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ORDINANCE 5085

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

(PC 02-09: Miscellaneous Text Amendments)

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 text amendments 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 412 (B), of the Code of Lombard, Illinois are hereby amended to read in its entirety as follows:

155.412 B1 LIMITED NEIGHBORHOOD SHOPPING DISTRICT REQUIREMENTS

B. Permitted Uses

The following uses shall be permitted in the B1 District:

- (1) Antique shops
- (2) Art and school supply stores
- (3) Art shops or galleries, but not including auction rooms

- (4) Bakeries, retail only
- (5) Barber shops
- (6) Beauty shops
- (7) Book and stationery stores
- (8) Candy and ice cream stores
- (9) China and glassware stores
- (10) Clothiers pressing establishments
- (11) Coin and philatelic stores
- (12) Computer hardware and software sales and service
- (13) Custom dressmaker
- (14) Drug stores
- (15) Dry cleaning and laundry receiving stations only, processing to be done elsewhere
- (16) Dry goods stores
- (17) Dwelling units, located above the first floor, provided: at least fifty percent (50%) of the square footage of the Building Footprint on the Ground Floor is devoted to uses permitted (Permitted uses and/or approved Conditional uses) in this district, other than uses referenced in Section 155.412(B)(40), 155.412(C)(2), and 155.412(C)(8).
- (18) Financial Institutions
- (19) Flower shops
- (20) Food stores, grocery stores, meat markets and delicatessens including carry-out and delivery
- (21) Gift shops

- (22) Hardware stores
- (23) Hobby shops, for retail sales of items to be assembled or used away from the premises
- (24) Jewelry stores, including watch repair
- (25) Laundrettes, automatic, self-service only or hand laundries
- (26) Learning Centers, with no outdoor component
- (27) Medical Supply Stores
- (28) Offices--business or professional
- (29) Outpatient Medical and Dental Offices and Clinics
- (30) Pet Grooming Services (not including animal hospitals or overnight visits)
- (31) Post office
- (32) Restaurants, not including entertainment and dancing
- (33) Shoe and clothing repair stores
- (34) Silk screening services
- (35) Sign Printers
- (36) Tanning Salon
- (37) Wearing apparel shops
- (38) Variety shops
- (39) Video tapes, sale and rental of, electronic game cartridges and similar items
- (40) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

SECTION 2: That Title 15, Chapter 155, Section 413 (B) and (C) of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

155.413 B2 GENERAL NEIGHBORHOOD SHOPPING DISTRICT REQUIREMENTS

(B) Permitted Uses

The following uses shall be permitted in the B2 District:

- (1) Any use permitted in the B1 District shall be permitted in the B2 District.
- (2) Automobile accessory stores
- (3) Package liquor and party supply stores
- (4) Parking lots and structures
- (5) Printing and duplicating services
- (6) Repair, rental or servicing of any article, the sale of which is a permitted use in the district
- (7) Watchman's quarters
- (8) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with Section 155.210 of this Ordinance.

(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, including: bowling alleys, pool halls, gymnasiums, swimming pools, and skating rinks
- (2) Animal hospitals and kennels
- (3) Automobile repair
- (4) Automobile service

- (5) Club (Non-profit/Faternal)
- (6) Cultural facilities/institutions
- (7) Day care centers
- (8) Drive-in and drive-through establishments/services
- (9) Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.
- (10) Gasoline sales
- (11) Greenhouses and nurseries
- (12) Funeral homes
- (13) Learning Centers, with outdoor component
- (14) Motor vehicle sales
- (15) Outside display and sales of products the sale of which is a permitted or conditional use in this district
- (16) Outside service areas for other permitted or conditional uses in this district
- (17) Planned developments in conformance with Section 155.500 of this Ordinance
- (18) Public utility and service uses
- (19) Taverns and cocktail lounges, not including entertainment and dancing
- (20) Theaters, indoor
- (21) 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

SECTION 3: That Title 15, Chapter 155, Section 414 (B) and (C) of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

155.414 B3 COMMUNITY SHOPPING DISTRICT REQUIREMENTS

(B) Permitted Uses

Any use permitted in the B1 District shall be permitted in the B3 District; and, in addition, the following uses shall be permitted in the B3 District:

- (1) Automobile accessory stores
- (2) Banks and financial institutions
- (3) Bicycle sales
- (4) Business machine sales
- (5) Camera and photographic supply stores
- (6) Carpet and rug stores, retail sales only
- (7) Closet and storage organizer stores
- (8) Clubs and lodges, nonprofit and fraternal
- (9) Cultural facilities/institutions
- (10) Department stores
- (11) Electrical and household appliance stores, including radio and television sales
- (12) Furniture stores, including upholstering when conducted as part of the retail operations and secondary to the principal use
- (13) Furrier shops
- (14) Garden supply, tool, and seed stores
- (15) Health services, gymnasiums, and weight reduction services
- (16) Home improvement stores

- (17) Interior decorating shops, including upholstering and making of draperies, slip covers, and other similar articles, when conducted as part of the retail operations and secondary to the principal use
- (18) Leather goods and luggage stores
- (19) Liquor stores, packaged goods
- (20) Locksmith shops
- (21) Mail order, catalog store
- (22) Musical instrument sales
- (23) Offices, business and professional
- (24) Office supply stores
- (25) Paint, glass, and wallpaper stores
- (26) Pet shops
- (27) Phonograph record and sheet music stores
- (28) Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises
- (29) Picture framing, when conducted for retail trade on the premises only
- (30) Printing and duplicating services
- (31) Repair, rental, and servicing of any article the sale of which is a permitted use in the district
- (32) Secondhand stores and rummage shops
- (33) Sewing machine sales and service-household appliances only
- (34) Shoe stores
- (35) Sporting goods stores

- (36) Tailor shops
- (37) Theater, indoor
- (38) Ticket agencies, amusement
- (39) Tobacco shops
- (40) Toy shops
- (41) Travel bureaus and transportation ticket offices
- (42) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with Section 155.210

(C) Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, any conditional use in the B1 District shall be a conditional use in the B3 District and in addition, the following conditional uses may be allowed:

- (1) Amusement establishments including bowling alleys, pool halls, swimming pools, skating rinks
- (2) Automobile repair
- (3) Automobile service
- (4) Bus station
- (5) Catering services
- (6) Day Care Centers
- (7) Drive-through and drive-in establishments/services
- (8) Funeral homes
- (9) Gasoline sales
- (10) Hotels and motels

- (11) Learning Centers, with outdoor component
- (12) Medical and dental laboratories
- (13) Meeting hall
- (14) Motor vehicle sales
- (15) Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
- (16) Outside display and sales of products the sale of which is a permitted or conditional use in this district
- (17) Outside service areas for other permitted or conditional uses in this district
- (18) Parking garages or structures, other than accessory parking for private passenger automobiles only
- (19) Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
- (20) Psychics, ESP Readers, and fortune tellers
- (21) Public utility and service uses
- (22) Recreation and community centers, noncommercial
- (23) Restaurants including entertainment, dancing, and/or amusement devices
- (24) Taverns and cocktail lounge
- (25) 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
- (26) Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.

SECTION 4: That Title 15, Chapter 155, Section 602, Table 6.3 of the Code of Lombard, Illinois is hereby amended to include the following use and parking requirement as follows:

SECTION 155.602 OFF-STREET PARKING

USE	PARKING REQUIREMENTS
Banquet Halls (stand alone)	One (1) space per 3 seats plus one (1) space per employee

SECTION 5: That Title 15, Chapter 155, Section 802 of the Code of Lombard, Illinois is hereby amended to read in include the following definitions as follows:

SECTION 155.802 DEFINITIONS

BANQUET HALL: An establishment where the only business is the preparation and dispensing of elaborate and often ceremonial meals to numerous persons on the premises and which is characterized by the following:

- a. does not provide carry-out service to individuals;
- b. advertises only on an individual establishment basis for group meal services only;
- c. provides service only by reservation and only to groups (typically twenty (20) or more) for banquets, anniversaries, weddings, business parties and other like uses; and
- d. as part of the banquet activity, facilities such as dance floors and live entertainment such as disc jockeys or bands may be provided as an accessory use only.

RESTAURANT – FAST-FOOD: An establishment whose principal business is the dispensing of edible, prepared food and/or beverages and exhibits a majority of the following characteristics:

- a. Food served at walk-up counter or drive-through window;
- b. Disposable or edible containers
- c. Food consumption on or off premises
- d. Permanent menu board
- e. Customers pay for food before consuming it
- f. Trash receptacles provided for self-service bussing
- g. Food typically ordered, served, and consumed in 30 minutes or less
- h. Standardized floor plans (if a chain or franchised restaurant)
- i. Self-service condiment bar

RESTAURANT – SIT-DOWN: An establishment whose principal business is the dispensing of edible, prepared food and/or beverages and exhibits a preponderance of the following characteristics:

- a. Food served at tables, booths, or counters with chairs, benches, or stools;
- b. Reusable containers and dinnerware;
- c. Food consumption primarily on premises
- d. Individual menus
- e. Customers pay for food after consuming it
- f. Restaurant staff bussess tables
- g. Food typically ordered, served, and consumed in 30 minutes or more

SECTION 7: 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 7th day of March, 2002.

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

Passed on second reading this 21st day of March, 2002.

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

Nayes: None

Absent: None

Approved this 21st day of March, 2002.


William J. Mueller, Village President

ATTEST:


Suzan L. Kramer, Village Clerk