

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


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

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : September 1, 2020 (**BOT**) **Date:** September 3, 2020

SUBJECT: PC 20-19; Text Amendment, Temporary Use of Daycare and Schools

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 a text amendment to the Lombard Zoning Ordinance to establish a new Section 155.226 within the Lombard Village Code, and amend other relevant sections if necessary for clarity.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the September 3, 2020 Board of Trustees consent agenda with a waiver of 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 *WJH*

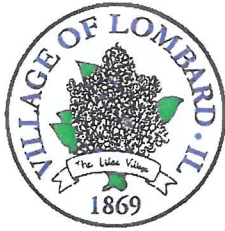
MEETING DATE: September 3, 2020

SUBJECT: **PC 20-19; Text Amendment, Temporary Use of Daycare and Schools**

Please find the following items for Village Board consideration as part of the September 3, 2020 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 20-19; and
3. An Ordinance granting approval of the text amendments of the Lombard Zoning Ordinance.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the September 3, 2020 Board of Trustees consent agenda with a waiver of first reading.



VILLAGE OF LOMBARD

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September 3, 2020

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Anthony Puccio, Dist. 2
Reid Foltyniewicz, Dist. 3
Andrew Honig, Dist. 4
Daniel Militello, 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 20-19, Text Amendment

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 approval of a text amendment to the Lombard Zoning Ordinance to establish a new Section 155.226 within the Lombard Village Code, and amend other relevant sections if necessary for clarity. The proposed amendment will establish temporary permitted land uses for day care centers and public and parochial elementary, middle and high schools within the Zoning Ordinance during periods that a Gubernatorial Disaster Proclamation is in effect, relative to a viral pandemic.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on August 17, 2020. Sworn in to present the petition were William Heniff, Director of Community Development.

Mr. Heniff presented the staff report, which was submitted to the public record in its entirety. The Village proposes to add a Section of Code during times of a Gubernatorial Disaster Proclamation to assist schools and day care centers for temporary land uses. Many activities in 2020 were able to be completed by an Executive Order. However, the Zoning Ordinance requires public hearing. Staff worked with Village Counsel to write the proposed text amendment.

The Village has received questions from schools and day care centers asking if they can open additional locations to assist the community.

Staff anticipates additional day care centers may be needed to accommodate children not physically in school and to accommodate social distancing and other health protocols. Currently, schools and day care centers are a conditional use in many zoning districts, which can take approximately 60-90 days to be reviewed.

There were no public comments

Vice Chairperson Flint opened the meeting for comments among the Commissioners.

On a motion by Commissioner Johnston, and a second by Commissioner Burke, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 20-19.

Respectfully,

VILLAGE OF LOMBARD

Steve Flint, Vice Chairperson
Lombard Plan Commission

ORDINANCE _____

AN ORDINANCE AMENDING
TITLE XV., CHAPTER 155 OF THE LOMBARD VILLAGE CODE
IN REGARD TO THE ZONING REGULATIONS
APPLICABLE TO DAYCARE AND SCHOOLS

WHEREAS, the Village of Lombard (the “Village”) maintains a Zoning Code which is found in Title XV., Chapter 155 of the Lombard Village Code (the “Village Code”); and

WHEREAS, the Village has enacted Village Code regulations for the purpose of improving and protecting the public health, safety and welfare of the residents of the Village; and

WHEREAS, the President and Board of Trustees of the Village (the “Corporate Authorities”) deem it reasonable to periodically review said Zoning Code and make necessary changes thereto; and

WHEREAS, a public hearing, to consider text amendments to the Zoning Code, relative to daycare and schools uses during a viral pandemic, as set forth below, was conducted by the Village’s Plan Commission (the “Plan Commission”) on August 17, 2020, pursuant to appropriate and legal notice; and

WHEREAS, the Plan Commission has filed its recommendations with the Corporate Authorities recommending approval of the Zoning Code text amendments as set forth below; and

WHEREAS, the Corporate Authorities 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 XV., Chapter 155, Section 155.226, of the Lombard Village Code is amended as follows:

155.226 - Temporary Permitted Land Uses During Gubernatorial Disaster Proclamation

During periods in which a Gubernatorial Disaster Proclamation is in effect, relative to a viral pandemic, the Village recognizes that special considerations may be required to ensure that the public health, safety and welfare is maintained to the greatest extent possible. As part of that effort, and in order to maximize social distancing measures necessary to address said viral pandemic, the Village has deemed that Day Care Centers and Public and Parochial Elementary, Middle and High Schools shall be classified as temporary permitted land uses in the following zoning districts:

CR – Conservation Recreation District

O – Office District

B1 – Limited Neighborhood Shopping District

B2 – General Neighborhood Shopping District

B3 – Community Shopping District

B4 – Corridor Commercial District
B4A – Roosevelt Road Commercial District
B5 – Central Business District
B5A – Downtown Perimeter District

For purposes of this Section, the term “temporary” shall be deemed to be for a period of not to exceed one year from the issuance of the Certificate of Occupancy/Zoning Certificate, by the Village, relative to any such use. Should the entity conducting such use seek to maintain the use at the premise beyond the designated temporary period, said entity shall be required to seek the zoning entitlement approvals, normally required for such use at the premises so used, to establish the use as a permanent use at the premises so used. The provisions set forth within this Section do not supersede any other federal, state, county or Village requirements applicable to any such use.

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 _____, 2020.

First reading waived by action of the Board of Trustees this ____ day of _____, 2020.

Passed on second reading this ____ day of _____, 2020, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this ____ day of _____, 2020.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this ____ day of _____, 2020.

Ordinance No. _____
PC 20-19
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Sharon Kuderna, Village Clerk