

**VILLAGE OF LOMBARD**  
**INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission

HEARING DATE: April 17, 2006

FROM: Department of Community  
Development

PREPARED BY: William Heniff, AICP  
Senior Planner

**TITLE**

**PC 06-12; Text Amendments to the Lombard Zoning Ordinance:** The Village of Lombard is proposing amendments to Section 155.602 (A)(1)(i) of the Zoning Ordinance amending and/or moving the repair and service provisions set forth within this subsection from the Zoning Ordinance to Nuisance Section (Section 94.05) of the Code of Ordinances.

**DESCRIPTION:**

The Department of Community Development is in the process of conducting a review of selected sections of the Village Code pertaining to various code enforcement regulations. Most of these regulations are located with the Nuisance Section of the Village Code (Section 94 of the Village's Code of Ordinances). However, one commonly referenced and utilized regulation pertains to the repair and maintenance of motor vehicles, which is currently located within the Zoning Ordinance (Section 155 of the Village Code). This petition is intended to relocate the regulation from the Zoning Ordinance and into the Nuisance Section of the Code of Ordinances.

As a Zoning Ordinance regulation, this amendment must be addressed through the public hearing process. The proposed amendments are not intended to modify the intent of the regulations. This amendment would not affect any existing businesses or residential properties nor does it create any legal non-conforming (grandfathered) situations – its intent is to relocate the vehicle maintenance provisions from the Zoning Ordinance to the Nuisance Section of the Village Code and to remove an inconsistency within the Zoning Ordinance.

**Proposed Text Amendments**

This amendment would relocate this provision out of the Zoning Ordinance and placed within the nuisance provisions (Section 94.05(K)) of the Village Code. As it is currently written, this regulation is more closely associated with what a vehicle operator is doing to a vehicle on a property as opposed to the property's designated land use. Moreover, it really does not relate to the intent of the design and maintenance sub-section within the Zoning Ordinance. Lastly, as this provision is most commonly applied when code enforcement staff sees vehicles under repair in residential driveways, the Village enforces this regulation as a nuisance provision rather than a land use restriction.

Once change to the code pertains to the I District regulations. The off-street parking provisions for the I District state that outdoor repair activities are permissible. However, automobile and/or motor vehicle repair activities are listed as conditional uses in the I District. This amendment will strike the repair text in the Zoning Ordinance to remove any ambiguity with the use listing.

The proposed text amendments are noted below. **Proposed changes to the ordinances are denoted by striking out old text and underlining new text.** The Standards for Text Amendments is also included below.

## **SECTION 6: OFF-STREET PARKING AND LOADING REQUIREMENTS**

### **155.601 OFF-STREET PARKING**

#### **A. General Requirements**

##### 10. Design and Maintenance

All off-street parking lots shall be designed and maintained in conformance with the specific requirements established below.

- (a) **Plan:** The design of parking lots shall be subject to the approval of the Director of Community Development in accordance with standards established by this ordinance, and those established by the Plan Commission and the Board of Trustees in the case of variations, conditional uses and planned developments.
- (b) **Character:** Accessory parking spaces may be opened to the sky, or enclosed in a building or structure.
- (c) **Surfacing:** All open off-street parking areas and maneuvering areas shall be surfaced with dustless, all weather material of asphalt or concrete. Parking is not permitted within any open space, on grass, or in a landscape area. Proper drainage of parking lots shall be required.
- (d) **Lighting:**
  - 1) Parking lots shall be illuminated according to the standards listed below at all times that the parking lot is open for general use.
  - 2) Parking lot lighting shall be provided at a minimum intensity of 0.5 foot-candles at all points within the parking lot, and at an average intensity of no less than 2.0 foot-candles.
  - 3) Any lighting used to illuminate off-street parking areas shall be directed away from adjacent properties and streets in such a way as not to create a nuisance. In no case shall such lighting exceed 0.5 foot-candles at any property line which is shared by a residentially-zoned property, a property which has residential uses on the first floor, or a residential street. In no case shall such lighting exceed 3.0 foot-candles at any property line.
  - 4) Light poles which are used for parking lot lighting shall not exceed forty (40) feet in height, except that light poles which are used for parking lot lighting for shared pedestrian access shopping centers (i.e. regional shopping malls), parking lot light poles shall not exceed forty-five feet (45') in height.
- (e) **Cleaning and Maintenance:** Except in the I Industrial District, no cleaning or maintenance of parking lots utilizing motorized equipment may be performed between 11:30 P.M. and 6:00 A.M. each day, except for the removal of snow.
- (f) **Curbing:** All parking lots shall be provided with perimeter concrete curbing (6 inch barrier curb). Such curbing shall be designed so that no part of any parked vehicle shall encroach into a required yard.

- (g) Shelter Building: No parking lot for accessory off-street parking shall have more than one (1) attendant shelter building per entrance which shall conform to all setback requirements for accessory structures established by Section 155.210 of this Ordinance, and any other applicable requirements of this ordinance.
- (h) Signs: Accessory signs shall be permitted on parking areas in accordance with the provisions specified in the Village of Lombard Sign Ordinance.
- ~~(i) Repair and Service: No motor vehicle repair work or service of any kind shall be permitted in conjunction with parking or loading facilities provided in any district, except that:
  - 1) Emergency repair service necessary to start vehicles shall be permitted in all districts, and
  - 2) In the I District, repair work or service shall be allowed if such work is not done within 200 feet of a Residence District. Washing of accessory vehicles shall also be permitted.~~

## Amendments to Section 94.05 of the Village Code

### § 94.05 SCHEDULE B: NOTICE NOT REQUIRED; NUISANCES DEFINED.

- (K) The repair work or service of motor vehicles of any kind in conjunction with parking or loading facilities, except for emergency repair service necessary to start vehicles or the washing of accessory vehicles.

#### Standards for Text Amendments

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property*

The proposed amendment would be uniformly applied to all properties in the Village.

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

The amendment is intended to relocate the parking regulations to reflect the intent of the relevant sections of the Village Code.

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

The Ordinance would not create any nonconformities. The regulation in the Zoning Ordinance is intended to be a nuisance provision rather than a land use restriction. Therefore, such activities should not be subject to non-conforming provisions.

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

The amendments would not make the code more permissive.

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

The Comprehensive Plan offers a number of recommendations pertaining to property maintenance. This amendment is intended to meet this provision.

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

This amendment would be consistent with staff and Board policies.

**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 submitted petition and the testimony presented, the proposed text amendments comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-department Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of the text amendments described in PC 06-12.

Inter-Departmental Review Group Report Approved By:

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David A. Hulseberg, AICP  
Director of Community Development

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