

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: December 27, 2016 (B of T) Date: January 5, 2017

TITLE: PC 16-28, Text Amendments to the Zoning Ordinance

SUBMITTED BY: Department of Community Development *NS*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, is requesting a text to Section 155.602(B)(2) and Section 155.602 Table 6.1 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the accessible parking requirements.

The Plan Commission recommended approval of this petition by a vote of 5-0.

Staff is requesting a waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_

Finance Director X \_\_\_\_\_ Date \_\_\_\_\_

Village Manager X \_\_\_\_\_ Date \_\_\_\_\_



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development *WH*

**MEETING DATE:** January 5, 2017

**SUBJECT:** **PC 16-28; Text Amendments to the Zoning Ordinance**

Please find the following items for Village Board consideration as part of the January 5, 2017 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 16-28; and
3. An Ordinance granting a text amendment to Section 155.602(B)(2) and Section 155.602 Table 6.1 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 January 5, 2017 Board of Trustees agenda with a waiver of first reading requested by staff.



## VILLAGE OF LOMBARD

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Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org

January 5, 2017

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

**Trustees**  
Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Bob Johnston, Dist. 4  
Robyn Pike, 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 16-28, Text Amendments to the Zoning Ordinance**

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 a text to Section 155.602(B)(2) and Section 155.602 Table 6.1 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the accessible parking requirements.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on December 19, 2016. Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development.

Chairperson Ryan read the Plan Commissions procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing none, he proceeded with the petition.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser, Assistant Director of Community Development, presented the staff report, which was submitted to the public record in its entirety. The petitioner, the Village of Lombard, is requesting a text amendment. Currently, the Zoning Ordinance displays a chart of the number of accessible spaces required. After discovering an error in the chart staff realized the need for a text amendment and that other sections can be struck. The proposed amendments will fix an error

and refer back to Illinois Accessibility Code if in the event the State makes future changes. Staff uses the Illinois Accessibility Code currently to determine the number of accessible parking stalls required.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Sweetser, and a second by Commissioner Olbrysh, the Plan Commission voted 5-0 that the Village Board approve the petition associated with PC 16-28.

Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

**December 19, 2016**

**Title**

PC 16-28

**Petitioner**

Village of Lombard

**Property Location**

Village-wide

**Approval Sought**

The petitioner, the Village of Lombard, is requesting a text amendment to Section 155.602(B)(2) and Section 155.602 Table 6.1 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the accessible parking requirements.

**Prepared By**

Jennifer Ganser, AICP  
Assistant Director

**DESCRIPTION**

The petitioner, the Village of Lombard, is requesting a text amendment to Section 155.602(B)(2) and Section 155.602 Table 6.1 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the accessible parking requirements.

**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 comment.

**Public Works:**

The Department of Public Works has no comments.

**Planning Services Division:**

Currently, the Zoning Ordinance displays a chart of the number of accessible spaces required. After discovering an error in the chart staff realized the need for a text amendment and that other sections can be struck. The proposed amendments will fix an error and refer back to Illinois Accessibility Code if in the event the State makes future changes. Staff uses the Illinois Accessibility Code currently to determine the number of accessible parking stalls required.

## **EXISTING & PROPOSED REGULATIONS**

Staff proposes the following text amendments in **bold and underline**. Deletions are denoted by a ~~strikethrough~~.

(B) Accessible parking requirements. Accessible (handicapped) parking spaces shall be provided in compliance with the Illinois Accessibility Code (410 ILCS 25/1). ~~The standards described below reflect the Illinois Accessibility Code. For all requirements regarding accessible (handicapped) parking spaces, the above referenced code supersedes and adds to the standards established by this Chapter.~~

~~(1) Size: Each accessible parking stall shall consist of an eight-foot wide parking space and an adjacent eight-foot wide access aisle. The standard length of accessible parking stalls shall be the same as all other parking stalls.~~

~~(2) Number: All parking lots required by this Chapter shall provide the following number of accessible parking stalls:~~

Table 6.1

<del>Number of Parking Spaces</del>	<del>Required Number of Accessible Spaces</del>
<del>1 to 20</del>	<del>1</del>
<del>21 to 50</del>	<del>2</del>
<del>51 to 75</del>	<del>3</del>
<del>76 to 100</del>	<del>4</del>
<del>101 to 150</del>	<del>5</del>
<del>151 to 200</del>	<del>6</del>
<del>201 to 300</del>	<del>7</del>
<del>301 to 400</del>	<del>8</del>
<del>401 to 500</del>	<del>9</del>
<del>501 to 1000</del>	<del>2%</del>
<del>Over 1000</del>	<del>20+1 per 100 over 1000</del>

~~(3) Access: The required access aisle must have a smooth transition with adjacent walk surfaces, either by joining at a common level or by use of a curb ramp.~~

~~(4) Identification: Each accessible parking space shall be equipped with a sign which complies with Section 11-301 of the Illinois Rules of the Road. Signs shall be vertically mounted on a post or a wall at front center of the parking space, no more than five feet horizontally from the front of the parking space, and set four feet from finished grade of the parking space to the bottom of the sign.~~

## **STANDARDS FOR TEXT AMENDMENTS**

For any change to the Sign Ordinance, the standards for text amendments must be affirmed. The standards and staff comments are noted below:

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

The amendment would apply to the entire Village.

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

The amendments will ensure our ordinance stays consistent the Illinois Accessibility Code.

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

The proposed amendments will not create any nonconformity. They will ensure our ordinance stays consistent the Illinois Accessibility Code.

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

The proposed amendments would not make the ordinance more permissive. They will ensure our ordinance stays consistent the Illinois Accessibility Code.

5. *The consistency of the proposed amendment with the Comprehensive Plan; and*

Staff finds that the proposed amendments would be consistent with the Comprehensive Plan.

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

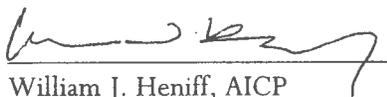
The Village has a history of amending its Zoning Ordinance to address evolving circumstances presented by petition or by recognizing a desire to amend the code to address desired code regulations. The proposed amendments are consistent with established Village policy in this regard.

## **FINDINGS & RECOMMENDATIONS**

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 16-28.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development

ORDINANCE \_\_\_\_\_

**AN ORDINANCE APPROVING A TEXT AMENDMENT  
TO THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 155, SECTION 155.602(B)(2), AND  
SECTION 155.602 TABLE 6.1  
OF THE LOMBARD ZONING CODE**

PC 16-28: Text Amendments to the Zoning Ordinance

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Lombard Code; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Zoning Ordinance and make necessary changes; and,

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on December 12, 2016 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees 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 15, Chapter 155, Section 155.602(B)(2) and Section 155.602 Table 6.1 of the Lombard Village Code is hereby amended as follows:

(B) Accessible parking requirements. Accessible (handicapped) parking spaces shall be provided in compliance with the Illinois Accessibility Code (410 ILCS 25/1). ~~The standards described below reflect the Illinois Accessibility Code. For all requirements regarding accessible (handicapped) parking spaces, the above referenced code supersedes and adds to the standards established by this Chapter.~~

~~(1) Size: Each accessible parking stall shall consist of an eight foot wide parking space and an adjacent eight foot wide access aisle. The standard length of accessible parking stalls shall be the same as all other parking stalls.~~

(2) Number: All parking lots required by this Chapter shall provide the following number of accessible parking stalls **required by the Illinois Accessibility Code.**

Table 6.1

Number of Parking Spaces	Required Number of Accessible Spaces
1 to 20	1
21 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2%
Over 1000	20+1 per 100 over 1000

~~(3) Access: The required access aisle must have a smooth transition with adjacent walk surfaces, either by joining at a common level or by use of a curb ramp.~~

~~(4) Identification: Each accessible parking space shall be equipped with a sign which complies with Section 11-301 of the Illinois Rules of the Road. Signs shall be vertically mounted on a post or a wall at front center of the parking space, no more than five feet horizontally from the front of the parking space, and set four feet from finished grade of the parking space to the bottom of the sign.~~

**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 \_\_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2017.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2017.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Re: PC 16-28

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Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk