

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: September 27, 2005 (B of T) Date: October 6, 2005

TITLE: PC 05-34: Text Amendments to the Zoning Ordinance (Use Classifications)

SUBMITTED BY: Department of Community Development *DGH*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration a petition requesting amendments by the Village of Lombard to the following sections of the Lombard Zoning Ordinance:

Section 155.411 Office District

C. Conditional Uses

- Add outside service areas for other permitted or conditional uses within this District
- Add trade schools

Section 155.413 through 155.417 B2 through B5A Districts

- Add provisions to classify any principal or ancillary use located on the same property as a gasoline sales establishment as a conditional use.

(ALL DISTRICTS)

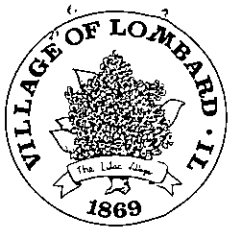
The Plan Commission recommended approval of this petition subject to the provision that the term trade school be amended to read "trade schools/training facilities".

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <i>William T. Lichter</i>	Date <i>9/28/05</i>

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP, Director of Community Development *Du H*

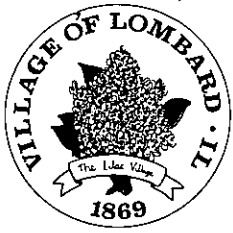
DATE: October 6, 2005

SUBJECT: PC 05-34: Text Amendment to the Zoning Ordinance (Use Classifications)

Attached please find the following items for Village Board consideration as part of the October 6, 2005 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC for PC 05-34; and
3. An Ordinance granting approval of text amendments pertaining to outdoor eating establishments and trade schools/educational facilities in the Office District and amendments classifying uses associated with gas stations as conditional uses.

H:\CD\WORDUSER\PCCASES\2005\PC 05-34\WTL referral memo.doc



VILLAGE OF LOMBARD

255 E. Wilson Avenue
Lombard, IL 60148-3926
(630) 620-5700 FAX: (630) 620-8222
TDD: (630) 620-5812
www.villageoflombard.org

Village President
William J. Mueller

October 6, 2005

Village Clerk
Brigitte O'Brien

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

Trustees
Greg Alan Gron, Dist. 1
Richard J. Tross, Dist. 2
John "Jack" T. O'Brien, Dist. 3
Steven D. Sebby, Dist. 4
Kenneth M. Florey, Dist. 5
Rick Soderstrom, Dist. 6

Subject: PC 05-34: Text Amendments to the Lombard Zoning Ordinance (Use Classifications)

Dear President and Trustees:

Village Manager
William T. Lichter

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard requests amendments to the Zoning Ordinance, as follows:

Section 155.411 Office District

C. Conditional Uses

- Add outside service areas for other permitted or conditional uses within this District
- Add trade schools

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business to create a distinctive sense of spirit and an outstanding quality of life."

Section 155.413 through 155.417 B2 through B5A Districts

- Add provisions to classify any principal or ancillary use located on the same property as a gasoline sales establishment as a conditional use.

"The *Mission* of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on September 19, 2005. William Heniff, Senior Planner, presented the petition, indicating that the purpose of the text amendments were to address several outstanding use classification issues within the Zoning Ordinance. Mr. Heniff then referenced the amendments in the staff report, as follows:

Outdoor Seating for Restaurants within the Office District

Currently, restaurants are listed as conditional uses within the O Office District. However, outdoor dining components are not listed as permitted or conditional uses – approval of ancillary outdoor dining areas could only be approved through a text amendment or through a use exception within a planned development. The proposed text amendment will classify outdoor service areas as a conditional use. The merits of whether an outdoor dining area should be granted would be reviewed in the same manner as all other conditional uses – it may or may not be appropriate based upon site specific considerations.

October 6, 2005

Re: PC 05-34

Page 2

Gasoline Sales Establishments

Gasoline sales establishments are listed as conditional uses within the B2 through the B5A Districts. However ancillary business establishments located on the same property (such as retail convenience stores, restaurants and the like) would be reviewed relative to the underlying district classifications for that particular use. For example, if a convenience store is listed as a permitted use within a district, it can be expanded or enlarged without the need to go through the public hearing process.

Staff has noted several instances in the Village whereby modifications to a secondary or ancillary business activity on a property were undertaken without the need for a public hearing. While this may pose problems in many cases, staff notes that this may not always be the case. He specifically referenced the properties at 610 South Main Street and 1 East St. Charles Road in which the secondary use was modified or expanded without the need to seek approval through the conditional use process. Business expansions of secondary uses could create additional or differing impacts on the operation of the gasoline sales establishment or even on adjacent properties. Therefore staff is proposing an amendment that would reclassify any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment.

Trade Schools

The proposed amendments also list trade schools as conditional uses within the O Office District. Staff has had requests for business-to-business companies to open training centers in the Office District. These businesses are affiliated with other office related activities. Staff notes that these activities often function similarly to other office establishments. As such staff believes that classifying these uses as a conditional use within the Office District makes sense.

Chairperson Ryan then opened the meeting for public comment. There was no one in the audience to speak in favor of or against the petition.

Commissioner Sweeter requested that the term "trade schools" be expanded to include educational facilities. She believed the term trade schools may not completely reflect the proposed educational use that is referenced in the IDRC report narrative. George Wagner, Village Counsel, noted that the term trade school should remain in the amendment, but the term could be modified to include training facilities or educational centers.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed text amendments do comply with the standards of the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities, approval of PC 05-34, subject to the provision the amendment that the term trade school be amended to read "trade schools/training facilities".


October 6, 2005

Re: PC 05-34

Page 3

Respectfully,

VILLAGE OF LOMBARD

A handwritten signature in black ink, appearing to read "Donald F. Ryan". The signature is fluid and cursive, with the first name being the most prominent.

Donald F. Ryan

Chairperson

Lombard Plan Commission

att-

c Petitioner
 Lombard Plan Commission

H:\CD\WORDUSER\PCCASES\2005\PC 05-34\Referral Letter.doc

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: September 19, 2005

FROM: Department of Community
Development

PREPARED BY: William J. Heniff, AICP
Senior Planner

TITLE

PC 05-34: Text Amendments to the Lombard Zoning Ordinance: The Village of Lombard is requesting text amendments to the Zoning Ordinance, as follows:

Section 155.411 Office District

C. Conditional Uses

- Add outside service areas for other permitted or conditional uses within this District
- Add trade schools

Section 155.413 through 155.417 B2 through B5A Districts

- Add provisions to classify any principal or ancillary use located on the same property as a gasoline sales establishment as a conditional use.

BACKGROUND:

The Planning Services Division of the Community Development Department is proposing a few changes to the lists of permitted and/or conditional uses within the Zoning Ordinance. These amendments are intended to address two types of business functions that frequently operate on the same lot as another conditional use. The amendments also include trade schools as a conditional use within the Office District.

Outdoor Seating for Restaurants within the Office District

Staff proposes amendment to include outside service areas for restaurants as a conditional use within the O Office District. Currently, restaurants are listed as conditional uses within the O Office District. However, outdoor dining components are not listed as permitted or conditional uses – approval of ancillary outdoor dining areas could only be approved through a text amendment or through a use exception within a planned development. The proposed text amendment will classify outdoor service areas as a conditional use. The merits of whether an outdoor dining area should be granted would be reviewed in the same manner as all other conditional uses – it may or may not be appropriate based upon site specific considerations.

Gasoline Sales Establishments

Gasoline sales establishments are listed as conditional uses within the B2 through the B5A Districts. However ancillary business establishments located on the same property (such as retail

convenience stores, restaurants and the like) would be reviewed relative to the underlying district classifications for that particular use. For example, if a convenience store is listed as a permitted use within a district, it can be expanded or enlarged without the need to go through the public hearing process.

Staff has noted several instances in the Village whereby modifications to a secondary or ancillary business activity on a property were undertaken without the need for a public hearing. While this may pose problems in many cases, staff notes that this may not always be the case. Business expansions of secondary uses could create additional or differing impacts on the operation of the gasoline sales establishment or even on adjacent properties. Therefore staff is proposing an amendment that would reclassify any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment.

Trade Schools

The proposed amendments also list trade schools as permitted uses within the O Office District. Over the past couple of years staff has had a few requests for business-to-business companies to open training centers in the Office District. Typically, these business are affiliated with other office related activities (i.e., computer training classes). Staff notes that these activities often function similarly to other office establishments. As such staff believes that classifying these uses as a conditional use within the Office District makes sense.

Proposed Text Amendments

The following are the proposed text amendments for the Zoning Ordinance and Code of Ordinances. **Proposed changes to the ordinances are denoted by striking out old text and underlining new text.** Further discussion on the Standards for text amendments is provided in Appendix A.

155.401 O OFFICE DISTRICT REQUIREMENTS

A. Conditional Uses

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

1. Banks and Financial Institutions
2. Clubs and lodges, private
3. Colleges or universities (non-boarding)
4. Convalescent and nursing homes, including extended medical care facilities
5. Day care centers

6. Funeral Homes
7. Hospitals
8. Hotels and Motels
9. Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
10. Outside service areas for other permitted or conditional uses in this district
11. Parking lots and garages, other than accessory, for the storage of private passenger automobiles only
12. Planned developments in conformance with Section 155.500 of this Ordinance
13. Public utility and public service uses as follows:
 - a. Fire stations
 - b. Police stations
 - c. Post offices
 - d. Telephone exchanges, telephone transmission equipment buildings, and microwave relay towers
14. Recreational and social facilities, including:
 - a. Parks and playgrounds
 - b. Recreational buildings and community centers (non-commercial)
15. Restaurants including entertainment and/or dancing
16. Schools, Private, Full-Time: Elementary, Middle, and High
17. Schools, Public, Full-Time: Elementary, Middle, and High
18. Trade schools

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

155.413 B2 GENERAL NEIGHBORHOOD SHOPPING DISTRICT REQUIREMENTS

(C) Conditional Uses

- (1) Amusement establishments, including: bowling alleys, pool halls, gymnasiums, swimming pools, and skating rinks
- (2) Animal hospitals and kennels
- (3) Automobile repair
- (4) Automobile service
- (5) Club (Non-profit/Faternal)
- (6) Cultural facilities/institutions
- (7) Day care centers
- (8) Drive-in and drive-through establishments/services
- (9) Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.
- (10) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
- (11) Greenhouses and nurseries
- (12) Funeral homes
- (13) Learning Centers, with outdoor component
- (14) Motor vehicle sales
- (15) Outside display and sales of products the sale of which is a permitted or conditional use in this district

- (16) Outside service areas for other permitted or conditional uses in this district
- (17) Planned developments in conformance with Section 155.500 of this Ordinance
- (18) Public utility and service uses
- (19) Taverns and cocktail lounges, not including entertainment and dancing
- (20) Theaters, indoor
- (21) 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

155.414 B3 COMMUNITY SHOPPING DISTRICT REQUIREMENTS

(C) Conditional Uses

- (1) Amusement establishments including bowling alleys, pool halls, swimming pools, skating rinks
- (2) Automobile repair
- (3) Automobile service
- (4) Bus station
- (5) Catering services
- (6) Day Care Centers
- (7) Drive-through and drive-in establishments/services
- (8) Funeral homes
- (9) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
- (10) Hotels and motels
- (11) Learning Centers, with outdoor component
- (12) Medical and dental laboratories

- (13) Meeting hall
- (14) Motor vehicle sales
- (15) Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
- (16) Outside display and sales of products the sale of which is a permitted or conditional use in this district
- (17) Outside service areas for other permitted or conditional uses in this district
- (18) Parking garages or structures, other than accessory parking for private passenger automobiles only
- (19) Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
- (20) Psychics, ESP Readers, and fortune tellers
- (21) Public utility and service uses
- (22) Recreation and community centers, noncommercial
- (23) Restaurants including entertainment, dancing, and/or amusement devices
- (24) Taverns and cocktail lounge
- (25) 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
- (26) Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.

155.402 B4 CORRIDOR COMMERCIAL DISTRICT REQUIREMENTS

C. Conditional Uses

- 1. Amusement establishments, outdoor, including: archery ranges, shooting galleries, miniature golf facilities, and other similar outdoor amusement facilities
- 2. Amusement parks, including: permanent carnivals, kiddie parks, golf driving ranges, pitch and putt, miniature golf courses, and other similar outdoor amusement facilities

3. Animal hospitals and kennels
4. Automobile repair
5. Automobile service
6. Boat showrooms, sales and repairs
7. Building material and products sales and storage
8. Clubs and lodges, nonprofit and fraternal
9. Contractor construction offices, shops, and yards
10. Day Care Center
11. Drive-through and drive-in establishments/services
12. Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met
13. Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
14. Learning Centers, with outdoor component
15. Machinery sales
16. Mobile homes sales
17. Model homes and garage displays
18. Motor vehicle sales
19. Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
20. Outside display and sales of products the sale of which is a permitted or conditional use in this district
21. Outside service areas for other permitted or conditional uses in this district
22. Photographic processing business

23. Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
24. Planned developments in conformance with Section 155.500 of this Ordinance
25. Psychics, ESP Readers, and fortune tellers
26. Public utility and service uses
27. Religious institutions
28. Restaurants, which include entertainment, dancing, and/or amusement devices
29. Stadiums, auditoriums, and arenas--open or enclosed
30. Storage centers, provided that the use fronts along an arterial roadway with an average daily trip volume (ADTV) of less than 25,000
31. Theaters, drive-in
32. Trailer and camper trailer sales and rental for use with private passenger motor vehicles
33. Four (4) story buildings and buildings which are forty feet (40') to forty-five feet (45') in height.
34. 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

155.403 B5 CENTRAL BUSINESS DISTRICT REQUIREMENTS

C. Conditional Uses

1. Amusement establishments, indoor only, including; bowling alleys, pool halls, swimming pools, skating rinks
2. Animal hospitals and kennels
3. Automobile service

4. Catering businesses on the first floor as a primary use but only if, as an accessory use, either a restaurant, excluding entertainment and dancing, or a related, permitted retail use, designed to generate walk-in trade, is located in the storefront.
5. Convention and exhibition halls
6. Day Care Centers
7. Farmer's Market
8. Funeral homes
9. Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
10. Learning Centers, with outdoor component
11. Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
12. Outside display and sales of products the sale of which is a permitted or conditional use in this district
13. Outside service areas for other permitted or conditional uses in this district
14. Parking lots or structures, commercial
15. Planned developments in conformance with Section 155.500 of this Ordinance
16. Public recreational and social facilities, as defined in the R1 District
17. Public utilities and services
18. Religious institutions
19. Transportation depots
20. 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

155.404 B5A DOWNTOWN PERIMETER DISTRICT REQUIREMENTS

C. Conditional Uses

1. Amusement establishments, indoor only, including; bowling alleys, pool halls, swimming pools, skating rinks.
2. Animal Hospitals and kennels
3. Automobile repair
4. Automobile service
5. Catering businesses on the first floor as a primary use but only if, as an accessory use, either a restaurant, excluding entertainment and dancing, or a related, permitted retail use, designed to generate walk-in trade, is located in the storefront
6. Convention and exhibition halls
7. Day Care Centers
8. Drive-through and drive-in establishments/services
9. Funeral Homes
10. Gasoline Sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
11. Learning Centers, with outdoor component
12. Off-site parking, in conformance with Section 155.602(A)(3)(b) of this Ordinance
13. Outside display and sales of products the sale of which is a permitted or conditional use in this district
14. Outside service areas for other permitted or conditional uses in this district
15. Parking lots or structures, commercial
16. Planned developments in conformance with Section 155.500 of this Ordinance
17. Public recreational and social facilities, as defined in the R1 District
18. Public utilities and services
19. Religious institutions

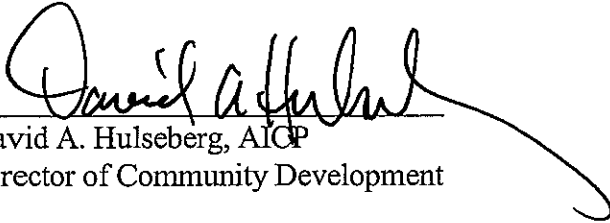
20. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

RECOMMENDATION:

Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of the request as proposed:

Based on the information and testimony presented, the proposed text amendments comply with the standards required by the Lombard Zoning Ordinance, and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Review Report as the findings of the Plan Commission, and therefore recommend to the Corporate Authorities **approval** of the text amendments described in PC 05-34.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP
Director of Community Development

DAH: WJH

**STANDARDS
FOR TEXT AMENDMENTS**

The following is an excerpt from the Lombard Zoning Ordinance. A **detailed response** to all of these standards should be provided for all text amendments of the Lombard Zoning Ordinance.

SECTION 155.103 (E)(8)(b) OF THE LOMBARD ZONING ORDINANCE:

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 outdoor service area and trade school amendments would be applicable to all Office District properties as a conditional use. The gasoline sales amendment would be applicable to all B2 through B5A properties with a gasoline sales activity occurring on the premises.

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

These amendments are meant to tie secondary or ancillary business activities to other business functions that may be occurring on the property. The intent of these amendments is to allow the Village to review the interaction of these varying business function in the context of the overall conditional use approval.

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

The amendments would not create any nonconformities in of itself. However, any expansions of principal, secondary or ancillary business activities on sites with conditional uses would be a conditional use rather than being regulated by the underlying zoning provisions.

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

The amendments would incorporate provisions within the Code to allow for outdoor services areas and trade schools within the Office District through the conditional use process.

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

The amendments are consistent with the Comprehensive Plan as it is intended to provided for more unified and orderly development of multiple uses on a given property. The trade school amendment is intended to allow for a compatible business activity to be located in close proximity to other business establishments.

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

The amendments are consistent with past Village policy. For example, the Village has favorably considered use exceptions for outdoor dining within the Homestead Village Office Planned Development in the past. Moreover the trend of development for sit-down restaurants within the Office District is to have an outdoor dining component – this amendment allows the Village to review this activity through the conditional use process.

With respect to gasoline sales establishments, the amendments are intended to tie the ancillary uses associated with gasoline sales establishments to the conditional use for the gasoline sales activity through the conditional use process. This would be consistent with past Village desires to review expansions and modifications to such properties in a comprehensive manner.

The trade school amendment is intended to be consistent with past interpretations for similar uses within the Office District.

ORDINANCE _____

**AN ORDINANCE APPROVING TEXT AMENDMENTS
TO THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(PC 05-34: Land Use Classifications)

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

WHEREAS, Section 155.102 (E)(13) of the Zoning Ordinance directs the Director of Community Development to initiate a review of the provisions established within the Zoning Ordinance; and

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

WHEREAS, as the Director has identified and recommends text amendments to the Zoning Ordinance as set forth herein; and

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on September 19, 2005 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 401 (C), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

155.401 O OFFICE DISTRICT REQUIREMENTS

C. Conditional Uses

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

- (1.) Banks and Financial Institutions
- (2.) Clubs and lodges, private
- (3.) Colleges or universities (non-boarding)
- (4.) Convalescent and nursing homes, including extended medical care facilities
- (5.) Day care centers
- (6.) Funeral Homes
- (7.) Hospitals
- (8.) Hotels and Motels
- (9.) Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
- (10.) Outside service areas for other permitted or conditional uses in this district
- (11.) Parking lots and garages, other than accessory, for the storage of private passenger automobiles only
- (12.) Planned developments in conformance with Section 155.500 of this Ordinance
- (13.) Public utility and public service uses as follows:
 - a. Fire stations
 - b. Police stations
 - c. Post offices
 - d. Telephone exchanges, telephone transmission equipment buildings, and microwave relay towers

(14.) Recreational and social facilities, including:

- a. Parks and playgrounds
- b. Recreational buildings and community centers (non-commercial)

(15.) Restaurants including entertainment and/or dancing

(16.) Schools, Private, Full-Time: Elementary, Middle, and High

(17.) Schools, Public, Full-Time: Elementary, Middle, and High

(18.) Trade schools

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

SECTION 2: That Title 15, Chapter 155, Section 413 (C), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

155.413 B2 GENERAL NEIGHBORHOOD SHOPPING DISTRICT REQUIREMENTS

(C) Conditional Uses

- (1) Amusement establishments, including: bowling alleys, pool halls, gymnasiums, swimming pools, and skating rinks
- (2) Animal hospitals and kennels
- (3) Automobile repair
- (4) Automobile service
- (5) Club (Non-profit/Faternal)
- (6) Cultural facilities/institutions
- (7) Day care centers

- (8) Drive-in and drive-through establishments/services
- (9) Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.
- (10) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
- (11) Greenhouses and nurseries
- (12) Funeral homes
- (13) Learning Centers, with outdoor component
- (14) Motor vehicle sales
- (15) Outside display and sales of products the sale of which is a permitted or conditional use in this district
- (16) Outside service areas for other permitted or conditional uses in this district
- (17) Planned developments in conformance with Section 155.500 of this Ordinance
- (18) Public utility and service uses
- (19) Taverns and cocktail lounges, not including entertainment and dancing
- (20) Theaters, indoor
- (21) 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

SECTION 3: That Title 15, Chapter 155, Section 414 (C), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

155.414 B3 COMMUNITY SHOPPING DISTRICT REQUIREMENTS

(C) Conditional Uses

- (1) Amusement establishments including bowling alleys, pool halls, swimming pools, skating rinks
- (2) Automobile repair
- (3) Automobile service
- (4) Bus station
- (5) Catering services
- (6) Day Care Centers
- (7) Drive-through and drive-in establishments/services
- (8) Funeral homes
- (9) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
- (10) Hotels and motels
- (11) Learning Centers, with outdoor component
- (12) Medical and dental laboratories
- (13) Meeting hall
- (14) Motor vehicle sales
- (15) Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
- (16) Outside display and sales of products the sale of which is a permitted or conditional use in this district
- (17) Outside service areas for other permitted or conditional uses in this district
- (18) Parking garages or structures, other than accessory parking for private passenger automobiles only
- (19) Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
- (20) Psychics, ESP Readers, and fortune tellers

- (21) Public utility and service uses
- (22) Recreation and community centers, noncommercial
- (23) Restaurants including entertainment, dancing, and/or amusement devices
- (24) Taverns and cocktail lounge
- (25) 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
- (26) Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.

SECTION 4: That Title 15, Chapter 155, Section 415 (C), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

155.415 B4 CORRIDOR COMMERCIAL DISTRICT REQUIREMENTS

C. Conditional Uses

- (1) Amusement establishments, outdoor, including: archery ranges, shooting galleries, miniature golf facilities, and other similar outdoor amusement facilities
- (2) Amusement parks, including: permanent carnivals, kiddie parks, golf driving ranges, pitch and putt, miniature golf courses, and other similar outdoor amusement facilities
- (3) Animal hospitals and kennels
- (4) Automobile repair
- (5) Automobile service
- (6) Boat showrooms, sales and repairs
- (7) Building material and products sales and storage
- (8) Clubs and lodges, nonprofit and fraternal

- (9) Contractor construction offices, shops, and yards
- (10) Day Care Center
- (11) Drive-through and drive-in establishments/services
- (12) Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met
- (13) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
- (14) Learning Centers, with outdoor component
- (15) Machinery sales
- (16) Mobile homes sales
- (17) Model homes and garage displays
- (18) Motor vehicle sales
- (19) Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
- (20) Outside display and sales of products the sale of which is a permitted or conditional use in this district
- (21) Outside service areas for other permitted or conditional uses in this district
- (22) Photographic processing business
- (23) Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
- (24) Planned developments in conformance with Section 155.500 of this Ordinance
- (25) Psychics, ESP Readers, and fortune tellers
- (26) Public utility and service uses
- (27) Religious institutions

- (28) Restaurants, which include entertainment, dancing, and/or amusement devices
- (29) Stadiums, auditoriums, and arenas--open or enclosed
- (30) Storage centers, provided that the use fronts along an arterial roadway with an average daily trip volume (ADTV) of less than 25,000
- (31) Theaters, drive-in
- (32) Trailer and camper trailer sales and rental for use with private passenger motor vehicles
- (33) Four (4) story buildings and buildings which are forty feet (40') to forty-five feet (45') in height.
- (34) 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

SECTION 2: That Title 15, Chapter 155, Section 416 (C), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

155.416 B5 CENTRAL BUSINESS DISTRICT REQUIREMENTS

C. Conditional Uses

- (1) Amusement establishments, indoor only, including; bowling alleys, pool halls, swimming pools, skating rinks
- (2) Animal hospitals and kennels
- (3) Automobile service
- (4) Catering businesses on the first floor as a primary use but only if, as an accessory use, either a restaurant, excluding entertainment and dancing, or a related, permitted retail use, designed to generate walk-in trade, is located in the storefront.
- (5) Convention and exhibition halls
- (6) Day Care Centers
- (7) Farmer's Market

- (8) Funeral homes
- (9) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
- (10) Learning Centers, with outdoor component
- (11) Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
- (12) Outside display and sales of products the sale of which is a permitted or conditional use in this district
- (13) Outside service areas for other permitted or conditional uses in this district
- (14) Parking lots or structures, commercial
- (15) Planned developments in conformance with Section 155.500 of this Ordinance
- (16) Public recreational and social facilities, as defined in the R1 District
- (17) Public utilities and services
- (18) Religious institutions
- (19) Transportation depots
- (20) 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

SECTION 5: That Title 15, Chapter 155, Section 417 (C), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

155.417 B5A DOWNTOWN PERIMETER DISTRICT REQUIREMENTS

C. Conditional Uses

- (1) Amusement establishments, indoor only, including; bowling alleys, pool halls, swimming pools, skating rinks.

- (2) Animal Hospitals and kennels
- (3) Automobile repair
- (4) Automobile service
- (5) Catering businesses on the first floor as a primary use but only if, as an accessory use, either a restaurant, excluding entertainment and dancing, or a related, permitted retail use, designed to generate walk-in trade, is located in the storefront
- (6) Convention and exhibition halls
- (7) Day Care Centers
- (8) Drive-through and drive-in establishments/services
- (9) Funeral Homes
- (10) Gasoline Sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
- (11) Learning Centers, with outdoor component
- (12) Off-site parking, in conformance with Section 155.602(A)(3)(b) of this Ordinance
- (13) Outside display and sales of products the sale of which is a permitted or conditional use in this district
- (14) Outside service areas for other permitted or conditional uses in this district
- (15) Parking lots or structures, commercial
- (16) Planned developments in conformance with Section 155.500 of this Ordinance
- (17) Public recreational and social facilities, as defined in the R1 District
- (18) Public utilities and services
- (19) Religious institutions
- (20) 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

Ordinance No. _____

Re: PC 05-34

Page 11

SECTION 6: 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 _____, 2005.

First reading waived by action of the Board of Trustees this ____ day of _____, 2005.

Passed on second reading this ____ day of _____, 2005.

Ayes: _____

Nayes: _____

Absent: _____

Approved this ____ day of _____, 2005.

William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk