

**AUGUST 19, 2013**

**Title**

PC 13-14

**Petitioner**

Village of Lombard

**Property Location**

All I Limited Industrial Zoning Districts

**Approval Sought**

The Village requests a text amendment to Section 155.420 (B) and (C) and Section 155.802 (and any other relevant sections for clarity) of the Village of Lombard Zoning Ordinance.

**Prepared By**

William J. Heniff, AICP  
Director of Community Development

**DESCRIPTION**

Aware of possible confusion due to the syntax and lack of definitions within the Zoning Ordinance for the above referenced uses, staff researched best practices from other communities and gave careful consideration to the context of the Village in order to create a clearly defined distinction between three (3) different types of use where the primary functions are;

- a. Storage of goods and materials for an undetermined amount of time and the transportation to and from the site is ancillary;
- b. Breaking down and sorting of shipments of goods and materials for further, near immediate, distribution; and
- c. Parking and/or storage of semi-trailers and other trucks as they wait for dispatch orders.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

**Fire Department:**

The Fire Department has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

**Private Engineering Services:**

Private Engineering Services has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

**Public Works:**

The Department of Public Works has no issues or concerns regarding the proposed text amendments to the Zoning Ordinance.

**EXISTING REGULATIONS**

**Section 155.420 (B) and (C) – Permitted and Conditional Uses within the I Limited Industrial Zoning District**

Cartage and Express Facilities:	Conditional Use
Motor Freight Terminal:	Unlisted
Warehousing, Storage, & Distribution Facilities:	Permitted Use

**Section 155.802 – Rules and Definitions**

**CARTAGE AND EXPRESS FACILITIES**

No definition.

**MOTOR FREIGHT TERMINAL**

Is a building or area in which freight, shipped by motor truck or railroad is received, assembled, sorted, and/or rerouted for local intrastate, or interstate shipment by motor truck.

**WAREHOUSING, STORAGE, AND DISTRIBUTION FACILITIES**

No definition.

**PROPOSED TEXT AMENDMENTS**

Staff recommends the full deletion of the existing regulations in order to replace them with the following:

**Section 155.420 (B) and (C) – Permitted and Conditional Uses within the I Limited Industrial Zoning District**

Distribution Center:	Conditional Use
Truck Terminal:	Conditional Use
Warehouse:	Permitted Use

**Section 155.802 – Rules and Definitions**

**DISTRIBUTION CENTER**

An establishment engaged in the receipt, temporary storage and distribution of goods or materials, in which the storage of goods and materials is incidental to the primary function of the activity of freight shipment. Distribution centers are differentiated from warehouses in that operators usually store the goods or materials for a very short period of time (i.e., within a day). They can be further characterized by the use and/or presence of third-party logistics companies who are neither the manufacturer of the goods to be distributed nor the end user of the goods, but are the independent distributor of the goods.

**TRUCK TERMINAL**

An establishment in which semi-trailers, including tractor and/or trailer units, and other trucks are parked and stored awaiting dispatch for a delivery function. Truck terminals are not considered to be warehouse or distribution center uses.

**WAREHOUSE**

An establishment used principally for the indoor storage of manufactured goods and/or materials before their distribution to retail locations or other warehouses. They are characterized by a small employment count due to their automation and the majority of the interior space being utilized for storage of products, materials or equipment. Goods or materials stored in a warehouse establishment are typically intended to be held for an extended time period (i.e., more than a day). Trucks and trailers are primarily intended to be on the premises during periods in which they are being loaded or unloaded or are owned by the business entity performing the warehouse function.

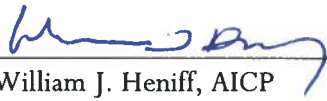
## **FINDINGS & RECOMMENDATIONS**

Staff has prepared the requisite responses to standards for text amendments, which can be found as Attachment A. Staff finds that the proposed amendments are consistent with the objectives of the Zoning Ordinance. The 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 13-14.

Inter-Departmental Review Committee Report approved by:

  
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William J. Heniff, AICP  
Director of Community Development

c. Petitioner

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**Attachment A**  
**Response to Standards for Text Amendments**

For any change to the Zoning Ordinance, the standards for text amendments must be affirmed. The standards and the petitioner's 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;*

Should the text amendments be approved, it would apply to all properties within the I Limited Industrial Zoning District.

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

As the objective of this ordinance is to clarify existing terms and definitions, rather than bring forth new regulations, the proposed text amendment is consistent with the intent of the applicable zoning district regulations.

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

As the proposed text amendment is essentially a clarification of pre-existing regulations, no new nonconformities will be created. Properties that were previously identified as "cartage and express facilities" are now "distribution centers" and both the old and new terms require a conditional use permit. Properties that were previously identified as "warehousing, storage, and distribution facilities" are now "warehouses" and both the old and new terms are permitted uses. There being no "motor freight terminals" within the Village, the change in term to "truck terminal" has no impact on any existing uses.

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

The proposed amendments would make the Zoning Ordinance more permissive in one aspect. Adding "truck terminal" as a conditional use within the I Limited Industrial District can be interpreted as more permissive than the previous regulations in which "motor freight terminals" were defined, but not specifically listed as a permitted or conditional use in any of the zoning districts.

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

Staff believes that the proposed amendment would be consistent with the Comprehensive Plan. The amendment continues to allow industrial uses to operate in areas designated as "light industrial" per 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 petitions or to clarify the intent of the Ordinance provisions. In 2008, text amendments to the Zoning Ordinance were adopted to allow both “Animal Day Care Facilities” and “Kennels” as conditional uses within the I Limited Industrial District. In 2009, text amendments to the Zoning Ordinance were adopted to allow both “Motor Vehicle Sales” and “Shooting Gallery & Range, Indoor (with ancillary retail sales of associated product)” as conditional uses within the I Limited Industrial District. This amendment is similar in scope as it demonstrates an evolving I Limited Industrial District.