

ORDINANCE 5091

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

(PC 02-06: Text Amendments to the Lombard Zoning Ordinance and Sign Ordinance)

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

WHEREAS, a public hearing to consider a text amendment to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on February 18, 2002 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 amendment 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 417, of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.417 B5A DOWNTOWN PERIMETER DISTRICT REQUIREMENTS

(A) Purpose Statement

The B5A Downtown Perimeter District is intended to be a transition between the downtown and other commercial areas that accomodates all retail, service, and specialty shops and necessary civic services characteristic of the traditional central area in a pedestrian environment while also recognizing compatible automotive land uses.

Because of the proximity of commercial uses in the B5A District to sensitive residential uses in adjacent districts and due to the heavy traffic movement, intensity of development, and their essential roles in the future development of the Village,

properties in the B5A District shall be considered "areas of critical concern." Therefore, all development within this district shall be subject to the site plan review provisions specified by Section 155.103 (I) of this Ordinance.

(B) Permitted Uses

Any use permitted in the B5 District shall be permitted in the B5A District.

(C) Conditional Uses

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

- (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
- (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 utilities and services

(18) Religious institutions, as defined in the R1 District

(19) 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

(D) Minimum Lot Area

No minimum lot area shall be required for uses in the B5A District.

(E) Minimum Lot Width

No minimum lot width shall be required for uses in the B5A District.

(F) Minimum Building Setbacks

No setbacks shall be required for principal buildings in the B5A District unless stipulated by other requirements of this ordinance. Setbacks for accessory structures shall conform to Section 155.210 of this Ordinance.

(G) Maximum Building Height

(1) Permitted Uses

No buildings or structures shall exceed two (2) stories or 30 feet in height, whichever is less.

(2) Conditional Uses

No buildings or structures shall exceed four (4) stories or 45 feet in height, whichever is less.

(H) Minimum Open Space

There shall be no requirement for minimum open space for uses in the B5A District.

(I) Restrictions on Business Uses

The operation and design of business uses shall conform to the following restriction.

All business activities, servicing, processing, and storage, except for off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to Section 155.103 (F) of this Ordinance.

(J) Transitional Building Setbacks

Wherever a rear yard or interior side yard lot in the B5A District abuts a lot in the CR or a residence district, all principal and accessory uses shall be set back from the abutting lot line a distance of 20 feet.

(K) Transitional Landscape Yards

Wherever a rear yard or interior side yard lot in the B5A District abuts a lot in the CR or a residence district, a transitional landscape yard 10 feet in depth shall be provided along the abutting lot line and improved in accordance with the provisions of Section 155.708 of this Ordinance.

(L) Signs

Signs shall be allowed in the B5A District in accordance with the regulations established in the Village of Lombard Sign Ordinance.

(M) Off-Street Parking and Loading

Off-street parking and loading facilities, accessory to uses allowed in the B5A District, shall be provided in accordance with the regulations established in Section 155.600 of this Ordinance.

(N) Landscaping

All uses in the B5A District shall conform to the provisions of Section 155.700 of this Ordinance; except that where a building is constructed at zero setback, no perimeter landscaping shall be required on that portion of the lot on which the building is located. The perimeter landscaping yard may be reduced to accommodate other impervious structures as determined appropriate by the Director of Community Development.

SECTION 2: That Title 15, Chapter 155, Section 103 (C) (3), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.103 PROCEDURES FOR ADMINISTRATIVE FUNCTIONS

(C) Variations

(3) Eligible Petitioners

An application for a variation may be made by any person, firm or corporation, or by any office, department, board, bureau or commission requesting or intending to request an application for a building permit. Any variation request for properties which have R6, O, B1, B2, B3, B4, B5, B5A or I District zoning and which meet the minimum lot area and width requirements for a planned development must be submitted to the Village as a request for a planned development, unless waived per Section 155.502(G).

SECTION 3: That Title 15, Chapter 155, Section 103 (E) (3) (c), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.103 PROCEDURES FOR ADMINISTRATIVE FUNCTIONS

(E) Amendments

(3) Initiation

(c) Planned development approval is also required for any property which is proposed to be rezoned to the R6, O, B1, B2, B3, B4, B5, B5A and I District and which meets the minimum lot area and width requirements for a planned development. The planned development approval requirement may be waived by the Director of Community Development, per Section 155.502(G).

SECTION 4: That Title 15, Chapter 155, Section 103 (I) (2), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.103 PROCEDURES FOR ADMINISTRATIVE FUNCTIONS

(I) Site Plan Review

(2) Applicability

All applications for building permits in the CR, R3, R4, R5, R6, B1, B2, B3, B4, B5, B5A, O, and I Districts shall be subject to site plan review approval in accordance with the provisions established below. Petitions for planned developments and conditional uses shall receive site plan review but shall not require site plan review approval. Site plan reviews shall be performed by the Director of Community Development, with the Inter-departmental Review Committee serving as an advisory body, as specified in Section 155.103 (D), above.

SECTION 5: That Title 15, Chapter 155, Section 206 (C) (2) (a) (ii), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

**§155.206 REGULATIONS FOR RADIO, SATELLITE & TELEVISION
ANTENNAS, TOWERS & DISHES**

C. Roof Mounted Towers and Dishes

2. Non-Residential Zoning Districts

a. Location

- ii.) Antennas (including, but not limited to, omnidirectional, whip, directional, or panel antennas) associated with personal wireless service facilities shall be allowed only in the B3 Community Shopping District, B4 Corridor Commercial Shopping District, B5 Central Business District, B5A Downtown Perimeter District, O Office District, and I Limited Industrial District.

SECTION 6: That Title 15, Chapter 155, Section 208 (C), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.208 NUMBER OF BUILDINGS ON A LOT OF RECORD

C. R3, R4, R5, R6, O, B1, B2, B3, B4, B5, B5A, and I Districts. More than one (1) principal structure on one (1) lot-of-record constitutes a conditional use and may be allowed pursuant to the provisions of Section 155.103(F) of this Ordinance.

SECTION 7: That Title 15, Chapter 155, Section 210 (C) (2) (c), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.210 ACCESSORY USES, ACTIVITIES, BUILDINGS, AND STRUCTURES

(C) Restrictions in Business and Industrial Districts

(2) Yard Requirements

Yard restrictions on accessory uses and structures shall be as follows:

- (c) In the B5 District and B5A District, no accessory use shall be located within twenty (20) feet of the right-of-way of a public street.

SECTION 8: That Title 15, Chapter 155, Section 401, of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.401 DISTRICTS

For the purposes of this Ordinance, the Village of Lombard is hereby divided into the following zoning districts:

- | | |
|---------------------------------------|------------------------------------|
| CR - Conservation Recreation | B1 - Limited Neighborhood Shopping |
| R1 - Single-Family Residence | B2 - General Neighborhood Shopping |
| R2 - Single-Family Residence | B3 - Community Shopping |
| R3 - Attached Single-Family Residence | B4 - Corridor Commercial |
| R4 - Limited General Residence | B5 - Central Business |
| R5 - General Residence | B5A- Downtown Perimeter |
| R6 - Central Residence | |
| O - Office | I - Limited Industrial |

SECTION 9: That Title 15, Chapter 155, Section 502 (F) (2), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.502 INTENT OF PLANNED DEVELOPMENTS

(F) Planned developments are required in the following instances:

- 2) Any property which is rezoned to the R6, O, B1, B2, B3, B4, B5, B5A or I District and which meets the minimum lot area and width requirements for a planned development.

SECTION 10: That Title 15, Chapter 155, Section 502 (F) (3), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.502 INTENT OF PLANNED DEVELOPMENTS

(F) Planned developments are required in the following instances:

- 3) Any variation request for a property which has R6, O, B1, B2, B3, B4, B5, B5A and I District zoning and which meet the minimum lot area and width requirement for a planned development.

SECTION 11: That Title 15, Chapter 155, Section 504 (C), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.504 CHANGES IN THE PLANNED DEVELOPMENT

(C) Minor Changes with Variation or Deviations to the Sign Ordinance

Changes from an approved planned development which are determined to be minor changes but which would require a variation or deviation in the number, size type, or location of signage within a planned development in an O, B1, B2, B3, B4, B5, B5A or I District shall require review and approval by the Plan Commission in conjunction with the Site Plan Approval process (Sec. 155.511). Off-premise signs, as defined in Section 153.602 of the Village Sign Ordinance, cannot be approved through the site plan approval process unless specifically allowed for in the initial planned development, or any subsequent amendments thereto.

SECTION 12: That Title 15, Chapter 155, Section 504 (D), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.504 CHANGES IN THE PLANNED DEVELOPMENT

(D) Minor Changes with Variations to Parking Requirements

Changes from an approved planned development which are determined to be minor changes but which would require a variation in the number of parking spaces on an individual lot within a planned development in an R6, O, B3, B4, B5, B5A or I District shall require review and approval by the Plan Commission in conjunction with the Site Plan Approval process (Sec. 155.511).

SECTION 13: That Title 15, Chapter 155, Section 509, of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.509 MINIMUM SIZE REQUIREMENTS FOR PLANNED DEVELOPMENTS

In order to accrue the intended benefits of a planned development sought through these regulations, the area of a planned development shall conform to the following minimum area requirements for the district in which it is located.

<u>District</u>	<u>Minimum Size</u>	<u>Frontage</u>
CR-Conservation Recreation District	no minimum requirement	
R1-Single Family Residence District	30,000 ft ²	225'
R2-Single Family Residence District	22,500 ft ²	180'
R3-Attached Single-Family Residence District	22,500 ft ²	180'
R4-Limited General Residence District	22,500 ft ²	180'
R5-General Residence District	22,500 ft ²	180'
R6-Central Residence District	No minimum requirement	
O-Office District	45,000 ft ²	300'

B1-Limited Neighborhood Shopping District	22,500 ft ²	180'
B2-General Neighborhood Shopping District	22,500 ft ²	180'
B3-Community Shopping District	60,000 ft ²	300'
B4-Corridor Commercial District	120,000 ft ²	450'
B5-Central Business District	no minimum requirement	
B5A-Downtown Perimeter District	no minimum requirement	
I-Limited Industrial District	60,000 ft ²	240'

SECTION 14: That Title 15, Chapter 155, Section 602 (A) (3) (b), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.602 OFF-STREET PARKING

(A) General Requirements

3) Location

(b) Off-site parking spaces may be used to serve buildings and/or uses in the R6, O, B3, B4, B5, B5A and I Districts. No off-site parking space shall be located further than 300 feet from the main entrance of the principal building to be served. Off-site parking shall be a conditional use in the above districts. Off-site parking facilities shall be subject to Section 155.602 (A) (4), below.

SECTION 15: That Title 15, Chapter 155, Section 602 (A) (5) (a), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.602 OFF-STREET PARKING

(A) General Requirements

5) Size

Each off-street parking space shall have a standard length of 18'-0". In the case of parallel parking spaces the required length shall be 24'-0". The width of parking spaces shall depend on the district in which the parking spaces are located, as established below:

- (a) In the B1, B2, B3, B4, B5, and B5A Districts the width of parking spaces shall not be less than 9 feet, zero inches.

SECTION 16: That Title 15, Chapter 155, Section 707 (A) (3), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.707 TRANSITIONAL YARD LANDSCAPING

A. Size of Transitional Landscape Yards

The size of transitional landscape yards in the districts identified below shall be as follows:

3. B1, B2, B5, and B5A Districts

Wherever a rear yard or interior side yard lot in the B1, B2, B5, or B5A District abuts a lot in the CR or a Residence District, a transitional landscape yard 10 feet in width shall be provided along such lot line.

SECTION 17: That Title 15, Chapter 155, Section 707 (B) (3), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.707 TRANSITIONAL YARD LANDSCAPING

B. Transitional Landscape Yard Improvements

Within the transitional landscape yards defined above, required planting and fencing shall be required to conform with the following provisions:

3. B1, B2, B5, and B5A Districts

SECTION 18: 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 21st day of March, 2002.

First reading waived by action of the Board of Trustees this _____ day of _____, 2002.

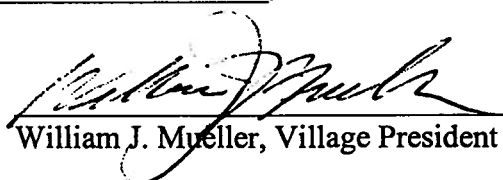
Passed on second reading this 4th day of April, 2002.

Ayes: Trustees Tross, Koenig, Sebby, Florey, Soderstrom


Nays: Trustee DeStephano

Absent: None

Approved this 4th day of April, 2002


William J. Mueller, Village President

ATTEST:


Suzan L. Kramer, Village Clerk