

July 20, 2015

Title

PC 15-16

Petitioner

Village of Lombard

Property Location

Village-wide

Approval Sought

An amendment to Sections 154.306 and 154.703 (and any other relevant sections for clarity) of the Lombard Subdivision and Development Ordinance regarding “major development.”

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 the following text amendments to the Lombard Subdivision and Development Ordinance:

An amendment to Sections 154.306 and 154.703 (and any other relevant sections for clarity) of the Lombard Subdivision and Development Ordinance regarding “major development.”

The current definition of a major development is: “*Development, major.* The improvement of property in any of the following manners: (a) Construction of a principal building (excluding a detached single-family or two-family residence); (b) Construction of a building addition (excluding additions to single-family or two-family residences) in which the gross floor area exceeds 20 percent of existing buildings on a zoning lot or 2,000 square feet.”

A major development requires a water distribution system, a sanitary distribution system, a storm sewer and drainage system, and public rights-of-way. At our current thresholds a small addition project of 2,000 square feet could require a commercial project to add sidewalks or street lights which could result in such projects becoming economically infeasible. The Village recently completed comparative research on “major developments” in other communities and found that Lombard’s definition was among the most restrictive. Most communities did not have a definition of a major development and reviewed items by a case by case basis. The Village would like to amend our definition allowing the project to go to 50% or 20,000 square feet, whichever is less, within the prior ten years.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments.

Fire Department:

The Fire Department has no issues or concerns.

Private Engineering Services:

Private Engineering Services has no comments.

Public Works:

The Department of Public Works concurs with the recommended text amendment provided that "within the prior ten years" is added in order to protect against sequential additions being done to avoid constructing public improvements.

EXISTING & PROPOSED REGULATIONS

The current definition of a major development is:

Development, major. The improvement of property in any of the following manners:

- (a) Construction of a principal building (excluding a detached single-family or two-family residence);
- (b) Construction of a building addition (excluding additions to single-family or two-family residences) in which the gross floor area exceeds 20 percent of existing buildings on a zoning lot or 2,000 square feet.

New Text

Development, major. The improvement of property in any of the following manners:

- (a) Construction of a principal building (excluding a detached single-family or two-family residence);
- (b) Construction of a building addition (excluding additions to single-family or two-family residences) in which the gross floor area exceeds **50** ~~20~~ percent of existing buildings on a zoning lot or **20,000** ~~2,000~~ square feet, **whichever is less, within the prior ten years.**

STANDARDS FOR TEXT AMENDMENTS

The petitioner has provided responses to the standards for a text amendment.

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 all Village properties and not 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 text amendment would be applied in every zoning district of the Village.
3. *The degree to which the proposed amendment would create nonconformity;*
This text amendment would not create any nonconformity as it still would allow for development to occur.
4. *The degree to which the proposed amendment would make this ordinance more permissive;*
This text amendment would not be more permissive, as it still would allow for development to occur.
5. *The consistency of the proposed amendment with the Comprehensive Plan; and*
The Comprehensive Plan does not specifically mention public improvements or major developments. The Comprehensive Plan does support development in the Village, and the proposed text amendment is meant to assist rather than hinder development. Public improvements can be costly and this text amendment ensures they would still be completed for larger developments.

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

The Village reviews its Codes and makes amendments, when necessary.

FINDINGS & RECOMMENDATIONS

Staff finds the proposed amendments to be consistent with the objectives of the Lombard 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 15-16.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP

Director of Community Development

c. Petitioner

H:\CD\WORDUSER\PCCASES\2015\PC 15-16\PC 15-16_IDRC Report.docx