

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: September 17, 2007

FROM: Department of Community
Development

PREPARED BY: William Heniff, AICP
Senior Planner

TITLE

PC 07-29; Text Amendments to the Lombard Zoning Ordinance and Sign Ordinance: The Village of Lombard requests that the following actions be taken:

1. Approve text amendments to Chapter 155 of the Village Code (the Zoning Ordinance) and Chapter 153 of the Village Code (the Lombard Sign Ordinance) to create an R0 zoning district and establish development regulations for the proposed district. This amendment shall also include any necessary companion codification amendments required for clarity or consistency.
2. Approve amendments to the Village Comprehensive Plan as needed.

DESCRIPTION

The Village of Lombard is proposing text amendments to the Zoning and Sign Ordinances to establish a new R0 Single-Family Residence District. This district would create a zoning category and regulations that provides for greater lot sizes and lower densities than the existing R-1 District. It would be generally applied to annexed properties where the Village deems it desirable to keep the semi-rural nature. This petition is only intended to establish the R0 district itself. Should this district be established, it will provide the Village with the ability to apply the more restrictive designation to selected established neighborhoods. Specifically, the R0 District is intended to be applied as part of an anticipated annexation request by properties within the York Center Co-op neighborhood.

As a companion to the text amendments, an amendment is proposed to the Village's Comprehensive Plan to denote the desirability of the semi-rural lot sizes within the York Center Co-op area.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Specific comments regarding the applicability of the proposed text amendments will be offered at the time that the properties are being annexed.

FIRE AND BUILDING

Specific comments regarding the applicability of the proposed text amendments will be offered at the time that the properties are being annexed.

PLANNING

York Center Co-op Background

The York Center Co-op consists of 71 properties held in common ownership. The neighborhood has been identified within the Village’s boundary agreements and within the annexation strategies report for future annexation. The neighborhood is contiguous to the existing Village corporate limits. Recent litigation set into motion steps to dissolve the Co-op and provide members with fee simple title to the properties. Recognizing that fee simple titles could result in a substantial change in the character of their neighborhood, a number of members have expressed to staff their desire to annex into the Village and establish an agreement that ensures that the existing character of their neighborhood would not be altered. Specifically, they requested that the Village establish provisions to memorialize their larger lot sizes and preserve the open feel of their neighborhood.

Text Amendment Discussion

To address their concerns, staff proposes to create a new district that provides for even larger lot sizes than currently provided in the R-1 District. Through this review, the proposed R0 District is intended to generally mirror DuPage County’s R-3 Single Family regulations that are currently applied to the neighborhood. For comparison purposes, the table below denotes the various bulk regulations in the aforementioned districts.

	Existing DuPage County R-3 District	Existing Lombard R-1 District	Proposed R0 District
Minimum Lot Area	15,000 sq. ft. (when served by water/sewer)	10,000 sq. ft.	15,000 sq. ft.
Minimum Lot Width	100 feet (when served by water/sewer)	75 feet	100 feet
Front Yard Setback	30 feet	30 feet	30 feet
Interior Side Yard Setback	10 feet	7.5 feet	10 feet
Corner Side Yard Setback	30 feet	20 feet	30 feet
Rear Yard Setback	25 feet	40 feet	50 feet
Open Space Requirements	Not applicable – County uses max. floor area ratio of 0.3	50% of lot	67% of lot
Max. Building Height	36 feet (to roof peak)	Less of 2.5 stories or 30’ formulated	Less of 2.5 stories or 30’ formulated

Should this district be established, it would become the most restrictive district and all properties would automatically be designated as R0 upon annexation. While the aforementioned references relate to the York Center Co-op properties, the Village Board would have the ability to consider other similar properties for R0 zoning as well. Notable examples could include future annexations in the Congress Knolls area or other unincorporated neighborhoods.

PROPOSED ZONING ORDINANCE ADDITIONS:

Staff proposes the following text amendments to the Zoning Ordinance. Staff notes that should the amendments be adopted, other chapter and section numbers will be modified accordingly.

R0 SINGLE-FAMILY RESIDENCE DISTRICT REQUIREMENTS

A. Purpose Statement

The R0 Single-Family Residence District is intended to provide for low density single-family residential areas. This district is characterized by established subdivisions platted on large lots and generally created prior to their annexation into the Village. The purpose of this district is also intended to preserve the lower-density character of the neighborhood and protect such areas from the encroachment of incompatible uses.

B. Permitted Uses

The following uses shall be permitted in the R0 District:

1. Detached single-family dwellings
2. Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with Section 155.210 of this Ordinance
3. Home occupations, in conformance with the provisions of Section 155.211 of this Ordinance
4. Home day care, as defined in Section 155.800 of this Ordinance
5. Family Care Facilities, in conformance with the provisions of Section 155.219 of this Ordinance

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, the following conditional uses may be allowed:

1. Cemeteries
2. Colleges or universities:
3. Cultural facilities/institutions
4. Group Care Facilities, in conformance with Section 155.219 of this Ordinance
5. Planned developments in conformance with Section 155.500 of this Ordinance
6. Public and private utility and municipal service uses
7. Public recreational and social facilities, as follows:
 - a. Golf courses, but not golf driving ranges, pitch and putt, or miniature golf courses
 - b. Recreational clubs, noncommercial
 - c. Parks and playgrounds
 - d. Recreational buildings and community centers, noncommercial
 - e. Swimming pools, noncommercial
 - f. Tennis clubs and courts, noncommercial
8. Religious institutions
9. Schools, Private, Full-Time: Elementary, Middle and High
10. Schools, Public, Full-Time: Elementary, Middle and High

11. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

D. Minimum Lot Area

All uses located within this district shall have a minimum lot area of 15,000 square feet (2.9 DU/AC).

E. Minimum Lot Width

All uses located within this district shall have a minimum lot width of 100 feet.

F. Minimum Building Setbacks

All principal buildings and structures shall have minimum setbacks from property lines in conformance with the following:

1. Front Yards – 30 feet
2. Corner Side Yards – 30 feet
3. Interior Side Yards – 10 feet
4. Rear Yards – 50 feet

G. Maximum Building Height

1. Permitted Uses
No buildings or structures shall exceed two and one-half (2 1/2) stories or 30 feet in height, whichever is less.
2. Conditional Uses
No buildings or structures shall exceed three and one-half (3 1/2) stories or 45 feet in height, whichever is less.

H. Minimum Required Open Space

Each permitted use in the R0 District shall preserve a minimum of 67% of the lot area in open space.

I. Signs

Signs shall be allowed in the R0 District in conformance with the regulations established in the Village of Lombard Sign Ordinance.

J. Off-Street Parking and Loading

Off-street parking and loading facilities, accessory to uses allowed in R0 District, shall be provided in accordance with the regulations established in Section 155.600 of this Ordinance.

K. Landscaping

All uses in the R0 District shall conform to the provisions in Section 155.700 of this Ordinance.

PROPOSED ZONING ORDINANCE CHANGES

The proposed ordinance changes are denoted by striking out old text and underlining new text.

§155.208 NUMBER OF BUILDINGS ON A LOT OF RECORD

The provision of more than one (1) principal structure on one (1) lot-of-record shall be permitted only as follows:

A. Conservation/Recreation District.

More than one (1) principal structure on one (1) lot-of record is permitted.

B. R0, R1 and R2 Districts.

More than one (1) principal structure on one (1) lot-of-record is not permitted, except as part of a planned development, pursuant to the provisions of Section 155.500 of this Ordinance.

§155.210 ACCESSORY USES, ACTIVITIES, BUILDINGS, AND STRUCTURES

(A) General Requirements

The following restrictions on accessory buildings, structures and uses apply to all zoning districts.

(1) Time of Construction

No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

- (2) Yard Requirements For Accessory Structures and Uses
 - (a) Unless otherwise provided for in this ordinance, no accessory building, structure or use shall be located in a required front, corner side or interior side yard.
 - (b) In Single Family Residential Districts (R0, R1 and R2), all detached accessory buildings shall be located behind the front wall of the principal building that is nearest to the front lot line.

- (B) Restrictions in Residential Districts

The controls over accessory structures and uses described below shall apply only to Residential Districts.

 - (1) Maximum Area
 - (a) General Requirements

A single accessory building or structure in a residential district shall not occupy more than 10% of the zoning lot. The combined area of all accessory buildings and structures shall not exceed the total ground floor area of the principal residence. No accessory use, except for surface parking spaces, shall cover more than 30% of the zoning lot.
 - (b) Detached Garages

In addition to the provisions expressed in Section 155.210(B)(1)(a) above, no building footprint of a detached garage shall exceed 1,000 square feet in area on a lot within a R0, R1 or R2 Single-Family Residential District.

 - (2) Yard Requirements
 - (a) General Requirements

In all residential districts (R0 ~~R1~~ through R6), accessory structures shall be set back a minimum of three (3) feet from the rear property line and, if the entire structure is located in the rear 25 percent of the lot, accessory structures shall be set back a minimum of three (3) feet from an interior side property line. If any portion of the accessory structure is not located within the rear 25 percent, then a minimum of six (6) foot setback from the interior side property line must be maintained.
 - (b) Detached Garages

In all residential districts (R0 ~~R1~~ through R6), detached garages shall be set back a minimum of three (3) feet from the rear property line.

Detached garages shall be set back a minimum of three (3) feet from the interior side property line and a minimum of twelve (12) feet from the principal structure on any adjoining lot.

(D.) REGULATION OF SPECIFIC ACCESSORY USES

The regulations which control the location and operation of specific accessory uses are set forth below. Where these regulations conflict with other provisions of this subsection, these regulations shall apply.

(9) Garage Sales

Garage sales shall be permitted as an accessory use in the R0, R1, R2, and R3 Districts under the following conditions:

- a. Garage sales shall be limited to the sale of used household or personal articles.
- b. The host of the garage sale shall reside in the dwelling at which the sale occurs.
- c. The duration of the sale shall be limited to not more than three (3) consecutive days.
- d. A garage sale may be open for sales between the hours of 8:00 a.m. and 9:00 p.m. However, display of items for sale may begin at 7:30 a.m., but must be removed prior to 9:30 p.m.
- e. No more than two garage sales shall be held on any lot of record in any one calendar year.
- f. No signs advertising the sale shall be displayed except for those permitted under Section 153.502 of the Village Code.

§155.306 LOT SIZES – RECONSTRUCTION

Notwithstanding the provisions of Sections 155.301 through 155.305, of this code, for an existing lot or parcel in an R0, R-1 or R-2 Single Family Residence District, which has been developed with a dwelling and does not meet the minimum lot size and/or lot width requirements, where the Village has issued a demolition permit to raise the existing dwelling or where the existing dwelling has been destroyed to the extent of more than fifty percent (50%) of the fair market value of dwelling, the owner will be allowed to rebuild the dwelling without need to appear before either the Plan

Commission or the Zoning Board of Appeals, so long as all the requirements of Chapter 155 of this Code, other than lot size and lot width, are met relative to the proposed rebuilding of the dwelling. The provisions of this Section shall only apply, however, provided: (A) the owner of the lot or parcel in question submits a plat of subdivision or consolidation, and a request for approval of same, if said lot or parcel is not a single subdivided lot of record; and (B) the lot size and lot width of the lot or parcel in question equals at least eighty percent (80%) of that required by Section 155.305 or Section 155.406, of this Code, whichever is applicable.

§155.401 DISTRICTS

For the purposes of this Ordinance, the Village of Lombard is hereby divided into the following zoning districts:

Conservation Recreation and Residence Districts

CR - Conservation Recreation

R0 – Single-Family Residence

R1 - Single-Family Residence

R2 - Single-Family Residence

R3 - Attached Single-Family Residence

R4 - Limited General Residence

R5 - General Residence

R6 - Central Residence

§155.403 ZONING OF ANNEXED LAND

On land hereafter annexed to, or consolidated with, the Village of Lombard, no building or structure shall be erected, enlarged or moved, and no change in the use of land or existing buildings or structures shall be made until an ordinance designating the zoning district classification of such annexed land is duly adopted by the Village Board. Within 30 days of the annexation, the Plan Commission shall file an application for an amendment to establish the zoning district classification of such land. Action shall be taken by the Village Board regarding the classification of annexed land within 60 days of its receipt of the amendment application from the Plan Commission. If no pre-annexation zoning hearing is held, all properties annexed to the Village shall automatically be classified as ~~R4~~ R0 Single-Family Residence District, until such time as the Plan Commission shall file an application to amend the zoning classification of such land.

§155.407 R3 ATTACHED SINGLE-FAMILY RESIDENCE DISTRICT REQUIREMENTS

I. Transitional Building Setback Requirements

Wherever a rear yard or interior side yard abuts a lot used for attached single-family use is located adjacent to a lot in the CR, R0, R1, or R2 District, all principal and accessory buildings shall be set back from such lot line a distance of 30 feet.

- J. Transitional Landscape Yards for Attached Single-Family Dwellings
Wherever a rear or interior side yard abuts a lot in the R0, R1 or R2 District, a transitional yard 30 feet in width shall be provided along such lot line and improved in accordance with the provisions of Section 155.708 of this Ordinance.

§155.408 R4 LIMITED GENERAL RESIDENCE DISTRICT REQUIREMENTS

- I. Transitional Building Setbacks
Wherever a rear yard or interior side yard abuts a lot used for attached single-family or multiple-family residential use is located adjacent to a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, all principal and accessory buildings shall be set back from such lot line a distance in accordance with the following:
1. Attached Single-Family Use – 30 feet
 2. Multiple-Family Use – 50 feet
- J. Transitional Landscape Yards for Attached Single-Family and Multi-Family Dwellings.
Wherever a rear yard or interior side yard abuts a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, a transitional landscape yard 30 feet in width shall be provided along such lot line and improved in accordance with the provisions of Section 155.708 of this Ordinance.

§155.409 R5 GENERAL RESIDENCE DISTRICT REQUIREMENTS

- J. Transitional Building Setbacks
Wherever a rear yard or interior side yard abuts a lot used for attached single-family or multiple-family residential use is located adjacent to a lot in the CR, R0, R1, R2, or an existing, detached single-family residence in the R3 District, all principal and accessory buildings shall be set back from such lot line a distance in accordance with the following:
1. Attached Single-Family Use – 30 feet
 2. Multiple-Family Use – 50 feet
- K. Transitional Landscape Yards for Attached Single-Family and Multi-Family Dwellings
Wherever a rear yard or interior side yard abuts a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, a transitional landscape yard 30 feet in width shall be provided along such lot line and improved in accordance with the provisions of Section 155.708 of this Ordinance.

§155.410 R6 CENTRAL RESIDENCE DISTRICT REQUIREMENTS

J. Transitional Building Setbacks

Wherever a rear yard or interior side yard abuts a lot used for attached single-family or multiple-family residential use is located adjacent to a lot in the CR, R0, R1, R2, or an existing, detached single-family residence in the R3 District, all principal and accessory buildings shall be set back from such lot line a distance in accordance with the following:

1. Attached Single-Family Use – 30 feet
2. Multiple-Family Use – 50 feet

K. Transitional Landscape Yards for Attached Single-Family and Multi-Family Dwellings

Wherever a rear yard or interior side yard abuts a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, a transitional landscape yard 15 feet in width shall be provided along such lot line and improved in accordance with the provisions of Section 155.708 of this Ordinance.

§155.509 MINIMUM SIZE REQUIREMENTS FOR PLANNED DEVELOPMENTS

In order to accrue the intended benefits of a planned development sought through these regulations, the area of a planned development shall conform to the following minimum area requirements for the district in which it is located.

District	Minimum Size	Frontage
CR-Conservation Recreation District	no minimum requirement	
<u>R0-Single Family Residence District</u>	<u>60,000 ft²</u>	<u>300'</u>
R1-Single Family Residence District	30,000 ft ²	225'
R2-Single Family Residence District	22,500 ft ²	180'
R3-Attached	22,500 ft ²	180'

Single-Family Residence District		
R4-Limited General Residence District	22,500 ft ²	180'
R5-General Residence District	22,500 ft ²	180'
R6-Central Residence District	No minimum requirement	
O-Office District	45,000 ft ²	300'
B1-Limited Neighborhood Shopping District	22,500 ft ²	180'

B2-General Neighborhood Shopping District	22,500 ft ²	180'
B3-Community Shopping District	60,000 ft ²	300'
B4-Corridor Commercial	120,000 ft ²	450'

District		
B5-Central Business District	no minimum requirement	
B5A-Downtown Perimeter District	no minimum requirement	
I-Limited Industrial District	60,000 ft ²	240'

§155.602 OFF-STREET PARKING

(A) General Requirements

3) Location

- (d) Owners of property legally nonconforming as to parking and located in the CR, R0, R1, R2, R3, R4, R5, B1 and B2 Districts shall be allowed to provide parking off-site to become otherwise conforming. In such circumstances, the provision of such off-site parking shall be considered a conditional use and subject to the provisions of Section 155.103 (F) of this Ordinance.
- (e) Off-street parking spaces open to the sky, may be located in any yard, except that in the R4, R5, O, and I Districts, off-street parking shall not be located in a required front or corner side yard. However, In the R0, R1 and R2 Districts, not more than two (2) vehicles may be parked overnight in a required front or corner side yard, and not more than three (3) vehicles may be parked overnight in the required rear yard.

§155.603 OFF-STREET LOADING

A. General Requirements

1. Location and Screening

All required loading berths shall be located on the same zoning lot at the use served. All motor vehicle loading berths in a CR, R0 ~~R1~~- R6 or O District shall be screened by building walls, or by a uniformly painted solid non-combustible fence, wall, or door or densely planted mature shrubbery or any combination thereof, not less than six (6) feet in height. Loading berths in other districts which abut property in a CR, R0 ~~R1~~- R6, or O District, or is separated from such district by a public right-of-way, shall likewise be screened from view from such abutting property. In all districts, no loading berths shall be located in a required front corner side or side yard. Loading berths located in a required rear yard may be open to the sky.

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 (R0 ~~R1~~ through R6) shall be prohibited.

§155.707 TRANSITIONAL YARD LANDSCAPING

Where transitional landscape yards are required in the district regulations of each district, such landscape yards shall be improved in conformance with the following requirements which shall be provided in addition to other required landscaping.

A. Size of Transitional Landscape Yards

The size of transitional landscape yards in the districts identified below shall be as follows:

1. R3, R4 and R5 Districts

Wherever a rear yard or interior side yard lot used for attached single-family or multiple-family residential use in the R3, R4 or R5 District abuts a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, a transitional landscape yard 30 feet in width shall be provided along such lot line.

2. R6 District

Wherever a rear yard or interior side yard lot used for attached single-family or multiple-family residential use in the R6 District abuts a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, a transitional landscape yard 20 feet in width shall be provided along such lot line.

§155.709 PERIMETER LOT LANDSCAPING

To help enhance the attractiveness of individual properties within the Village and provide physical and visual separation between individual properties, landscaping along the periphery of each lot shall be required.

A. Applicability

All lots, except those in the CR, R0, R1, and R2 Districts, shall provide perimeter landscaping in accordance with the provisions of this subsection. Also, the requirements of this section shall not apply where the provisions of Section 155.706 or 155.707, above, are applicable.

PROPOSED SIGN ORDINANCE CHANGES

Proposed ordinance changes are denoted below by striking out old text and underlining new text.

§153.231 RESIDENTIAL DIRECTIONAL SIGNS

It is unlawful to construct, erect, or maintain any Residential Directional Signs without complying with the following provisions:

- (A) Location: The sign(s) shall only be displayed on property with a single-family residential zoning classification (R0, R-1 and R-2).

§153.602 DEFINITIONS

SIGN, DEVELOPER'S A sign required for all new construction or development of any building, structure, or substantial improvement in any zoning district other than C/R, R0, R-1, and R- 2.

Comprehensive Plan Amendment

Appendix B denotes the general goals for residential areas. Of particular note, goal one recommends the protection and enhancement of the identity and character of residential neighborhoods.

The York Center Co-op area is currently developed with densities ranging from two to three units per acre. The Plan denotes the York Center Co-op Area for either Estate Residential (less than 4 units per acre) or Low-Density Residential (less than 6 units per acre). However, if these densities were applied to the York Center area, it could contradict goal one above. As such, staff is recommending a text amendment to the Plan that recommends properties within the York Center Co-op area should be developed or redeveloped at densities not exceeding three units per acre. This statement should be added to the specific recommendations section of the Plan (p. 22). Additionally, a companion Plan map amendment would designate all of the York Center Co-op properties for estate residential purposes.

FINDINGS AND RECOMMENDATIONS

Based on the above findings, 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 proposal does comply with the standards for text amendments required by the Lombard Zoning Ordinance, and therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission and therefore recommend to the Corporate Authorities **approval** of PC 07-29.

Inter-Departmental Review Group Report Approved By:

Plan Commission
Re: PC 07-29
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David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

DAH:WJH

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Appendix A Standards for Text Amendments

Where a text amendment is proposed, the Plan Commission shall make findings based upon the evidence presented to it in each specific case with respect to, but not limited to, the following matters:

1) The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;

The proposed text amendments are intended to create a district that mandates larger sized lots than what is currently provided for in the existing R-1 District. At this point in time, no specific properties are proposed to be placed within the R0 District. However, should the amendments be adopted it is anticipated that the R0 District would be applied to the currently unincorporated York Center Co-op area.

2) The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;

The R0 District concept is consistent with the overall structure of the Zoning Ordinance by designating similar properties to be regulated in a similar manner.

3) The degree to which the proposed amendment would create nonconformity;

The amendment would not create any nonconformities as it is not anticipated that the new district would be applied to any properties currently within the Village.

4) The degree to which the proposed amendment would make this ordinance more permissive;

The amendment would not make the ordinance more permissive. Rather, the amendment would establish a district with larger minimum lot widths and lot areas.

5) The consistency of the proposed amendment with the Comprehensive Plan;

The Comprehensive Plan denotes the areas that would be designated for the R0 District to be developed as low-density or estate residential. The proposed amendment is intended to further this goal by establishing a district that further memorializes the lower density character of the neighborhoods. As noted within the staff report itself, a minor amendment to the Plan is proposed to recommend development densities of three units per acre.

6) The degree to which the proposed amendment is consistent with Village policy as established in previous rulings on petitions involving similar circumstances.

The proposed amendment is consistent with the Village Board's general desire to see newly annexed areas developed at lower densities than previously annexed and developed areas. Notable examples of this policy are demonstrated by annexations along High Ridge Road, School Street and within newer subdivisions such as Yorkshire Woods. This new classification furthers this goal.

Plan Commission
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Appendix B
Relevant Sections of the Lombard Comprehensive Plan and Proposed Plan Map Amendments