

**VILLAGE OF LOMBARD**  
**REQUEST FOR BOARD OF TRUSTEES ACTION**  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue)       Waiver of First Requested  
 Recommendations of Boards, Commissions & Committees (Green)  
 Other Business (Pink)

**TO :** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** Scott Niehaus, Village Manager

**DATE :** August 7, 2018, 2018      **(BOT) Date:** August 16, 2018

**SUBJECT:** PC 18-22: Text Amendment to the Subdivision and Development Ordinance and the Zoning Ordinance - Parkway Improvements

**SUBMITTED BY:** William J. Heniff, AICP, Director of Community Development 

**BACKGROUND/POLICY IMPLICATIONS:**

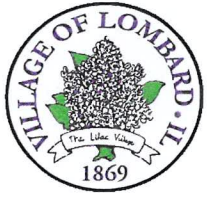
Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, requests text amendments to Section 154.302 through 154.306 of the Subdivision and Development Ordinance and Section 155.705 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) regarding parkway trees on dedicated right of way

The Plan Commission recommended approval of this petition by a vote of 7-0. Please place this petition on the August 16, 2018, Board of Trustees agenda for a first reading.

**Fiscal Impact/Funding Source:**


Review (as necessary):  
Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:** All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

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

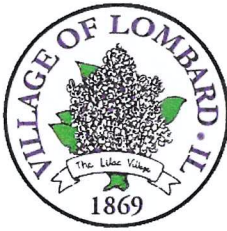
**MEETING DATE:** August 16, 2018

**SUBJECT:** **PC 18-22, Text Amendment to the Zoning Ordinance: Parkway Improvements**

Please find the following items for Village Board consideration as part of the August 16, 2018, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 18-22; and
3. An Ordinance granting text amendments to Section 154.302 through 154.306 of the **Subdivision and Development Ordinance**.
4. An Ordinance granting text amendments to Section 155.705 of the **Zoning Ordinance**.

The Plan Commission recommended approval of this petition by a vote of 7-0. Please place this petition on the August 16, 2018, Board of Trustees agenda for a first reading.



## VILLAGE OF LOMBARD

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Lombard, Illinois 60148-3926  
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August 16, 2018

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

**Trustees**  
Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Bill T. Johnston, Dist. 4  
Robyn Pike, Dist. 5  
William "Bill" Ware, 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 18-22, Text Amendment to the Subdivision and Development Ordinance and the Zoning Ordinance: Parkway Improvements**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, requests text amendments to Section 154.302 through 154.306 of the Subdivision and Development Ordinance and Section 155.705 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) regarding parkway trees on dedicated right of way.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on July 16, 2018. Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner, the Village is requesting a text amendment to the subdivision and development ordinance and zoning ordinance to amend to amend the text regarding parkway trees on dedicated right of way.

The amendments are intended to remove discrepancies between the Subdivision and Development Ordinance, Zoning Ordinance and Chapter 99 of the Village Code (Trees and Shrubs). The proposed text amendments to the Subdivision and Development Ordinance are minor. Currently, the Zoning Ordinance lists spacing, size and species for parkway trees. Staff proposes to remove these specifications as they are addressed in Chapter 99. It was found that some of the recommendations listed in the Zoning Code were not consistent with Chapter 99. Staff finds that the specifics of the parkway trees on dedicated right of way are more appropriately reviewed by the Village's Forester, a Certified Arborist, as opposed to under the Zoning Code purview. However, the quantity of parkway trees is proposed to be retained in the Zoning Code. The intent is to remove the inconsistencies, duplicated items and clean up the code for clarity.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Olbrysh, and a second by Commissioner Sweetser, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 18-22.

Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

ORDINANCE \_\_\_\_\_

**AN ORDINANCE APPROVING A TEXT AMENDMENT  
TO THE SUBDIVISION AND DEVELOPMENT ORDINANCE  
TITLE 15, CHAPTER 154, SECTIONS 154.302; 154.303;  
154.304; 154.305 and 154.306 OF THE LOMBARD CODE**

PC 18-22: Text Amendments to the Subdivision and Development Ordinance:  
Parkway Improvements

WHEREAS, the Village of Lombard maintains a Subdivision and Development Ordinance which is found in Title 15, Chapter 154 of the Lombard Code; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Subdivision and Development 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 July 16, 2018, 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 154, Section 154.302 of the Lombard Village Code is hereby amended to read as amended and as follows:

**§ 154.302 - Administrative plats of subdivision.**

The following public improvements shall be provided for all administrative plats of subdivision:

- (A) *Water distribution system.* A water distribution system shall be provided to serve all lots within an administrative plat of subdivision.

- (B) *Sanitary sewer distribution system.* A sanitary sewer distribution system shall be provided to serve all lots within an administrative plat of subdivision.
- (C) *Storm sewer and drainage system.* There shall be no requirements for storm water control and drainage system improvements unless otherwise provided for by the relevant requirements of the Code of Lombard, Illinois. (Note: Subsequent development of a subdivided property may require storm sewer or drainage improvements.)
- (D) *Public rights-of-way.*
  - (1) *Unimproved right-of-way (a.k.a. paper street).* There shall be no required improvement of an unimproved right-of-way (Note: If access is to be provided from an unimproved right-of-way, the plat is defined as a Major Plat of Subdivision and requires right-of-way improvements).
  - (2) *Underimproved right-of-way.*
    - (a) *Street:* No required improvement.
    - (b) *Sidewalk:* A sidewalk is required on the adjacent side and for the full length of the right-of-way abutting the subject property.
    - (c) *Street lights:* No required improvement.
    - (d) *Parkway:* Trees and ground cover are required on the adjacent **abutting** side of the right-of-way. However, if existing topography does not provide sufficient area for parkway trees, replacement trees may be placed on ~~the adjacent~~ private property.
  - (3) *Improved right-of-way.*
    - (a) *Street:* No required improvement.
    - (b) *Sidewalk:* A sidewalk is required ~~on the adjacent side and~~ for the full length of the right-of-way abutting the subject property.
    - (c) *Street lights:* No required improvement.
    - (d) *Parkway:* Trees and ground cover are required on the adjacent **abutting** side of the right-of-way.

**SECTION 2:** That Title 15, Chapter 154, Section 154.303 of the Lombard Village Code is hereby amended to read as amended and as follows:

**§ 154.303 - Minor plats of subdivision.**

Public improvements shall be provided for all minor plats of subdivision as described below.

- (A) *Water distribution system.* A water distribution system shall be provided to serve all lots within a minor plat of subdivision.
- (B) *Sanitary sewer distribution system.* A sanitary sewer distribution system shall be provided to serve all lots within a minor plat of subdivision.

- (C) *Storm sewer and drainage system.* There shall be no requirements for storm water control and drainage system improvements unless otherwise provided for by the relevant requirements of the Code of Lombard, Illinois. (Note: Subsequent development of a subdivided property may require storm sewer or drainage improvements.)
- (D) *Public rights-of-way.*
- (1) *Unimproved right-of-way (a.k.a. paper street).* There shall be no required improvement of an unimproved right-of-way (Note: If access is to be provided from an unimproved right-of-way, the plat would be defined as a major plat of subdivision and would require right-of-way improvements).
- (2) *Underimproved right-of-way.*
- (a) *Street:* No required improvement.
- (b) *Sidewalk:* A sidewalk is required on the adjacent side and for the full length of the right-of-way abutting the subject property.
- (c) *Street lights:* No required improvement.
- (d) *Parkway:* Trees and ground cover are required on the ~~adjacent~~ **abutting** side of the right-of-way. However, if existing topography does not provide sufficient area for parkway trees, replacement trees may be placed on the ~~adjacent~~ **abutting** private property.
- (3) *Improved right-of-way.*
- (a) *Street:* No required improvement.
- (b) *Sidewalk:* A sidewalk is required ~~on the adjacent side and~~ for the full length of the right-of-way abutting the subject property.
- (c) *Street lights:* No required improvement.
- (d) *Parkway:* Trees and ground cover are required on the ~~adjacent~~ **abutting** side of the right-of-way.

**SECTION 3:** That Title 15, Chapter 154, Section 154.304 of the Lombard Village Code is hereby amended to read as amended and as follows:

**§ 154.304 - Major plats of subdivision.**

Public improvements shall be provided for all major plats of subdivision as described below.

- (A) *Water distribution system.* A water distribution system shall be provided to serve all lots within a major plat of subdivision.
- (B) *Sanitary sewer distribution system.* A sanitary sewer distribution system shall be provided to serve all lots within a major plat of subdivision.
- (C) *Storm sewer and drainage system.* Provisions for storm water control and drainage systems shall be made for all property within a major plat of subdivision.

(D) *Public rights-of-way.*

- (1) *Unimproved right-of-way.* All unimproved public rights-of-way abutting or within a major Plat of Subdivision shall be fully improved. This shall include all right-of-way improvements, i.e., streets, sidewalks, street lights and parkways, on both sides of the right-of-way. Unimproved public rights-of-way shall include those rights-of-way dedicated as part of a Plat of Subdivision.
- (2) *Underimproved right-of-way.* All underimproved public rights-of-way abutting or within a major Plat of Subdivision shall be fully improved. This shall include all right-of-way improvements, i.e., streets, sidewalks, street lights, and parkways, on both sides of the right-of-way.
- (3) *Improved right-of-way.* A public sidewalk **and** street lights, ~~and parkway trees~~ shall be provided on the adjacent **both** sides of all improved public rights-of-way abutting a major Plat of Subdivision. ~~Streetscape~~ **Parkway** improvements are not required on the far side of an improved right-of-way which abuts a major plat of subdivision.

**SECTION 4:** That Title 15, Chapter 154, Section 154.305 of the Lombard Village Code is hereby amended to read as amended and as follows:

**§ 154.305 - Minor development.**

All development and construction activity is classified into three categories for the purposes of administering this Chapter. These categories include: major development; minor development; and other construction activity. Other construction activity includes additions to detached single-family residences, remodeling and maintenance of buildings, and other construction not included in the definitions of major or minor development. Construction activity is not subject to the requirements of this section.

*Minor development* consists of the following construction and development activities:

Construction of a detached single-family or two-family residence;

Construction of an accessory building (excluding accessory structures for detached single-family or two-family residences);

Construction of a building addition (excluding additions to detached single-family or two-family residences) in which the gross floor area does not exceed 20 percent of existing buildings on a zoning lot or 2,000 gross square feet;

Reconstruction of fifty (50) percent or more of the total area of a parking lot (not including single-family or two-family residential driveways).

Public improvements shall be provided for all minor development as described below.



- (A) *Water distribution system.* A water distribution system shall be provided to serve all development.
- (B) *Sanitary sewer distribution system.* A sanitary sewer distribution system shall be provided to serve all development.
- (C) *Storm sewer and drainage system.* There shall be no requirements for storm water control and drainage system improvements unless otherwise provided for by the relevant requirements of the Code of Lombard, Illinois.
- (D) *Public rights-of-way.*
  - (1) *Unimproved right-of-way (a.k.a. paper street).* There shall be no required improvement of an unimproved right-of-way unless access is to be provided from an unimproved right-of-way. If access is provided from an unimproved right-of-way, full improvement of the street and the adjacent side of the right-of-way is required. Improvements to the adjacent side of the right-of-way shall include sidewalks, street lights, and parkway improvements.
  - (2) *Underimproved right-of-way.*
    - (a) *Street:* No required improvement.
    - (b) *Sidewalk:* A sidewalk is required on the adjacent side and for the full length of the right-of-way abutting the subject property.
    - (c) *Street lights:* No required improvement.
    - (d) *Parkway:* Trees and ground cover are required on the adjacent **abutting** side of the right-of-way. However, if existing topography does not provide sufficient area for parkway trees, replacement trees may be placed on the adjacent **abutting** private property.
  - (3) *Improved right-of-way.*
    - (a) *Street:* No required improvement.
    - (b) *Sidewalk:* A sidewalk is required on the adjacent side and for the full length of the right-of-way abutting the subject property.
    - (c) *Street lights:* No required improvement.
    - (d) *Parkway:* Trees and ground cover are required on the adjacent **abutting** side of the right-of-way.

**SECTION 5:** That Title 15, Chapter 154, Section 154.306 of the Lombard Village Code is hereby amended to read as amended and as follows:

**§ 154.306 - Major development.**

*Major development* includes the following development activities:

Construction of a principal building (excluding a detached single-family residence or two-family residence);

Construction of a building addition (excluding additions to detached single-family or two-family residences) in which the gross floor area exceeds 50

percent of existing buildings on a zoning lot or 20,000 square feet whichever is less, within the prior ten years.

(A) *Water distribution system.* A water distribution system shall be provided to serve all development.

(B) *Sanitary sewer distribution system.* A sanitary sewer distribution system shall be provided to serve all development.

(C) *Storm sewer and drainage system.* Provisions for storm water control and drainage systems shall be made for all major developments.

(D) *Public rights-of-way.*

(1) *Unimproved right-of-way (a.k.a. paper street).* There shall be no required improvement of an unimproved right-of-way unless access is to be provided from an unimproved right-of-way. If access is provided from an unimproved right-of-way, full improvement of the street and the adjacent side of the right-of-way is required. The adjacent side of the right-of-way shall include sidewalks, street lights, and parkway improvements.

(2) *Underimproved right-of-way.*

(a) *Street:* There shall be no required street improvement of an underimproved right-of-way unless access is to be provided from an underimproved right-of-way. If access is provided from an underimproved right-of-way, full improvement of the street and the adjacent **abutting** side of the right-of-way is required.

(b) *Sidewalk:* A sidewalk is required on the adjacent side and for the full length of the right-of-way abutting the subject property (even if there is no access).

(c) *Street lights:* No required improvement unless access is provided from the underimproved right-of-way. If access is provided, street lights are required along the full length of the adjacent side of the right-of-way.

(d) *Parkway:* Trees and ground cover are required on the adjacent **abutting** side of the right-of-way (even if there is no access). However, if existing topography does not provide sufficient area for parkway trees, replacement trees may be placed on the adjacent **abutting** private property.

(3) *Improved right-of-way.*

(a) *Street:* No required improvement.

(b) *Sidewalk:* A sidewalk is required on the adjacent **abutting** side and for the full length of the right-of-way abutting the subject property.

(c) *Street lights:* If street lights do not exist, they must be provided

on the adjacent side and for the full length of the street.  
(d) *Parkway*: Trees and ground cover are required on the ~~adjacent~~  
**abutting** side of the right-of-way.

**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 \_\_\_\_\_, 2018.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2018.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

ORDINANCE \_\_\_\_\_

AN ORDINANCE APPROVING A TEXT AMENDMENT  
TO THE LOMBARD ZONING ORDINANCE,  
TITLE 15, CHAPTER 155, SECTIONS 155.705 (C)  
OF THE LOMBARD ZONING CODE

PC 18-22: Text Amendments to the Zoning Ordinance: Parkway Improvements

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 July 16, 2018, 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 of the Lombard Village Code are hereby amended to read as amended and as follows:

**§ 155.705 - Right-of-way landscaping.**

- (A) Applicability. Where a parcel abuts a dedicated public right-of-way, landscaping shall be provided in accordance with the provisions of this section.
- (B) Graded and sodded. The unpaved portion of a public right-of-way shall be fine graded and sodded.
- (C) Parkway trees.

(1) Quantity. Parkway trees shall be provided at the equivalent of not more than 40 feet apart in the right-of-way adjacent to **abutting** the parcel.

~~(2) Spacing. Such trees may be clustered or spaced linearly in the right of way as determined appropriate by the Director of Community Development.~~

~~(3) Size. Parkway trees shall have a minimum trunk size of two and one half inches in diameter, as measured six inches above the established ground level.~~

~~(4)~~**(2)** Species.

~~(a) Parkway trees~~ **species** shall be **selected by the Village**, limited to the following species. However, a variety of compatible species from this list should be included in the planting plan for a specific site or development

~~(i) Linden.~~

~~(ii) Maple (excluding Silver Maple and other similar softwood species).~~

~~(iii) Hackberry.~~

~~(iv) Ginkgo.~~

~~(v) Oak.~~

~~(vi) Ash.~~

~~(vii) Thornless Honeylocust cultivars.~~

~~(viii) Callery (Bradford) Pear.~~

~~(ix) Other species of trees as determined appropriate by the Director of Community Development.~~

~~(b) Parkway trees located under overhead utility lines shall be limited to the following species. However, a variety of compatible species from this list should be included in the planting plan for a specific site or development:~~

~~(i) Hawthorn Thornless Cockspur or Crimson Cloud.~~

~~(ii) Amur Maple Flame or Ember.~~

~~(iii) Eastern Redbud.~~

~~(iv) Other species of trees as determined appropriate by the Director of Community Development.~~

~~(v) Other Landscape Material.~~

~~No plant material or barriers, except as specified herein, may be located in a dedicated public right-of-way.~~

**SECTION 2:** 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. \_\_\_\_\_

Re: PC 18-22

Page 3

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2018.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk