery, repair, and reconditioning
11. Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
11. Hotel and Convention Halls
12. Hotels and motels
13. Learning Centers, with outdoor component
14. Medical and dental laboratories
15. Meeting hall
16. Motor vehicle sales
17. Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance

18. Outside display and sales of products the sale of which is a permitted or conditional use in this district
19. Outside service areas for other permitted or conditional uses in this district
20. Parking garages or structures, other than accessory parking for private passenger automobiles only
21. Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
22. Psychics, ESP Readers, and fortune tellers
23. Public utility and service uses
24. Recreation and community centers, noncommercial
25. Religious institutions
26. Restaurants including entertainment, dancing, and/or amusement devices
27. Taverns and cocktail lounge
28. 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
29. Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.

SECTION 2: That Title 15, Chapter 155, Section 416 (C), of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

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, nonprofit and fraternal
9. Collection Centers, Attendant
10. Contractor construction offices, shops, and yards
11. Day Care Center
12. Drive-through and drive-in establishments/services
13. Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.
14. Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment
15. Learning Centers, with outdoor component
16. Machinery sales
17. Mobile homes sales
18. Model homes and garage displays
19. Motor vehicle sales
20. Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance

21. Outside display and sales of products the sale of which is a permitted or conditional use in this district
22. Outside service areas for other permitted or conditional uses in this district
23. Photographic processing business
24. Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
25. Planned developments in conformance with Section 155.500 of this Ordinance
26. Psychics, ESP Readers, and fortune tellers
27. Public utility and service uses
28. Religious Institutions
29. Restaurants, which include entertainment, dancing, and/or amusement devices
30. Stadiums, auditoriums, and arenas—open or enclosed
31. Storage centers, provided that the use fronts along an arterial roadway with an average daily trip volume (ADTV) of less than 25,000
32. Theaters, drive-in
33. Trailer and camper trailer sales and rental for use with private passenger motor vehicles
34. Four (4) story buildings and buildings which are forty feet (40') to forty-five feet (45') in height.
35. 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 3: That Title 15, Chapter 155, Section 417 (G)(2), of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

2. Conditional Uses. The following uses are considered conditional uses and shall be subject to the provisions set forth in Section 155.103 (F) of this Ordinance.

b. Service Uses

1. Animal hospitals and kennels
2. Banks and financial institutions
3. Clubs and lodges, nonprofit and fraternal
4. Collection Center, Attendant
5. Day Care Center
6. Drive-through and drive-in establishments/services
7. Learning Centers, with outdoor component
8. Motor vehicle repair
9. Motor vehicle service
10. Photographic processing business
11. Therapeutic massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
12. Recreational vehicle sales
13. Religious Institutions

SECTION 4: That Title 15, Chapter 155, Section 420 (C), of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

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. Collection Centers, Attendant
 10. Collection Centers, Recycling, provided that the following provisions are met:
 - a. The recycling collection center is located in an area where there is an excess of parking beyond that required in Section 155.600 et. seq..
 - b. Placement of any containers shall be on a hard surface parking area;
 - c. The recycling collection center must be staffed full-time to monitor the use, and all collection is to be removed on a daily basis. Any area involved must be swept and cleaned at the end of the business day.
 - d. Recycling collection centers shall not operate without the consent of the property owner stating approved days and hours of operation as part of the application for conditional use approval.
 11. Compost collection facility
 12. Concrete and cast stone fabrication and molding
 13. Contractors, architects, and engineers equipment and material storage yards

14. Cosmetics production
15. Dairy products processing or manufacture
16. Food manufacture, packaging, and processing
17. Gasoline sales
18. Glass products production
19. Heliports, private or commercial
20. Learning centers (no outdoor component)
21. Metal Plating, Forging, or Casting
22. Mortuarial Services
23. Off-site parking, conforming to Section 155.602 (A) (3) (b) of this Ordinance
24. Outpatient medical and dental offices and clinics
25. Paper products manufacture
26. Parks and playgrounds
27. Planned developments in conformance with Section 155.500 of this Ordinance
28. Plastic extruding
29. Recreation buildings or community centers
- ~~30. Recycling collection centers~~
31. Religious Institutions
32. Restaurants
33. Schools: public and/or private elementary, middle and high
34. Soap manufacture
35. Stadiums, auditoriums, and arenas – open or enclosed

36. Outside Storage of Motor Vehicles

37. Trade school

38. 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

39. 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.

40. 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 5: That Title 15, Chapter 155, Section 802, of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

155.802 Rules and Definitions

COLLECTION CENTER, ATTENDANT is a staffed drop-off donation facility for the collection of discarded household goods and clothing for the purpose of resale or donation by the facility operator. This term excludes recycling collection centers or any stand alone, unstaffed drop boxes or collection sites for discarded household goods or clothing.

RECYCLE COLLECTION CENTER, RECYCLING is the use of a lot for the collection of household goods such as paper, glass bottles, aluminum cans, and plastic containers ~~such products only~~, and not their processing. The definition of recycling collection centers specifically excludes junkyards and motor vehicle salvage operations, solid waste transfer stations. ~~The placement is required to be on a hard surface parking area, and is permitted only in an area where there is an excess of parking beyond that required in Section 6. The collection center must be staffed full-time to monitor the use, and all collection is to be removed on a daily basis. Any area involved must be swept and cleaned at the end of the business day. Additionally, no recycle collection center shall operate without the consent of the property owner stating approved days and hours of operation. Such owners consent must be filed with the office of the Community Development Director prior to operation.~~

SECTION 6: 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 _____, 2007.

First reading waived by action of the Board of Trustees this 6th day of December, 2007.

Passed on second reading this 6th day of December, 2007, pursuant to a roll call vote as follows:

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom

Nayes: None

Absent:None

Approved by me this 6th day of December, 2007.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this 10th day of December, 2007


Brigitte O'Brien, Village Clerk