

July 20, 2015

Title

PC 15-18

Petitioner

Village of Lombard

Property Location

Village-wide

Approval Sought

An amendment to Section 155.103 (and any other relevant sections for clarity) of the Lombard Zoning Ordinance adding a new subsection (L) establishing an order of applications for relief for multiple or competing zoning requests for the same property.

Submittals

1. Petition for a public hearing; and
2. Response to Standards for a Text Amendment.

Prepared By

Jennifer Ganser
Assistant Director

DESCRIPTION

The petitioner, the Village of Lombard, is requesting the following text amendments to the Lombard Zoning Ordinance:

An amendment to Section 155.103 (and any other relevant sections for clarity) of the Lombard Zoning Ordinance adding a new subsection (L) establishing an order of applications for relief for multiple or competing zoning requests for the same property.

Currently our Code has no provisions for what would occur if multiple petitions came forward for the same property at the same time. This could place staff, the Plan Commission, the Zoning Board of Appeals, and the Village Board in a difficult situation of being forced to consider competing petitions for approval. Village Counsel has suggested language be added to a new subsection (L). This language would allow the first petition received to go through, but the subsequent petition to not be processed until the first petition is withdrawn or receives final action from the Board.

INTER-DEPARTMENTAL REVIEW**Building Division:**

The Building Division has no comments.

Fire Department:

The Fire Department has no issues or concerns.

Private Engineering Services:

Private Engineering Services has no comments.

Public Works:

The Department of Public Works has no comments.

PROPOSED REGULATIONS

New Text

“(L) Order of Applications for Relief. Where a petition for relief, which requires action by the Plan Commission or the Zoning Board of Appeals, is pending under this Chapter 155, relative to a particular property, a second petition for relief, relative to the same property, shall not be processed until either the first petition for relief is withdrawn or final action thereon has been taken by the President and Board of Trustees, unless the second petition for relief has been brought by the same applicant, relates to the same proposed use of the property as the first petition for relief, and the granting of said relief would not be in conflict with, or serve as an alternate to, the relief requested in the first petition.”

STANDARDS FOR TEXT AMENDMENTS

The petitioner has provided responses to the standards for a text amendment.

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*
This text amendment would apply to all Village properties and not a specific property.
2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*
This text amendment would be applied in every zoning district of the Village.
3. *The degree to which the proposed amendment would create nonconformity;*
This text amendment would not create any nonconformity as it still would allow for development to occur.
4. *The degree to which the proposed amendment would make this ordinance more permissive;*
This text amendment would not be more permissive, as it still would allow for development to occur.
5. *The consistency of the proposed amendment with the Comprehensive Plan; and*
The Comprehensive Plan does not specifically mention competitive petitions. The Comprehensive Plan does support development in the Village, and the proposed text amendment is not meant to hinder development.
6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*
The Village reviews its Codes and makes amendments, when necessary.

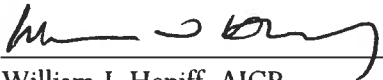
FINDINGS & RECOMMENDATIONS

Staff finds the proposed amendments to be consistent with the objectives of the Lombard Zoning Ordinance. The proposed amendments are also consistent with the intent of the Comprehensive Plan in general.

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 15-18.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP

Director of Community Development

c. Petitioner

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