

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

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

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : November 13, 2024 **(BOT) Date:** November 21, 2024

SUBJECT: Text Amendments to the Village Code of Ordinances, Chapter
 150.301: Driveways

SUBMITTED BY: Keith Steiskal, Director of Building & Code Enforcement

BACKGROUND/POLICY IMPLICATIONS:

The Board of Building Appeals (BOBA) considered and unanimously recommended approval of a text amendment to Chapter 150 Section 150.301 Driveways. The change is to require four inches of stone base under all new or replaced concrete driveways rather than the current two inches. This change is to make stone base requirements consistent with stone base requirements in the Village specifications manual and general design practice in the industry

Please place this item on November 21, 2024, Board of Trustees agenda for a first reading.

Fiscal Impact/Funding Source:

Review (as necessary):


Finance Director _____ Date _____
Village Manager _____ Date _____

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: Scott R. Niehaus, Village Manager

FROM: Keith Steiskal, Director of Building & Code Enforcement 

MEETING DATE: November 12, 2024

SUBJECT: **Text Amendments to the Village Code of Ordinances, Chapter 150.301: Driveways**

The Board of Building Appeals (BOBA) considered and unanimously recommended approval of a text amendment to Chapter 150 Section 150.301 Driveways. The change is to require four inches of stone base under all new or replaced concrete driveways rather than the current two inches. This change is to make stone base requirements consistent with stone base requirements in the Village specifications manual and general design practice in the industry.

Attached for Village Board consideration are:

1. The staff memorandum provided to the Board of Building Appeals, and
2. An Ordinance to Section 150.301 amending the addressing provisions.

ACTION REQUESTED

Please place this item on the November 21, 2024 Board of Trustees agenda for a first reading.



MEMORANDUM

TO: Board of Building Appeals (BOBA) Members

FROM: Keith Steiskal, Building & Code Enforcement Director

MEETING DATE: November 6, 2024

SUBJECT: Text Amendments to Section 150.301 (Driveways)

Staff are recommending a change to require four inches of stone base under all new or replaced concrete driveways rather than the current two inches. This change is to make stone base requirements consistent with stone base requirements in the Village specifications manual and general design practice in the industry.

ACTION REQUESTED

Staff recommends that BOBA recommend to the Village Board the change the stone base requirements from two inches to four inches for all new or replaced concrete driveways. Also, staff would be looking for a recommendation for staff to draft the amendments consistent with BOBA's recommendations to then be sent to the Board of Trustees. Further, staff recommends that BOBA recommend to the Village Board of Trustees the effective date of this amendment change be January 1st, 2025.

ORDINANCE NO. _____

**AN ORDINANCE GRANTING APPROVAL OF TEXT AMENDMENTS
TO TITLE 15, CHAPTER 150 OF THE LOMBARD VILLAGE CODE**

(Local Amendments to Chapter 150 of Village Code)

WHEREAS, the Village of Lombard maintains a Building Code which is found in Title 15, Chapter 150 of the Lombard Code of Ordinances; and,

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

WHEREAS, a review of the Building Code has been conducted by the Village of Lombard Board of Building Appeals on November 6, 2024; and,

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

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 150, Section 150.301 of the Lombard Village Code shall be amended to add text as underscored and delete text that is in ~~strikeout~~, as set forth within Attachment "A" attached hereto and made a part hereof.

SECTION 2: That this ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2024.

First reading waived by action of the Board of Trustees this ____ day of _____, 2022.

Passed on second reading this ____ day of _____, 2024.

Ayes: _____

Nays: _____

Absent: _____

Ordinance No. _____
Re: Chapter 150
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Approved this _____ day of _____, 2024.

Keith T. Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this _____ day _____, 2024.

Elizabeth Brezinski, Village Clerk

Ordinance No. _____

Re: Chapter 150

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EXHIBIT A
TEXT AMENDMENTS TO CHAPER 150 OF VILLAGE CODE

See attached pages

ARTICLE XXV. DRIVEWAYS

§ 150.295 Definitions.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Commercial driveway. A driveway providing access to commercial establishments in business for the purpose of servicing or storing motor vehicles, loading or unloading merchandise transported in the vehicles, or serving the driver of the vehicle while he remains in the vehicle.

Far side of intersection. The portion of the public way on the right hand side and in the direction of travel, immediately beyond the intersecting street, or the portion of the public way on the right or left hand sides on a one-way street in the direction of travel, approaching the intersecting street.

General driveway. A paved roadway constructed within the public way, connecting the public roadway with private property, leading completely within the private property for the purpose of providing access for motor vehicles from the public way into the private property, and shall be used in such a way that the access into the private property will be complete and will not cause the blocking of any parkway or street.

Near side of intersection. The portion of the public way on the right hand side in the direction of travel, approaching the intersecting street, or the portion of public way on the right or left hand sides on a one-way street in the direction of travel approaching the intersecting street.

Residential driveway. A driveway which provides access to off-street parking facilities serving residential buildings housing four or less families; or a driveway which provides access to off-street parking facilities serving residential building housing more than four families.

(Ord. 2561, passed 10-28-82)

§ 150.298 Driveway openings; permit required.

- (A) All persons, firms, or corporations desirous of constructing a driveway or drive-ways as hereinafter permitted within the village limits, must file application for permission to construct driveway openings onto public streets or alleys within the office of the Director of Public Works. All permits for said driveways shall require the approval of the said Director of Public Works. The approval of the driveway is to be based on a determination made by the said Director of Public Works as to whether or not the said driveway meets the requirements of public safety, health, or welfare based on standard rules and regulations of traffic engineering and traffic safety. In the event that any application for a driveway permit is refused by the Director of Public Works the applicant shall have the right to apply to the Village Board of Trustees for a hearing on such refusal and the decision of the Village Board shall be final in all cases.
- (B) In the event the use of the real estate for which permission to construct driveways has been granted shall change or be altered in any such way so as to substantially effect the use of the driveways and the effect of the said use on public health, welfare, or safety based on the usual and ordinary standards of traffic engineering and traffic safety, the Director of Public Works shall have the right to revoke the use of such driveways or to direct the alteration or change of the width or location of any such driveway or driveways. Any owner changing the character, kind, or intensity of use of the property for which driveways have been

constructed shall submit a new application for a driveway permit upon the request of the Director of Public Works.

As part of the permit review, the Director of Public Works shall have the authority to hire professional traffic and/or engineering consultant(s) to facilitate the review of any submitted driveway permit plans. If in the event that the Director of Public Works determines that professional consultant services will be required as part of the driveway permit review process, the owner/applicant shall provide the village with a \$1,000.00 deposit which will be used to pay for the consultant review. If the review does not expend the entire \$1,000.00 noted above, the owner/applicant shall be entitled to a reimbursement of the unspent amount. If the consultant fees exceed \$1,000.00, the additional amount shall be fully paid by the owner/applicant prior to issuance of any associated driveway permit plans.

- (C) In the event the Director of Public Works shall order or direct the closing of any driveway as a result of owner failing or refusing to comply with this Chapter, then said driveway shall be closed at the expense of the owner.
- (D) Driveways previously installed before the effective date of this section shall not be required to apply for a driveway permit retroactively. However, all changes of use involved subsequent to the effective date of this section shall be governed by this section and application shall be made as set forth herein.

(Ord. 2561, passed 10-28-82; Ord. 6052, passed 6/7/07)

Cross reference(s)—Penalty, see § 150.999

§ 150.299 Commercial driveways; requirements.

All requests for commercial driveway permits shall be accompanied by a plan drawn to scale showing the following general requirements:

- (A) The distance from the driveway opening at the curb to the prolongation of the property line of the nearest intersecting street.
- (B) The width of the driveway at the property line.
- (C) The curb radius on each side of the driveway.
- (D) Identification and location of curb lines, property lines, sidewalks, existing driveways, bus zones, parking regulations and signs, traffic signals, utility poles, parking meters, light standards, and fire hydrants.
- (E) The distance from the property line to buildings, loading docks, gasoline pump islands, and doors.
- (F) Commercial driveways for each piece of property shall be limited to two in the first 100 front feet; and one per additional 100 front feet.
- (G) On arterial streets on which the average daily traffic exceeding 20,000 vehicles per day, there shall be a minimum of 440 feet between centerlines of driveways. Circulation between driveways will be accomplished on a frontage road. The frontage road shall generally be off the public right-of-way.
- (H) Driveways from adjacent properties shall not be cross connected so as to effectively increase the number of driveways otherwise available to the properties if their frontage were summed.

(Ord. 2561, passed 10-28-82)

Cross reference(s)—Penalty, see § 150.999

§ 150.300 Location of driveways.

Driveways shall be located in accordance with the following regulations:

- (A) The distance from the end of the driveway curb cut to the prolongation of the nearest intersecting street property line shall not be less than 20 feet on the near side of the intersection and not less than ten feet on the far side.
- (B) The distance from the end of the driveway curb cut to the end of the intersecting street curb rounding shall not be less than five feet.
- (C) The distance from the end of the driveway curb cut to the nearest cross-walk shall not be less than five feet.
- (D) The distance from the end of the driveway curb cut to the nearest lateral property line shall not be less than five feet.
- (E) The distance between commercial driveways, measured at the curb line of the street, shall not be less than 20 feet.
- (F) Where bus stops exist at locations where driveways are desired, the minimum allowable distance between driveways, measured at the curb line of the street, shall be 40 feet.
- (G) No driveways shall be constructed which enter a public street within the limits of an intersection, with the limits of the intersection being defined as the area included within the prolongation of the lateral boundary lines of two or more streets or highways which join one another at an angle whether or not one such street or highway crosses the other.
- (H) At heavily traveled intersections where separate right turn lanes are incorporated in the design, no driveway shall be constructed where the edge of the turning lane pavement is greater than five feet from the edge of the through pavement.

(Ord. 2561, passed 10-28-82)

Cross reference(s)—Penalty, see § 150.999

§ 150.301 Design specifications.

- (A) Driveways shall be designed in accordance with the latest version of the Lombard Specifications Manual as well as following regulations:
 - (1) Commercial driveways designed for one-way traffic flow shall not exceed 20 feet in width measured at the property line.
 - (2) Commercial driveways designed for two-way traffic flow shall not exceed 35 feet in width measured at the property line.
 - (3) Residential driveways shall not exceed 20 feet in width nor be less than nine feet width measured at the property line.
 - (4) All driveways shall have curb radii not less than two feet for residential nor more than 15 feet for commercial.
 - (5) The angle between the curb line of the street and the center line of the driveway shall not be less than 60 degrees.

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- (6) Where a driveway is permitted into a street having a barrier median a break shall not be made in that median unless in the village's determination indicates that:
- (a) the barrier break is not otherwise prohibited by Village Code or policy;
 - (b) left turn bays can be constructed and signalized if necessary, and
 - (c) no hazard or impediment is created for through traffic.
- (7) Any request for driveway access leading to perpendicular loading docks or parallel doors which are less than 45 feet from a public right-of-way will be considered as extensions of the roadway. In these instances a request for approval of a driveway access permit shall be accompanied by a written correspondence from the applicant addressed to the Director of Public Works stating the size of the vehicles which will be using such loading facilities, the frequency with which they will be using the facilities and provisions which will be made by the permittee to ensure that such vehicles will be contained entirely within the permittee's property while loading or unloading. Approval of the Director of Public Works will be required prior to the issuance of such permits.
- (8) All requests for permits for driveways which exceed the dimensions set forth in subsection 155.301(A) above shall be accompanied by a written correspondence from the applicant addressed to the Director of Public Works stating the needs and justification for such additional driveway width. Permits for the construction of such driveways shall not be issued without the approval of the Director of Public Works.
- (B) All driveways and approaches shall be designed to meet the following specifications:
- (1) Commercial approaches, minimum structural #3 IDOT or equivalent.
 - (2) Residential approaches, six-inches stone + three-inches compacted blacktop or ~~two~~ four-inches stone + six inches concrete, six bag-air entrained mixture.
 - (3) Residential driveways, six-inches stone + two-inches compacted blacktop or ~~two~~ four-inches stone + five-inches concrete, six bag-air entrained mixture.

(Ord. 2561, passed 10-28-82; Ord. 6602, passed 4/7/11; Ord. No. 7637, § 1, passed 3-7-19)

Cross reference(s)—Penalty, see § 150.999

§ 150.302 Driveway safety standards.

- (A) No commercial driveways will be permitted into any parking lot or other facility which is designed in such a way as to make it necessary for exiting vehicles to back onto the street.
- (B) No driveway will be permitted for the purpose of allowing vehicles to park on the public right-of-way.
- (C) No driveway will be permitted into any facility which would require and/or allow a vehicle to drive or maneuver on the sidewalk area in any manner other than to cross it.
- (D) In no case shall a driveway be constructed in such a way as to present a hazard to pedestrians or traffic on the public right-of-way.
- (E) In order to minimize the problems of visibility and of skidding into or out of driveways, the following shall apply to all commercial driveways: Private roadways which terminate in a driveway shall have average grades not to exceed +2 percent or be less than -3 percent for a distance of 50 feet from the front lot line.
- (F) In order that vehicles pulling off the through pavement may have adequate storage and maneuvering room, curbs shall be extended back from the edge of the through pavement a minimum distance of 20 feet.

(Ord. 2561, passed 10-28-82; Ord. No. 7637, § 2, passed 3-7-19)

Cross reference(s)—Penalty, see § 150.999

§ 150.303 Variations.

(A) In cases where there are practical difficulties or particular hardship in the way of fully complying with all the driveway design and location requirements of §§ 150.300 and 150.301, the Director of Public Works may grant a variation to the requirements of §§ 150.300 and/or 150.301, provided that the petitioner for said variation submits evidence that:

- (1) The property in question cannot yield a reasonable return if permitted to be used only in full compliance with all driveway design and location requirements;
- (2) The plight of the petitioner (property owner) is due to unique circumstances; and
- (3) The variation, if granted, will not alter the essential character of the neighborhood.

In granting or denying any such driveway variation request, the Director of Public Works shall make specific findings of fact, based on the evidence presented by the petitioner, as to the foregoing, and shall issue a written decision to the petitioner, as well as to each taxpayer of record whose property abuts the petitioner's property, relative to said findings. For purposes of determining which properties abut the petitioner's property, if the petitioner's property is an interior lot, only property abutting a side lot line of the petitioner's property shall be considered an abutting property. If the petitioner's property is a corner lot, only property abutting the rear lot line, or the side lot line not adjacent to the street, shall be considered an abutting property. A copy of said written decision shall be kept as a permanent record in the village's files relative to the issuance of driveway permits.

(B) If the Director of Public Works denies a driveway variation request, the petitioner may file an appeal to the Board of Trustees within 30 days of the Director's denial by submitting a written request to the Village Clerk. If the Director of Public Works approves a driveway variation request, an abutting property owner may file an appeal within ten days of the date of the mailing of the written decision by submitting a written request to the Village Clerk. Any such written request, whether filed by the Petitioner or an abutting property owner, shall be accompanied by a copy of the Director's written decision. Upon receipt of an appeal request, the Village Clerk shall schedule said appeal for the next Village Board meeting agenda under the heading "Other Business." In addition, the Village Clerk shall in the case of an appeal of an approval by the Director of Public Works, notifying the petitioner of the date of the Village Board meeting at which the appeal will be heard. If a written request is not received by the Village Clerk as stated above, the decision of the Director of Public Works shall stand as a final decision.

(C) No variation shall be required in the case of an existing driveway that does not fully comply with the location requirements of § 150.300 and which is reconstructed as part of a village street or utility construction project, even if said driveway does not fully comply with § 150.300 after reconstruction.

(Ord. 3560, passed 6/25/92, Ord. 3639, passed 1/7/93)