

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

TO: Lombard Plan Commission

HEARING DATE: November 27, 2006

FROM: Department of Community  
Development

PREPARED BY: Michael S. Toth  
Associate Planner

**TITLE**

**PC 06-35; Text Amendments to the Lombard Zoning Ordinance:** The Planning Services Division of the Community Development Department is proposing amendments to Section 155.210 by establishing subsection (E) “Tents” along with the pertinent definitions. The intent would be to establish regulations for the placement of tents as well as establish definitions for ‘Tent and Structure’, ‘Temporary’.

**DESCRIPTION:**

The proposed text amendments are intended to address the issue of temporary tents being used as permanent storage structures in residential areas. Currently, Zoning Ordinance regulations would consider such structures as accessory structures; however, the regulations do not prohibit tents from being used in this manner, provided that Building Code provisions are met. Due to the open and temporary nature of tent construction, poor aesthetical implications in residential areas have been an evident result of the lack of regulation. Appendix A shows examples of tents that have been erected on selected residential properties in the Village.

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 prevent the use of tents as permanent storage structures in residential districts to maintain the aesthetic value of neighborhoods within the Village.

**INTER-DEPARTMENTAL REVIEW COMMENTS**

**ENGINEERING**

The Private Engineering Services Division has no comment on the subject case.

**PUBLIC WORKS**

Public Works does not have any comments on the petition at this time.

## **BUILDING AND FIRE**

The use of “tent structures” for any type of storage or installation is addressed in the 2000 International Building Code and defines the requirements for permanent and temporary installation of tents/membrane structures. There are no requirements in the 2000 International Building Code for tent requirements in residential construction.

The 2000 IBC defines “temporary” use of tent/membrane structures as those structures that are erected for a period not to exceed 180 days. Permanent structures that are erected are to meet the requirements for fire retardant materials, flame spread ratings, smoke development and more.

A true prohibition of tent use in the residential areas would be preferred or a temporary use be limited to a period of 60 days or less in the case of an addition or any type of construction that would require the storage of personal items during the construction period, the tents could stay until all construction is completed and a certificate of completion not be issued until the tent is taken down and removed from the property. If tents remain as permanent structures, the Village will start to look like a tent city and this would be another issue that would have to be addressed in the future as a property maintenance issue.

## **PLANNING**

### **Proposed Text Amendments**

The proposed text amendment will not alter any existing Ordinance text; it will merely serve as an addition to current regulations. Section 155.210, which regulates accessory uses, activities, buildings, and structures, currently has no language addressing tents. In order to address the recent swell in temporary tents being used as storage structures, staff is proposing the addition of the subsection (E) to Section 155.210 “Accessory Uses, Activities, Buildings, and Structures”.

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

### **Section 155.210 Accessory Uses, Activities, Buildings, and Structures**

#### **155.210 (E) Tents**

##### **a. General Regulations**

1. Tents shall observe all accessory yard setback requirements in the districts where located.
2. Tents shall be permitted only as an accessory structure on the property.
3. Tents shall not be erected on any vacant parcel of land.

- b. Tents shall be erected, used or maintained on any zoning lot under the following conditions:
1. As provided by Section 110.40 of the Village Code (Temporary Event regulations); or
  2. When located on residentially zoned property and used for events such as private yard parties or for recreational purposes.

### **Section 8 Rules and Definitions**

**Structure, Temporary:** Any structure, designed, built, erected or occupied for short and/or intermittent periods of time.

**Tent:** Any temporary structure or enclosure, the roof of which or one-half or more of the sides are constructed of silk, cotton, canvas, fabric, or a similar pliable material.

### **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 prevent the use of tents as permanent storage structures in residential districts to maintain the aesthetic value of neighborhoods within the Village.

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

The Ordinance would not create any nonconformities. The proposed addition of the Zoning Ordinance is intended to prevent a sudden epidemic of tents as storage structures and give Code Enforcement the justifiable means to enforce the issue. 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. The proposed additions would actually make the code less permissive by restricting the use of tents.

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

The Comprehensive Plan offers a number of recommendations pertaining to property maintenance as well as the protection/enhancement of identity and character of residential neighborhoods. The addition of subsection (E) to Section 155.210 will further increase the Village's ability to keep with the Comprehensive Plan.

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. As a recent example, provisions were added addressing cargo containers as storage devices. Under 155.603(C) the placement of cargo containers on residentially zoned property is prohibited. In keeping with this theme, regulating tents would be consistent with the Village's goal of preventing the use of any structure, other than a principal structure, detached garage, as a storage device.

**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 06-35.

Inter-Departmental Review Group Report Approved By:

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David A. Hulseberg, AICP  
Assistant Village Manager/Director of Community Development

**Appendix A**  
**Examples of Temporary Tent Structures**







