

January 21, 2010

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

**Subject: PC 09-30: Text Amendments to the Lombard Zoning Ordinance
pertaining to I Limited Industrial District Performance
Standards**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests approval of text amendments to the Lombard Zoning Ordinance pertaining to I Limited Industrial District Performance Standards. After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on December 21, 2009.

Christopher Stilling, Assistant Director of Community Development, presented the petition. He stated that the Village of Lombard is proposing text amendments to Section 155.421 of the Lombard Zoning Ordinance amending the performance standards within the I Limited Industrial District. These amendments are intended to address conflicts between the Zoning Ordinance and Fire Department requirements and to remove references within the Zoning Ordinance which are incorrect or out of date. The Department of Community Development and the Fire Department have conducted a review of the I Limited Industrial District performance standards to ensure the proper application and enforcement of these codes.

There were no inter-departmental comments other than that of the Lombard Fire Department Bureau of Fire Inspections who suggested eliminating the current language in "Section D" in its entirety and revising the language to make a single reference for Fire and Explosion Hazard Limitations to the International Fire Code, current edition.

Section 155.421(D) of the Lombard Zoning Ordinance provides fire and explosion hazard regulations which are separate and independent of the adopted International Fire Code and other established Village codes. These circumstances present the possibility that there may be conflicts between these separate sets of regulations. Following a review of Section 155.421(D), the Department of Community Development and Fire Department share the opinion that the Fire and Explosion Hazard Limitations should be amended and the new Section 155.421(D) should direct the reader to reference the adopted International Fire Code and other applicable Village ordinances.

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The Fire Department has stated that the adopted Fire Code covers the Fire and Explosion Hazard Limitations listed in Section 155.421(D). By amending this section of the Industrial Performance Standards, the Village can reduce potential conflicts between the Zoning Ordinance, International Fire Code, International Building Code, and other Village Ordinances. As proposed, the new requirements will be updated each time a new version of the applicable codes are adopted, without having to process a text amendment.

For any change to the Zoning Ordinance, the standards for text amendments must be affirmed. Reciting the standards for text amendments as well as staff's responses to each, he noted that staff has addressed the required standards and recommends that the Plan Commission approve the changes as proposed.

Chairperson Ryan then opened the meeting for public comment. No one spoke for or against the petition.

Chairperson Ryan opened the meeting for comments from the Plan Commission.

Commissioner Sweetser referenced the staff report, specifically, the fourth text amendment standard. She indicated that she heard staff use the word "current" instead of "permissive" and commented that if that is the case then there is potentially, but probably not, a situation where we would have to be more conservative. She asked if permissive is the actual case or if that was changed because it would not make a difference. Mr. Stilling responded that the intent was to make the codes more current.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, by a roll call vote of 6-0, recommended to the Corporate Authorities approval of the petition associated with PC 09-30.

Respectfully,

VILLAGE OF LOMBARD

Donald F. Ryan
Chairperson
Lombard Plan Commission

att-
c. Petitioner
Lombard Plan Commission