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ORDINANCE 5874

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

(PC 06-09: B5 District Parking Regulations)

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 March 20 and April 17, 2006 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 Village Economic and Community Development Committee also considered the proposed text amendment set forth herein and recommended 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 601 (A)(1) through (4), of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

SECTION 6: OFF-STREET PARKING AND LOADING REQUIREMENTS

155.601 OFF-STREET PARKING

A. General Requirements

1. Minimum Spaces Required

In any Business or Industrial District, parking shall be required as provided for in this Section and a minimum of three (3) spaces shall be provided for each use.

2. Central Area Parking Regulations

In the B5 Central Business District, the Village desires to minimize disruptive curb cuts and driveways, and to encourage the consolidation of parking spaces in appropriate locations. Therefore, off-street parking in the B5 Central Business District shall be provided as follows:

- a. For the construction of new buildings, fifty percent (50%) of the number of off-street parking spaces indicated in Table 6.3 below shall be provided for non-residential uses, and one hundred percent (100%) of the number of off-street parking spaces indicated in Table 6.3 below shall be provided for residential uses, with a minimum of three (3) parking spaces per lot-of-record.
- b. Parking shall be provided to the side or rear of the building and shall be a minimum of five feet (5') from the right-of-way.

3. Location

- a. All parking spaces required to serve buildings or uses erected or established after the effective date of this Ordinance shall be located on the same zoning lot as the building or use served, except as otherwise provided for in Sections 155.602 (A) (3) (b), (c), (d) and ~~(g)~~, below. Existing buildings or uses altered such that additional parking is required shall provide such parking on the same zoning lot, except as otherwise provided for in Sections 155.602 (A) (3) (b), (c), (d) and ~~(g)~~, below.

- b. Off-site parking spaces may be used to serve ~~buildings and/or non-residential~~ 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.
- c. Off-site parking spaces intended to serve non-residential uses in the B5 District shall be a permitted use, subject to Section 155.602 (A) (4) below.
- d. Owners of property, legally nonconforming as to parking and located in the CR, R1, R2, R3, R4, R5, B1 and B2 Districts ~~a district which does not allow off-site parking as a conditional use~~, shall be allowed to provide parking off-site to become otherwise conforming. In such circumstances, the provision of such off-site parking shall be considered a conditional use and subject to the provisions of Section 155.103 (F) of this Ordinance.
- e. Off-street parking spaces, open to the sky, may be located in any yard, except that in the R4, R5, O, and I Districts, off-street parking shall not be located in a required front or corner side yard. However, in the R1 and R2 Districts, not more than two (2) vehicles may be parked overnight in a required front or corner side yard, and not more than three (3) vehicles may be parked overnight in the required rear yard.
- f. All off-street parking spaces shall be located in a manner which allows for compliance with the provisions in Section 155.700 of this Ordinance.
- g. For all property owned by the Lombard Park District and located within the CR Conservation/Recreation District, required parking spaces may include those legal parking spaces within adjacent public rights-of-way that are located on the same side as, and abutting the subject property. The calculation of on-street parking for compliance with the parking requirements of this section shall be subject to the review and approval of the Director of Community Development.

4. Control of Off-Site Parking facilities

In cases where parking facilities are permitted on land other than the zoning lot on which the building or use served is located, such facilities shall be in the same possession as the zoning lot occupied by the building or use to which the parking facilities are accessory. Such possession may be either by deed or long-term lease, the term of such lease to be determined by the Village Board. The deed or lease shall require such owner or his or her heirs and assigns to maintain the required number of parking facilities for the duration of the use served or of the deed or lease, whichever shall terminate sooner.

For owners and/or operators of uses located within the B5 District that intend to satisfy the parking requirements by utilizing parking spaces owned by the Village of Lombard, the owner and/or operator shall enter into a parking agreement with the Village Board. However, this provision shall not be interpreted to automatically grant parking rights to a particular use for spaces owned by the Village, but rather should be subject to the Village Board approval on a case-by-case basis.

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 18th day of May, 2006.

First reading waived by action of the Board of Trustees this _____ day of _____, 2006.

Passed on second reading this 1st day of June, 2006.

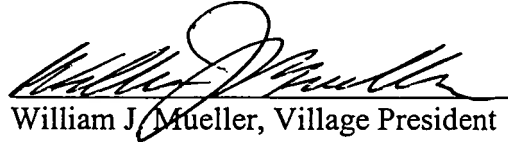
Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

Nayes: None

Absent: None

Approved this 1st day of June, 2006.

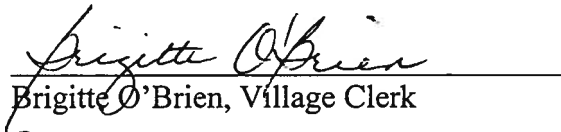
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William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published in pamphlet form this 7th day of June, 2006.


Brigitte O'Brien, Village Clerk