

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: October 24, 2016 (B of T) Date: November 3, 2016

TITLE: PC 16-23, Text Amendments to the Zoning Ordinance

SUBMITTED BY: Department of Community Development *SW*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, is requesting a text amendment to Section 155.602 Table 6.3 "Schedule of Off-Street Parking Requirements" of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the parking requirements for Attached Single-Family Dwelling to two (2) spaces per dwelling unit and strike the provision on the number of bedrooms or dens.

The Plan Commission recommended approval of this petition by a vote of 6-0.

Staff requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

MEETING DATE: November 3, 2016

SUBJECT: **PC 16-23, Text Amendments to the Zoning Ordinance**

Please find the following items for Village Board consideration as part of the November 3, 2016 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 16-23; and
3. An Ordinance granting a text amendment to Section 155.602, Table 6.3 of the Lombard Zoning Ordinance.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the November 3, 2016 Board of Trustees agenda with a waiver of first reading requested by staff.



VILLAGE OF LOMBARD

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(630) 620-5700 Fax (630) 620-8222
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November 3, 2016

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees

Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bob 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 16-23, Text Amendments to the Zoning Ordinance

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, is requesting a text amendment to Section 155.602 Table 6.3 "Schedule of Off-Street Parking Requirements" of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the parking requirements for Attached Single-Family Dwelling to two (2) spaces per dwelling unit and strike the provision on the number of bedrooms or dens.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on October 17, 2016. Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development.

Chairperson Ryan read the Plan Commissions 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, Assistant Director of Community Development, presented the staff report, which was submitted to the public record in its entirety. The petitioner, the Village of Lombard, is requesting a text amendment to Section 155.602 Table 6.3 "Schedule of Off-Street Parking Requirements." Currently, Table 6.3 requires a three

bedroom (or more) townhouse to have a minimum of three parking spaces. Between 1990 and 1999 the table was changed, though staff has been unable to determine whether the change was the result of a Scriver's error or an amendment itself. However, a single family detached home, regardless of the number of bedrooms, is required to have two spaces per dwelling unit. Staff would like to correct the inconsistency and require all detached and attached single-family dwellings to have a minimum of two parking spaces. Staff finds that two parking spaces is sufficient for a townhome and a single family home.

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 6-0 that the Village Board approve the petition associated with PC 16-23.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

October 17, 2016

Title

PC 16-23

Petitioner

Village of Lombard

Property Location

Village Wide

Approval Sought

Text amendment to Section 155.602 Table 6.3 "Schedule of Off-Street Parking Requirements" of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the parking requirements for Attached Single-Family Dwelling to two (2) spaces per dwelling unit and strike the provision on the number of bedrooms or dens.

Submittals

1. Petition for a public hearing; and
2. Response to Standards for a Text Amendment.

Prepared By

Jennifer Ganser
Assistant Director

DESCRIPTION

The petitioner, the Village of Lombard, is requesting a text amendment to Section 155.602 Table 6.3 "Schedule of Off-Street Parking Requirements" of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the parking requirements for Attached Single-Family Dwelling to two (2) spaces per dwelling unit and strike the provision on the number of bedrooms or dens.

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 issues or concerns 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 text amendments to the Zoning Ordinance.

EXISTING & PROPOSED REGULATIONS

Currently, Table 6.3 requires a three bedroom (or more) townhouse to have a minimum of three parking spaces. However, a single family detached home, regardless of the number of bedrooms, is required to have two spaces per dwelling unit. Staff would like to correct the inconsistency and require all detached and attached single-family dwellings to have a minimum of two parking spaces.

Staff notes that in the 1990 Zoning Ordinance the parking requirements table calls for two spaces per unit for attached and detached single-family dwellings. Between 1990 and 1999 the table was changed, though staff has been unable to determine whether the change was the result of a Scriver's error or an amendment itself.

Staff finds the standards for text amendments have been affirmed.

1. The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;
This text amendment would apply to the entire Village. It would not benefit a specific property.
2. The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;
This amendment would be consistent with parking regulations for detached single-family dwellings and would not negatively impact any zoning districts.
3. The degree to which the proposed amendment would create nonconformity;
Staff is unaware of any existing legal conforming uses that would be made nonconforming by the proposed text amendment.
4. The degree to which the proposed amendment would make this ordinance more permissive;
This amendment would not make the ordinance more permissive, it would allow for parking regulations to be consistent for detached and attached single-family homes.
5. The consistency of the proposed amendment with the Comprehensive Plan;
The amendment would not alter 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.
This is consistent with the 1990 Zoning Ordinance and with parking regulations for detached single-family dwellings.

Below is the current text and proposed amendments.

CURRENT Table 6.3
Schedule of Parking Requirements

USE	PARKING REQUIREMENTS
<i>RESIDENTIAL</i>	
Single-Family Detached Dwellings	Two Spaces per dwelling unit
Attached Single-Family Dwellings:	
Two or less bedrooms or dens	Two spaces per dwelling unit
Three or more bedrooms or dens	One space per bedroom or den (minimum three spaces per unit)

PROPOSED Table 6.3
Schedule of Parking Requirements

USE	PARKING REQUIREMENTS
<i>RESIDENTIAL</i>	
Single-Family Detached Dwellings	Two Spaces per dwelling unit
Attached Single-Family Dwellings	Two Spaces per dwelling unit
Two or less bedrooms or dens	Two spaces per dwelling unit
Three or more bedrooms or dens	One space per bedroom or den (minimum three spaces per unit)

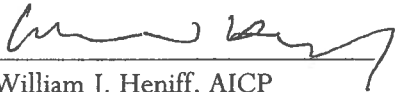
FINDINGS & RECOMMENDATIONS

Staff finds the proposed amendments to be consistent with the objectives of the Zoning Ordinance. The proposed amendments are also consistent with the intent of the Comprehensive Plan in general.

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 16-23.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

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ORDINANCE _____

**AN ORDINANCE APPROVING A TEXT AMENDMENT
TO THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155, SECTION 155.602, TABLE 6.3
OF THE LOMBARD ZONING CODE**

PC 16-23: Text Amendments to the Zoning Ordinance

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 October 17, 2016 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 155.602, Table 6.3 of the Lombard Village Code is hereby amended as follows:

**Table 6.3
Schedule of Parking Requirements**

USE	PARKING REQUIREMENTS
<i>RESIDENTIAL</i>	
Single-Family Detached Dwellings	Two Spaces per dwelling unit
Attached Single-Family Dwellings	<u>Two Spaces per dwelling unit</u>
Two or less bedrooms or dens	Two spaces per dwelling unit
Three or more bedrooms or dens	One space per bedroom or den (minimum three spaces per unit)

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.

Passed on first reading this ____ day of _____, 2016.

First reading waived by action of the Board of Trustees this ____ day of _____, 2016.

Passed on second reading this ____ day of _____, 2016.

Ayes: _____

Nays: _____

Absent: _____

Ordinance No. _____

Re: PC 16-23

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Approved this _____ day of _____, 2016.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2016.

Sharon Kuderna, Village Clerk