

ORDINANCE 5221

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

(PC 02-32: Cargo Containers)

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 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 November 18, 2002 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 Title 15, Chapter 155, Section 155.603, of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

Sec. 155.603 (C) Cargo Container Regulations

1. General Provisions

Cargo Containers, as defined by Section 155.802, shall be restricted as follows:

a. Properties in Residential Districts

Excluding the provisions of Section 155.603 (C)(2), the placement of cargo containers on residentially zoned property (R1 through R6) shall be prohibited.

b. Properties in Commercial or Office Districts

The placement of cargo containers on Commercial and Office Districts (B1, B2, B3, B4, B5, B5A and O) shall be restricted to designated loading berth areas meeting the provisions enumerated in Section 155.603 (A). In no instance shall cargo containers be placed in front of the front wall of a principal building.

c. Properties in the Limited Industrial District

The placement of cargo containers within the Limited Industrial District shall be restricted to:

- i.) a concrete or asphalt surfaced area meeting the provisions established in Section 155.603 (A)(4) and within the buildable area of the lot; or
- ii.) designated loading berth areas meeting the provisions enumerated in Section 155.603 (A).

In no instance shall cargo containers be placed in front of the front wall of a principal building.

2. Sites Under Construction

For properties in which there is an active building permit issued by the Village for a multiple family or non-residential development, up to two (2) cargo containers may be placed on a property provided that they are placed within the buildable area of the lot and are not placed on requisite parking spaces. Cargo containers used for construction purposes must be immediately removed upon completion of the construction project.

3. Cargo Container Amortization Schedule

Any cargo container lawfully existing on the effective date of this Section 155.603 which does not conform to the provisions of Chapter 155 of the Village Code; shall be removed or made to conform within three (3) years of the date of notification by the Village that the cargo container no longer conforms with the requirements of Chapter 155 of the Village Code. Any cargo container lawfully existing on the effective date of this Section 155.603 which does not conform to the provisions of Chapter 155 of the Village Code may request a variation as outlined in Section 155.103(C) of this Code.

SECTION 2: That Title 15, Chapter 155, Section 802, of the Code of Lombard, Illinois is hereby amended in part to read as follows:

Sec. 155.802 RULES AND DEFINITIONS

BUILDING, ACCESSORY is any building which is:

1. Conducted or located on the same zoning lot as the principal building or use served, except as may be specifically provided elsewhere in this ordinance;
2. Clearly incidental to, subordinate in purpose to, and serves the principal use; and
3. Either in the same ownership as the principal use or is clearly operated and maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of or to the principal use. For purposes of this Ordinance, cargo containers shall not be considered as accessory buildings and are subject to Section 155.603 Off-Street Loading Requirements.

SECTION 3: That Title 15, Chapter 155, Section 802, of the Code of Lombard, Illinois is hereby amended in part as follows:

CARGO CONTAINER is a standard reusable vessel, designed without an axle or wheels which was:

- a.) originally, specifically, or formerly designed for or used in the packing, cargo, movement or transportation of freight, articles, goods or commodities, and/or
- b.) designed for/or capable of being mounted or moved on a rail car, truck trailer or loaded on a ship.

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 5th day of December, 2002.

First reading waived by action of the Board of Trustees this _____ day of _____, 2002.

Passed on second reading this 19th day of December, 2002.

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

Nays: None


Absent: None

Approved this 19th day of December, 2002

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Re: PC 02-32

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William L. Mueller, Village President

ATTEST:


Suzan L. Kramer, Village Clerk