

**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 Niehaus, Village Manager

**DATE :** August 7, 2018      **(BOT) Date:** August 16, 2018

**SUBJECT:** PC 18-20: Text Amendment to the Zoning Ordinance: Massage Establishment Regulations

**SUBMITTED BY:** William J. Heniff, AICP, Director of Community Development *WA*

**BACKGROUND/POLICY IMPLICATIONS:**

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, requests text amendments to Sections 155.415 (C)(23), 155.416 (C)(23), 155.417 (G)(2)(b)(xi), and 155.418 (C)(18) of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the text for consistency regarding massage establishments and correct the reference sections regarding massage establishments.

The Plan Commission recommended approval of this petition by a vote of 7-0. Please place this petition on the August 16, 2018 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:** William J. Heniff, AICP, Director of Community Development 

**MEETING DATE:** August 16, 2018

**SUBJECT:** **PC 18-20, Text Amendment to the Zoning Ordinance; Massage Establishment Regulations**

Please find the following items for Village Board consideration as part of the August 16, 2018, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 18-20; and
3. An Ordinance granting text amendments to Sections 155.415 (C)(23), 155.416 (C)(23), 155.417 (G)(2)(b)(xi), and 155.418 (C)(18) of the Lombard Zoning Ordinance to clarify applicable sections of Village Code pertaining to massage establishment regulations.

The Plan Commission recommended approval of this petition by a vote of 7-0. Please place this petition on the August 16, 2018 Board of Trustees agenda for a first reading.





## VILLAGE OF LOMBARD

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August 16, 2018

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

### Trustees

Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Bill T. Johnston, Dist. 4  
Robyn Pike, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
Scott R. Niehaus

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

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

Mr. Keith T. Giagnorio,  
Village President, and  
Board of Trustees  
Village of Lombard

### **Subject: PC 18-20, Text Amendment to the Zoning Ordinance**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, requests text amendments to Sections 155.415 (C)(23), 155.416 (C)(23), 155.417 (G)(2)(b)(xi), and 155.418 (C)(18) of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the text for consistency regarding massage establishments and correct the reference sections regarding massage establishments.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on July 16, 2018. Sworn in to present the petition was Jennifer Ganser, Assistant Director.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The Village is requesting a text amendment to the zoning ordinance to emend the text for consistency regarding massage establishments and correct the reference sections regarding massage establishments. Staff still supports massage establishments as a conditional use in the B3, B4, B4A, and B5 Districts with the below text amendments.

The proposed text amendments will allow for modification to the wording of massage businesses regulated by the Village Zoning Code for further clarification. Staff notes that this text amendment will not affect the definition and requirements of massage establishments.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Flint, and a second by Commissioner Burke, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 18-20.

Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

ORDINANCE \_\_\_\_\_

**AN ORDINANCE APPROVING A TEXT AMENDMENT  
TO THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 155, SECTIONS 155.415 (C)(23),  
155.416 (C)(23), 155.417 (G)(2)(b)(xi), and 155.418 (C)(18)  
OF THE LOMBARD ZONING CODE**

PC 18-20: Text Amendments to the Zoning Ordinance

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Lombard Code; 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 text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on July 16, 2018, 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, Sections 155.415 (C)(23), 155.416 (C)(23), 155.417 (G)(2)(b)(xi), and 155.418 (C)(18) of the Lombard Village Code are hereby amended as follows:

**§ 155.415(C)(23) - B3 Community Shopping District requirements.**

~~Physical culture and~~ Massage establishments (as defined and regulated by ~~Chapter 12~~ Title 11, ~~section~~ Chapter 122 of the Code of Ordinances)

**§ 155.416(C)(23) - B4 Corridor Commercial District requirements.**

~~Physical culture and~~ Massage establishments (as defined and regulated by ~~Chapter 12~~ Title 11, ~~section~~ Chapter 122 of the Code of Ordinances)

Ordinance No. \_\_\_\_\_

Re: PC 18-20

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**§ 155.417(G)(2)(b)(xi) - Roosevelt Road Corridor B4A District requirements.**

~~Therapeutic~~ Massage establishments (as defined and regulated by ~~Chapter 12~~ Title 11, ~~section~~ Chapter 122 of the Code of Ordinances)

**§ 155.418(C)(18) - B5 Central Business District requirements.**

~~Physical culture and~~ Massage establishments (as defined and regulated by Title 11, Chapter 122, of the Code of Ordinances)

**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 \_\_\_\_ day of \_\_\_\_\_, 2018.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2018.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk