

February 3, 2005

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 05-03: Text Amendments to the Lombard Zoning Ordinance

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard requests amendments to the Zoning Ordinance, as follows:

Sec. 155.103 – Administration and Enforcement

Delete variation restrictions stated in Section 155.103 (C)(8)(d) and (e)
Amend Section 155.103 (J)(2)(c) pertaining to public hearing notice signage requirements

Sec. 155.500 et. seq. – Planned Developments

Amendments to remove scrivener's and grammatical errors
Modifications to the required documents for a planned development submittal
Amendments to the planned development approval process
Replacement of the terms "other exceptions" with "deviations" as warranted

Sec. 155.802 – Rules and Definitions

Include definition for "Deviations, Planned Development"

After due notice and as required by law, the Plan Commission conducted public hearings for this petition on January 24, 2005.

William Heniff, Senior Planner, presented the petition. He indicated that the purpose of the text amendments were to address several outstanding issues with the administration and planned development sections of the Ordinance. The amendments are primarily intended to clarify provisions of the Ordinance rather than establishing new or amended procedures.

Mr. Heniff then referenced the underlining and strike-throughs in the staff report, which reflects the proposed amendments, as follows:

- Section 155.103 (C) - amendments are proposed to remove prohibitions on the Village to grant signage relief or degrees of non-conformity.
- Section 155.103 (J)(2)(c) – this amendment provision clarifies that a public hearing sign needs to be placed on every single parcel or tract that is subject to a public hearing petition. This section also adds notification requirements for conditional uses. Not all annexations are subject to a public hearing (e.g., a voluntary annexation of a tract of land in which the owner seeks no additional action from the Village, involuntary annexations or annexation of public rights of way) - the proposed amendment removes any ambiguity.
- Section 155.502 – adds an additional objective for planned developments to create a unified and compatible design of buildings, structures and site improvements.
- Section 155.504 – these amendments clarify the Plan Commission and Village Board approval processes for changes to planned developments, submittal requirements and modifications to the major changes to a planned development subsection. He also referenced a memorandum passed out to the Commissioners for consideration of an additional amendment to this section to define the process for approving a major change to a planned development.
- Lastly, additional changes are proposed to consistently apply and define the term “deviation, planned development” throughout the Zoning Ordinance.

Chairperson Ryan then opened the meeting for public comment. There was no one in the audience to speak in favor of or against the petition.

Commissioner Olbrysh referenced the public hearing signage requirements and questioned whether the proposed amendments actually achieve their desired effect as proposed. George Wagner, Village Counsel, stated that the signage provisions is a requirement the Village is placing upon itself – it is not mandated in Statute. Therefore, it can be written in the manner the Village deems appropriate.

Commissioner Sweetser also referenced the public hearing notice sign amendments and inquired if there could be more discretionary language to address properties in which a sign cannot be placed on the property, such as in the downtown area where the building is placed up to the street. After extended discussion by the Commissioners, they directed Counsel and staff to revise the proposed language of this subsection to address their concern and to provide more discretionary language to the Director in placing public hearing signs.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed text amendments do comply with the standards of the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4 to 0, recommended to the Corporate Authorities, approval of PC 05-03, subject to the provision that staff and Counsel incorporate the comments expressed by the Commissioners into the final Ordinance.

Respectfully,

VILLAGE OF LOMBARD

Donald F. Ryan
Chairperson
Lombard Plan Commission

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c Petitioner
 Lombard Plan Commission