



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

MEETING DATE: October 20, 2022

SUBJECT: **PC 22-23: Text Amendments to Chapter 155 of the Village Code (The Zoning Ordinance), pertaining to permitted and conditional uses**

Please find the following items for Village Board consideration as part of the October 20, 2022, Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 22-23; and
3. An Ordinance granting approval of text amendments to the Lombard Zoning Ordinance, Title 15, Chapter 155 of the Lombard Village Code.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the October 20, 2022, Board of Trustees agenda for a first reading.



VILLAGE OF LOMBARD

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(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

October 20, 2022

Village President
Keith T. Giagnorio

Village Clerk
Liz Brezinski

Trustees
Brian LaVaque, Dist. 1
Anthony Puccio, Dist. 2
Bernie Dudek, Dist. 3
Andrew Honig, Dist. 4
Dan Militello, Dist. 5
Bob Bachner, 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 22-23: Text Amendments to Chapter 155
Pertaining to Permitted and Conditional Uses**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition.

The petitioner, the Village of Lombard, is requesting comprehensive text amendments to Chapter 155 of the Village Code (the Zoning Ordinance), and any other relevant sections for clarity and consistency. Said section and subsection amendments include the following:

1. Amending Chapter 155 of Village Code as it pertains to permitted and conditional uses in the following Districts: O Office District; B1 Limited Neighborhood Shopping District; B2 General Neighborhood Shopping District; B3 Community Shopping District; B4 Corridor Commercial District; Roosevelt Road Corridor B4A District; B5 Central Business District; B5A Downtown Perimeter District; and I Limited Industrial District. Proposed changes affect uses related to retail uses, personal care services, banquet halls, banks and financial institutions, tattoo studios, clubs and lodges, animal care services, laboratories, and recategorization and removal of obsolete uses.
2. Amending Section 155.802 as it pertains to definitions for the following terms: "Amusement devices;" "Laboratories: medical, dental, and support;" and "Laboratories: research and testing."

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on September 26, 2022. Sworn in to present the petition was Anna Papke, Senior Planner, and Bill Heniff, Community Development Director

Acting-Chair Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Ms. Papke presented the petition and staff report. The IDRC report for PC 22-23 was entered into the public record in its entirety. Ms. Papke said that staff is proposing comprehensive updates to Chapter 155 (the Zoning Ordinance) as it pertains to permitted and conditional land uses. The purpose of the proposed amendments is to streamline the list of permitted and conditional uses in the Office District, all Business District, and I District in order to provide clarity to staff and businesses. The proposed amendments also add some new or emerging land uses to the Zoning Ordinance, and reclassify or remove obsolete uses.

The Plan Commission conducted a workshop on these amendments in June 2022, at which time staff gathered input from the Plan Commission on potential code amendments. Based on the Plan Commission feedback and further staff review, staff proposed the following text amendments:

- A new use called “general retail” will be added to Chapter 155. The current Village Code lists specific retail uses. The new use will combine most retail uses into one general category, which will simplify issuance of certificates of occupancy and classification of businesses that sell multiple types of goods. General retail will be permitted in all Business Districts.
- A new use called “personal care services” will be added to Chapter 155. Personal care services will combine the current listed uses of barber shops, beauty shops, tanning salons, and other similar businesses. It will also include tattoo studios, which are presently conditional uses in a few of the Business Districts. Med spas, an emerging land use, will also fall in the personal services use category. Personal care services are proposed to be permitted uses in the Office and Business Districts.
- Banquet halls will be listed as permitted uses in B3, B4, B4A, B5, and B5A. Currently, banquet halls are not listed and staff considers them to be the same as restaurants. However, there are some important operational differences between banquet halls and restaurants. The parking standards in Chapter 155 already differentiate between the two uses. The addition of banquet halls as a distinct use will provide clarity and consistency.
- Laboratories will be divided into two different types: medical, dental and support laboratories; and research and testing laboratories. The first type will be permitted in O, B3, B4, B4A, B5, B5A and I Districts. Research and testing laboratories will be permitted in the I District. New definitions for each laboratory are proposed for Section 155.802.

- A number of other amendments were proposed to clarify the following: animal-related uses; banks and financial institutions in the B4A and O Districts; parking lots and parking garages; and clubs and lodges.
- The definition for “amusement devices” will be updated to clarify that it does not apply to video gaming terminals, which are regulated separately in Chapter 112 of Village Code.

Staff recommended approval of the proposed text amendments.

Acting-Chair Giuliano asked if there were any questions or comments on the petition and staff report. Hearing none, she opened the meeting for comments among the Commissioners.

On a motion by Commissioner Johnston, and a second by Commissioner Invergo, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 22-23

Respectfully,

VILLAGE OF LOMBARD

Leigh Giuliano, Acting Chairperson
Lombard Plan Commission

September 26, 2022

Title

PC 22-23

Petitioner

Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148

Property Location

Village-wide

Approval Sought

The petitioner is requesting text amendments to Chapter 155 of Village Code as it pertains to permitted and conditional uses in the Office District, the Business Districts, and the Industrial District; and to Section 155.802 to amend/add definitions for select terms.

Prepared By

Anna Papke, AICP
Senior Planner

DESCRIPTION

Planning staff has reviewed the permitted and conditional uses described in Chapter 155 of the Village Code (the Zoning Ordinance). This review was one of several initiatives identified by the Village Board in the 2020-2025 Strategic Plan that the Community Development Department is undertaking. The goal of the review was to streamline the list of uses into fewer categories, remove obsolete uses, consolidate redundant uses, and add new or emerging land uses to Chapter 155. This review focused on the Office, Business, and Industrial Districts. No changes to the permitted and conditional uses in the Residential Districts are proposed at this time.

Staff completed an initial review of Chapter 155 in Summer 2022. The Plan Commission held a workshop on June 6, 2022, to discuss staff findings and review draft changes to the list of permitted and conditional uses. The Plan Commission offered feedback on the potential changes identified by staff.

Staff has incorporated Plan Commission feedback and finalized the proposed amendments to Chapter 155 as it pertains to permitted and conditional uses in the O, B1, B2, B3, B4, B4A, B5, B5A, and I Districts. Staff now brings this matter forward as a formal petition for a text amendment.

APPROVAL(S) REQUIRED

The petitioner, the Village of Lombard, is requesting comprehensive text amendments to Chapter 155 of the Village Code (the Zoning Ordinance), and any other relevant sections for clarity and consistency. Said section and subsection amendments include the following:

1. Amending Chapter 155 of Village Code as it pertains to permitted and conditional uses in the following Districts: O Office District; B1 Limited Neighborhood Shopping District; B2 General Neighborhood Shopping District; B3 Community Shopping District; B4 Corridor Commercial District; Roosevelt Road Corridor B4A District; B5 Central Business District; B5A Downtown Perimeter District; and I Limited Industrial District. Proposed changes affect uses related to retail uses, personal care services, banquet halls, banks and financial institutions, tattoo studios, clubs and lodges, animal care services, laboratories, and recategorization and removal of obsolete uses.

2. Amending Section 155.802 as it pertains to definitions for the following terms: “Amusement devices;” “Laboratories: medical, dental, and support;” and “Laboratories: research and testing.”

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments regarding the proposed text amendments to the Village Code.

Fire Department:

The Fire Department has no comments regarding the proposed text amendments to the Village Code.

Private Engineering Services:

Private Engineering Services has no comments regarding the proposed text amendments to the Village Code.

Public Works:

The Department of Public Works has no comments regarding the proposed amendments to the Village Code.

Planning Services Division:

The proposed amendments are summarized as follows:

1. *New listed use: general retail*

Chapter 155 presently includes a list of highly specific retail uses, most of which are currently permitted uses in the seven business districts. In practice, staff finds the number and differentiation among retail uses to be unnecessarily cumbersome. Staff also notes that with few exceptions, retail uses are similar to one another with respect to the issues that the regulation of permitted and conditional uses is intended to address. Most retail businesses have similar impacts on adjacent properties, similar parking demands, and similar building and fire code requirements.

Staff recommends consolidating most retail businesses into a new “general retail” use. This consolidation of uses will provide clarity for purposes of processing certificate of occupancy applications and fielding zoning inquiries from businesses.

Staff proposes to add the following as a permitted use to the seven business districts. This description is similar to the proposed use description considered by the Plan Commission at the June 6, 2022, workshop. It has been updated to include references to neighborhood-scale businesses and provision of good to an end user (to differentiate from wholesale):

General retail uses serving the needs of the neighborhood, including art and school supply stores, book and stationary stores, clothing stores, computer and software sales, drug stores, gift shops, hardware stores, office supply stores, shoe stores, sporting goods stores, toy shops, variety shops, and other similar uses. Retail uses are those that provide goods or products to the end user.

The following uses will be deleted from the Code, with such businesses classified as general retail in the future:

- *Antique shops*
- *Art and school supply stores*
- *Art shops or galleries, not including auction rooms*
- *Book and stationary stores*
- *Camera and photographic supply stores*
- *China and glassware stores*
- *Clothing and wearing apparel establishments*
- *Coin and philatelic stores*
- *Compact disc, record and sheet music stores*
- *Computer hardware/software sales & service*
- *Drug stores*
- *Dry goods stores*
- *Electrical and household appliance stores, including radio & television sales*
- *Furrier shops*
- *Garden supply, tool, and seed stores*
- *Gift shops*
- *Hardware stores*
- *Hobby shops, retail*
- *Jewelry stores, including watch repair*
- *Leather goods and luggage stores*
- *Mail order, catalog store*
- *Medical supply stores*
- *Office supply stores*
- *Picture framing, retail*
- *Sewing machine sales and service – household appliances only*
- *Shoe stores*
- *Sporting goods stores*
- *Ticket agencies, amusement*
- *Toy shops*
- *Variety shops*
- *Video tapes, electronic game cartridges, and similar items sales*

2. *New listed use: personal care services*

Staff proposes to consolidate several personal services into one use category. As discussed for general retail above, these businesses are similar to one another in terms of business operations, impact on neighboring properties, parking requirements, and building and fire regulations.

Staff proposes to add the following use as a permitted use to the seven business districts and the Office District:

Personal care services, including hair salons, nail salons, spas, tanning studios, tattoo studios, med spas, and other similar uses. For purposes of this ordinance, personal care services do not include massage establishments.

The following uses will be deleted from the Code, with such businesses classified as personal care services in the future:

- Barber shops
- Beauty shops
- Tanning salons

Personal care services will also include med spas, an emerging land use not currently in the zoning ordinance.

3. *New listed use: banquet halls*

Banquet halls are not a listed use in Chapter 155. Currently, staff considers banquet halls to be the same as restaurants, which are permitted uses in all the business districts. However, staff has found that banquet hall operations can differ from that of a typical restaurant in terms of number of patrons served, the length of time patrons stay at the banquet hall, limited patron turnover throughout the night, and travel patterns (banquet hall patrons tend to arrive in larger groups/fewer vehicles compared to restaurant patrons). The parking standards in Section 155.602 already reflect these differences, with separate parking standards for restaurants and banquet halls.

In recognition of the differences between restaurants and banquet halls, staff proposes to add banquet halls as a separate use to Chapter 155. The proposed amendments would make banquet halls permitted uses in the B3, B4, B4A, B5 and B5A Districts.

4. *Tattoo studios – permitted use*

Tattoo studios are currently conditional uses in B3, B4, and B4A. Tattoo studios were added to the Village Code in 2014. Since then, the Village has approved three conditional use requests for tattoo studios in commercial strip centers. None of these requests elicited significant public comment or concerns from staff.

Staff notes that a tattoo studio is similar in nature to other personal care service businesses, with limited impacts on adjacent properties and businesses, and standard business operations. At the Plan Commissioners workshop in June 2022, the Plan Commission agreed with the assessment, and suggested that tattoo studios be permitted in all zoning districts that permit personal care services. Accordingly, the proposed text amendment includes tattoo studios in the personal care services category, making tattoo studios permitted in the seven business districts and the Office District.

5. *Banks and financial institutions – permitted use in the B4A and Office Districts*

Banks and financial institutions are conditional uses in the B4A and Office Districts. They are permitted uses in all the other B Districts. Staff recommends making them permitted in the B4A and O Districts for purposes of consistency. Drive-throughs associated with banks will remain conditional uses.

6. *Animal hospitals, animal kennels, animal day cares, and animal training*

The Code currently differentiates between different types of animal-related uses, with each use a conditional use in some of the business districts. Currently, not all animal-related uses are conditional uses in all the business districts, but most of the business districts allow at least one type of animal-related use as a conditional use.

Staff finds there is significant overlap in the types of services provided by animal hospitals, animal kennels, animal day care businesses, and animal training businesses. All have similar concerns related to traffic circulation (drop-off/pick-up), noise, and management of animals. For clarity purposes, staff recommends making the following use conditional in the B2, B3, B4, B5, B5A and I Districts:

Animal hospitals, animal kennels, animal day care, and animal training.

7. *Laboratories*

Staff seeks to provide clarity on the types of laboratory uses permitted in the Business, Office and Industrial Districts. Currently, laboratories are listed as follows:

- *Medical and dental laboratories* are conditional uses in B3.
- *Laboratories; medical, dental, research, and testing* are permitted uses in B4 and I.

Staff has received inquiries in recent months about labs processing medical test samples locating in the higher intensity B Districts, or in the Office District. Currently, laboratories are not allowed in any form in B4A or the Office District. Staff recognizes that small laboratories processing medical test results are compatible with other uses in the higher intensity commercial districts. Further, medical offices, which are located in these districts, often include a small laboratory component as part of their overall business operations. Therefore, staff finds it reasonable to allow for medical labs and other similar service-based labs to locate in these districts as a permitted use.

Staff recognizes that larger research laboratories and testing facilities have different impacts and space requirements than many medical and dental labs. Staff suggests that larger testing and research laboratories remain confined to the Industrial District.

Proposed uses:

- *Laboratories, medical, dental, and support*
Permitted use in the O, B3, B4, B4A, B5, B5A and I Districts

- *Laboratories, research and testing*
Permitted use in the Industrial District

The proposed text amendments include new definitions for the two types of laboratories. These are discussed below.

8. *Parking Lots*

Chapter 155 contains the following two uses: parking lots, open, as the principal use on the property; and parking garages and structures, as the principal use of the property.

Currently both types of parking uses are conditional uses in the B1, B3, and B4A Districts. They are permitted uses in the B2 and B4 Districts. The proposed amendments makes them conditional uses in the B2 and B4 Districts for purposes of consistency.

9. *Clubs and lodges*

Currently, Chapter 155 differentiates between clubs and lodges that are nonprofit/fraternal, and those that are private. In some zoning districts, permitted or conditional status of the use is based on the ownership or organizational nature of the club. Staff believes that the planning and zoning issues for these clubs are similar regardless of the ownership. Therefore, staff is proposing to amend Chapter 155 so that “clubs and lodges, private, nonprofit, and fraternal” will be conditional uses in O, B2, B4, B4A, and I, and permitted in B5 and B5A.

10. *Uses deleted*

Staff has identified the following uses to be deleted from the Village Code:

- *Boat showroom and sales*
Included in motor vehicle sales

- *Electrical showrooms and shops*
Included in home improvement stores

- *Mail order houses*
Currently a permitted use in the I District, but can be included in the warehousing category, which is also permitted in the I District.

- *Plumbing showrooms and shops*
Included in home improvement stores

- *Paint, glass and wallpaper stores*
Included in home improvement stores
- *Recreational vehicle sales and trailer sales*
Included in motor vehicle sales
- *Silk screening*
Included in either general retail or manufacturing, depending on scale of operation
- *Travel bureaus and transportation ticket offices*
Included in general office uses
- *Shopping centers, consisting of more than one principal business on a zoning lot*
Currently a conditional use in B4A. To be deleted, as this would require any single-tenant building that split into multiple tenant spaces to request a conditional use. Similarly, a shopping center that consolidated multiple small tenant spaces into a larger space may need to request a conditional use if the new tenant in the larger space was deemed a “principal business.” Staff does not think either scenario warrants a request for additional zoning entitlements in the absence of wholesale redevelopment.

11. Amended definitions

Staff proposes the following definitions to Section 155.802.

- Definitions for “amusement devices” will be updated to clarify that amusement devices do not include video gaming terminals, which are regulated in Chapter 112 rather than Chapter 155.

Amusement devices shall mean any machine or device which, upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally by manipulating special equipment whereby a score is established, the object of which is to secure a special number or numbers or a total score, whether a prize is offered or not. For the purpose of this Chapter, restaurants with amusement devices shall be restaurants serving family units with more than eight amusement devices, but not more than 65 devices. **For the purpose of this Chapter, amusement devices do not include video gaming terminals, as defined and regulated in Chapter 112.**

- The following definitions for laboratories will be deleted and added.

~~*Laboratory* is a place devoted to experimental study such as testing and analyzing. Manufacturing of produce or products is not to be permitted within this definition.~~

Laboratories: medical, dental, and support are facilities used for the routine study or scientific analysis of medical resources, natural resources, and manufactured

materials. Such laboratories typically serve the needs of an outside customer, to support the work of that customer. Examples include medical and veterinary laboratories for the analysis of blood, tissue, and other human or animal medical products; dental laboratories for the creation of crowns, bridges, and other dental appliances; and environmental laboratories for the analysis of air, water, and soil.

Laboratories: research and testing are facilities used for scientific research, investigation, testing, or experimentation. Examples include laboratories engaged in research in the fields of biotechnology, pharmaceuticals, genetics, plastics, polymers, fibers, fabrics, and heat transfer. Research and testing laboratories do not include facilities for the manufacture of products for sale.

EXISTING & PROPOSED REGULATIONS

The proposed text amendments are attached to this report. Additions are denoted by **bold and underline**. Deletions are denoted by a ~~strikethrough~~.

STANDARDS FOR TEXT AMENDMENTS

For any change to the Village Code, the standards for text amendments must be affirmed. The standards are noted below:

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 text amendments are applicable 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 proposed text amendments are consistent with the objectives of the Village Code.
3. *The degree to which the proposed amendment would create nonconformity;*
Staff does not believe any nonconformity would be created as a result of the proposed amendments.
4. *The degree to which the proposed amendment would make this ordinance more permissive;*
In limited circumstances, the proposed amendments will make some uses that are presently conditional uses permitted uses. However, the amendments as a whole will not make Chapter 155 more permissive.
5. *The consistency of the proposed amendment with the Comprehensive Plan; and*
Staff finds that the proposed amendments would be consistent 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.*
The Village has a history of amending the Village Code to address changing circumstances or to provide clarity. The proposed amendments are consistent with established Village policy in this regard.

FINDINGS & RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Village Code. 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 22-23.

Inter-Departmental Review Committee Report approved by:

William J. Heniff, AICP
Director of Community Development

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ORDINANCE _____

**AN ORDINANCE APPROVING TEXT AMENDMENTS
TO THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155
OF THE LOMBARD VILLAGE CODE, AS IT PERTAINS TO PERMITTED AND
CONDITIONAL USES**

PC 22-23: Text Amendments to the Zoning Ordinance – Chapter 155 of Village Code

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Lombard Village 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 September 26, 2022, 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 the following sections of Title 15, Chapter 155 of the Lombard Village Code shall be amended to read in their entirety as provided in Exhibit A: Section 155.412 – O Office District requirements; Section 155.413 – B1 Limited Neighborhood Shopping District requirements; Section 155.414 – B2 General Neighborhood Shopping District requirements; Section 155.415 – B3 Community Shopping District requirements; Section 155.416 – B4 Corridor Commercial District requirements; Section 155.417 – Roosevelt Road Corridor B4A District requirements; Section 155.418 – B5 General Business District requirements; Section 155.419 – B5A Downtown Perimeter District requirements; and Section 155.420 – I Limited Industrial District requirements.

SECTION 2: That Title 15, Chapter 155, Section 155.802 shall be amended in part as follows:

Amusement devices shall mean any machine or device which, upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally by manipulating special equipment whereby a score is established, the object of which is to secure a special number or numbers or a total score, whether a prize is offered or not. For the purpose of this Chapter, restaurants with amusement devices shall be restaurants serving family units with more than eight amusement devices, but not more than 65 devices. **For the purpose of this Chapter, amusement devices do not include video gaming terminals, as defined and regulated in Chapter 112.**

~~*Laboratory* is a place devoted to experimental study such as testing and analyzing. Manufacturing of produce or products is not to be permitted within this definition.~~

Laboratories: medical, dental, and support are facilities used for the routine study or scientific analysis of medical resources, natural resources, and manufactured materials. Such laboratories typically serve the needs of an outside customer, to support the work of that customer. Examples include medical and veterinary laboratories for the analysis of blood, tissue, and other human or animal medical products; dental laboratories for the creation of crowns, bridges, and other dental appliances; and environmental laboratories for the analysis of air, water, and soil.

Laboratories: research and testing are facilities used for scientific research, investigation, testing, or experimentation. Examples include laboratories engaged in research in the fields of biotechnology, pharmaceuticals, genetics, plastics, polymers, fibers, fabrics, and heat transfer. Research and testing laboratories do not include facilities for the manufacture of products for sale.

SECTION 3: 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 _____, 2022.

First reading waived by action of the Board of Trustees this ____ day of _____, 2022.

Passed on second reading this ____ day of _____, 2022.

Ayes: _____

Ordinance No. _____
Re: PC 22-23
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Nays: _____

Absent: _____

Approved this _____ day of _____, 2022.

Keith T. Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this _____ day of _____, 2022.

Elizabeth Brezinski, Village Clerk

Ordinance No. _____
Re: PC 22-23
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EXHIBIT A

ARTICLE VII. OFFICE AND BUSINESS DISTRICTS

§ 155.412 O Office District requirements.

- (A) *Purpose statement.* The O Office District is designed primarily to accommodate office buildings, civic and governmental structures, and educational and institutional buildings in a mutually compatible environment.

Because this district is intended to both function as an aesthetic showcase for Lombard and attract the general public in large numbers, such properties have been designated "areas of critical concern". All development proposed within this district shall be subject to site plan review and approval, as specified by subsection 155.103(I) of this Chapter.

- (B) *Permitted uses.* The following uses shall be permitted in the O Office District:

- (1) Banks and financial institutions
- (2) Cultural facilities/institutions.
- (3) Laboratories: medical, dental, and support.
- (4) Offices, including business, professional, non-profit, and governmental.
- (5) Outpatient medical and dental offices and clinics.
- (6) Personal care services, including hair salons, nail salons, spas, tanning studios, tattoo studios, med spas, and other similar uses. For purposes of this ordinance, personal care services do not include massage establishments.
- (7) Religious institutions.
- (8) Cannabis dispensing facility operated in strict compliance with State law applicable thereto.
- (9) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with § 155.210 of this Chapter.

- (C) *Conditional uses.* Subject to the provisions of subsection 155.103(F) of this Chapter, the following conditional uses may be allowed:

- (1) Banks and financial institutions.
- (2) Clubs and lodges, private, nonprofit, and fraternal.
- (3) Colleges or universities (non-boarding).
- (4) Convalescent and nursing homes, including extended medical care facilities.
- (5) Day care centers.
- (6) Funeral homes.
- (7) Hospitals.
- (8) Hotels and motels.
- (9) Off-site parking, in conformance with subsection 155.602(A)(3)(b) of this Chapter.
- (10) Outside service areas for other permitted or conditional uses in this district.
- (11) Parking and structures, as the principal use of the property.

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- (12) Parking lots, open, as the principal use of the property.
 - (13) Planned developments in conformance with § 155.500 of this Chapter.
 - (14) Public recreational and social facilities, as defined in the R1 District.
 - (15) Public utility and municipal service uses.
 - (16) Restaurants including entertainment, dancing, and/or amusement devices when conducted as part of the restaurant operations and secondary to the principal use.
 - (17) Restaurants, no including entertainment, dancing, and/or amusement devices.
 - (18) Schools, private, full-time: Elementary, middle, and high.
 - (19) Schools, public, full-time: Elementary, middle, and high.
 - (20) Trade schools.
 - (21) Catering.
 - (22) Conference Facility.
 - (23) Accessory uses and buildings, incidental to and on the same zoning lot as the principal use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (D) *Minimum lot area.* All uses permitted within this district shall have a minimum lot area of 15,000 square feet.
 - (E) *Minimum lot width.* All uses permitted within this district shall have a minimum lot width of 100 feet.
 - (F) *Minimum building setbacks.* All principal buildings and structures shall have minimum setback from property lines in conformance with the following:
 - (1) Front yards—30 feet.
 - (2) Corner side yards—20 feet.
 - (3) Interior side yards—Ten feet.
 - (4) Rear yards—25 feet.
 - (G) *Maximum building height.* The height of any building in this district shall not exceed four stories or 45 feet, whichever is less.
 - (H) *Maximum floor area ratio.* The floor area ratio (FAR) of uses within this district shall not exceed 0.35 FAR.
 - (I) *Minimum open space.* The minimum open space required for each use shall not be less than 35 percent of the lot area.
 - (J) *Transitional building setbacks.* Wherever a rear yard of interior side yard lot in the O Office District abuts a lot in the CR or a residence district, all principal and accessory buildings and structures shall be set back from the abutting lot line a distance of 50 feet.
 - (K) *Transitional landscape yards.* Wherever a rear yard or interior side yard lot in the O Office District abuts a lot in the CR or a residence district, a transitional landscape yard 30 feet in width shall be provided along the abutting lot line and improved in accordance with the provisions of § 155.707 of this Chapter.
 - (L) *Signs.* Signs shall be allowed in the O Office District in accordance with the regulations established in the Village of Lombard Sign Ordinance.
 - (M) *Off-street parking and loading.* Off-street parking and loading facilities, accessory to uses allowed in the O Office District, shall be provided in accordance with the regulations established in § 155.600 of this Chapter.
 - (N) *Landscaping.* All uses in the O Office District shall conform to the provisions in § 155.700 of this Chapter.
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(O) *Rooftop mechanicals.* All rooftop mechanical equipment shall be screened in accordance with the regulations established in § 155.221 of this Chapter.

(Ord. 6643, passed 9-1-11; Ord. 6896, passed 11-21-13; Ord. No. 7629, § 1, passed 2-21-19; Ord. No. 7728, §§ 1, 2, passed 10-3-19; Ord. No 8015, § 10, passed 12-16-21; Ord. No. 8055, § 1, passed 5-5-22)

§ 155.413 B1 Limited Neighborhood Shopping District requirements.

(A) *Purpose statement.* The Limited Neighborhood Shopping District is intended to provide convenience shopping for persons residing in adjacent residential areas, and to permit only such uses as are necessary to satisfy those basic shopping needs which occur daily or frequently and so require shopping facilities in relative proximity to places of residence.

Because of the close proximity of commercial uses in the B1 District to sensitive residential uses in adjacent districts, and the need to protect such residential uses from potential impacts, areas in the B1 District shall be considered "areas of critical concern". Therefore, all development proposed within this district shall be subject to site plan review and approval, as specified by subsection 155.103(I) of this Chapter.

(B) *Permitted uses.* The following uses shall be permitted in the B1 District:

- (1) Bakeries, retail only.
- (2) Banks and financial institutions.
- (3) Candy and ice cream stores.
- (4) Dry cleaning establishments for the cleaning and pressing of dry goods, as follows:
 - (a) Receiving stations, processing to be done elsewhere.
 - (b) Dry cleaning establishments, including processing, provided that all of the following requirements are met:
 - (i) That the dry cleaning use shall be a service retail use and shall not consist of the processing of garments from other dry cleaning establishments.
 - (ii) That the total basket capacity of all units on the premises, as established by the manufacturer of the respective dry cleaning machine, shall not exceed 200 pounds.
 - (iii) That no more than one dry cleaning machine is permitted.
 - (iv) That the dry cleaning process shall only use solvents approved by the Fire Department.
 - (v) That all activities associated with the dry cleaning establishment shall be operated per the Illinois Environmental Protection Agency regulations.
- (5) Dwelling units, located above the first floor, provided: at least 50 percent 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 subsections 155.413(B)(40), 155.413(C)(2), and 155.413(C)(8).
- (6) Florists.
- (7) Food stores, grocery stores, meat markets and delicatessens.
- (8) General retail uses serving the needs of the neighborhood, including art and school supply stores, book and stationary stores, clothing stores, computer and software sales, drug stores, gift shops, hardware stores, office supply stores, shoe stores, sporting goods stores, toy shops, variety shops, and other similar uses. Retail uses are those that provide goods or products to the end user.
- (9) Launderettes, automatic, self-service only or hand laundries.

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- (10) Learning centers, with no outdoor component.
 - (11) Offices including business, professional, non-profit, and governmental.
 - (12) Outdoor dining, as an accessory use to a restaurant or grocery store, subject to Chapter 119 of the Lombard Village Code.
 - (13) Outpatient medical and dental offices and clinics.
 - (14) Personal care services, including hair salons, nail salons, spas, tanning studios, tattoo studios, med spas, and other similar uses. For purposes of this ordinance, personal care services do not include massage establishments.
 - (15) Pet grooming services (not including animal hospitals or overnight visits).
 - (16) Post office and parcel packing and shipping establishments.
 - (17) Repair, rental or servicing of any Article, the sale of which is a permitted use in the district.
 - (18) Restaurants, not including entertainment, dancing, and/or amusement devices.
 - (19) Sign printers.
 - (20) Tailor shops and custom dressmakers.
 - (21) Catering.
 - (22) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (C) *Conditional uses.* Subject to the provisions of subsection 155.103(F) of this Chapter, the following conditional uses may be allowed:
- (1) Cultural facilities/institutions.
 - (2) Day care centers.
 - (3) Learning centers, with an outdoor component.
 - (4) Liquor stores, packaged goods only.
 - (5) Outside service areas for other permitted or conditional uses in this district.
 - (6) Parking lots, open, the principal use of the property.
 - (7) Planned developments in conformance with § 155.500 of this Chapter.
 - (8) Public utility and governmental service uses.
 - (9) Religious institutions.
 - (10) Taverns and cocktail lounges.
 - (11) Cannabis dispensing facility operated in strict compliance with State law applicable thereto.
 - (12) Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (D) *Minimum lot area.* All uses located within this district shall have a minimum lot area of 7,500 square feet, or 2,400 square feet of lot area per dwelling unit, whichever is greater.
- (E) *Minimum lot width.* All uses located within this district shall have a minimum lot width of 60 feet.
- (F) *Minimum building setbacks.* All principal buildings and structures shall have minimum setbacks from property lines in conformance with the following:
- (1) Front yards—30 feet.
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- (2) Corner side yards—30 feet.
 - (3) Interior side yards—10 feet.
 - (4) Rear yards—20 feet.
- (G) *Maximum building height.* The height of any building in this district shall not exceed two stories or 30 feet, whichever is less.
- (H) *Minimum open space.* The minimum open space required for each use shall not be less than ten percent of the lot area.
- (I) *Transitional building setbacks.* Wherever a rear yard or interior side yard lot in the B1 District abuts a lot in the CR or a residence district, all principal and accessory buildings and structures shall be set back from the abutting lot line a distance of 20 feet.
- (J) *Transitional landscape yards.* Wherever a rear yard or interior side yard lot in the B1 District abuts a lot in the CR or a residence district, a transitional landscape yard 10 feet in width shall be provided along the abutting lot line and improved in accordance with the provisions of § 155.707 of this Chapter.
- (K) *Restrictions on business uses.* The operation and design of business uses shall conform to the following restrictions:
- (1) No business uses shall be permitted on the same floor of a building with dwelling units. All dwelling units shall be located above the first floor.
 - (2) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
 - (3) Business establishments are restricted to a maximum gross floor area of 8,000 square feet or area devoted to off-street parking or loading facilities.
 - (4) All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings.
 - (5) Establishments of the "drive-through/drive-in" type offering goods or services directly to customers waiting in parked motor vehicles are not permitted.
- (L) *Signs.* Signs shall be allowed in the B1 District in accordance with the regulations established in the Village of Lombard Sign Ordinance.
- (M) *Off-street parking and loading.* Off-street parking and loading facilities, accessory to uses allowed in the B1 District, shall be provided in accordance with the regulations established in § 155.600 of this Chapter.
- (N) *Landscaping.* All uses in the B1 District shall conform to the provisions of § 155.700 of this Chapter.
- (O) *Rooftop mechanicals.* All rooftop mechanical equipment shall be screened in accordance with the regulations established in § 155.221 of this Chapter.
- (Ord. 6022, passed 5-3-07; Ord. 6597, passed 4-7-11; Ord. 6643, passed 9-1-11; Ord. No. 7629, § 1, passed 2-21-19; Ord. No. 7728, § 3, passed 10-3-19; Ord. No. 7792, §§ 1, 2, passed 3-5-20; Ord. No. 8015, § 4, passed 12-16-21)

§ 155.414 B2 General Neighborhood Shopping District requirements.

- (A) *Purpose statement.* The B2 General Neighborhood Shopping District is intended to provide convenience shopping to adjacent residential areas, but allows for a wider range of uses than permitted in the B1 District.

Because of the proximity of commercial uses in the B2 District to sensitive residential uses in adjacent districts, and the need to protect such residential uses from potential adverse impacts, properties in the B2 District

shall be considered "areas of critical concern". Therefore, all development proposed within this district shall be subject to site plan review and approval, as specified by subsection 155.103(l) of this Chapter.

(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) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (3) Health services and weight reduction services.
- (4) Home improvement stores and showrooms.
- (5) Liquor stores, packaged goods only.
- (6) Locksmith shops.
- (7) Motor vehicle accessory stores.
- (8) Pet shops.
- (9) Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises.
- (10) Printing and duplicating services.
- (11) Secondhand stores and rummage shops.
- (12) Watchman's quarters.
- (13) Catering.

(C) *Conditional uses.* Subject to the provisions of subsection 155.103(F) of this Chapter, the following conditional uses may be allowed:

- (1) Amusement establishments, indoor only including: bowling alleys, pool halls, skating rinks and swimming pools.
- (2) Animal hospitals, animal kennels, animal day care, and animal training.
- (3) Club and lodges, private, nonprofit, and fraternal.
- (4) Cultural facilities/institutions.
- (5) Day care centers.
- (6) Drive-in and drive-through establishments/services.
- (7) Dwelling Units, located above the first floor, where all the requirements of subsection 155.413(B)(17) of this Code are not met.
- (8) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment.
- (9) Greenhouses and nurseries.
- (10) Gymnasiums.
- (11) Funeral homes.
- (12) Furniture stores and interior decorating shops, including upholstery when conducted as part of the retail operations and secondary to the principal use
- (13) Furniture upholstery, as the principal use of the property.
- (14) Learning centers, with outdoor component.

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- (15) Motor vehicle repair.
 - (16) Motor vehicle sales.
 - (17) Motor vehicle service.
 - (18) Outside display and sales of products the sale of which is a permitted or conditional use in this district.
 - (19) Outside service areas for other permitted or conditional uses in this district.
 - (20) Parking lots, open, as the principal use of the property.
 - (21) Parking garages and structures, as the principal use of the property.
 - (22) Planned developments in conformance with § 155.500 of this Chapter.
 - (23) Public utility and governmental service uses.
 - (24) Religious institutions.
 - (25) Taverns and cocktail lounges.
 - (26) Theaters, indoor.
 - (27) Craft alcohol production facility.
 - (28) Cannabis dispensing facility operated in strict compliance with State law applicable thereto.
 - (29) Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (D) *Minimum lot area.* All uses located within this district shall have a minimum lot area of 7,500 square feet, or 2,400 square feet of lot area per dwelling unit, whichever is greater.
- (E) *Minimum lot width.* All uses located within this district shall have a minimum lot width of 60 feet.
- (F) *Minimum building setbacks.* All principal buildings and structures shall have minimum setbacks from property lines in conformance with the following:
- (1) Front yards—30 feet.
 - (2) Corner side yards—30 feet.
 - (3) Interior side yards—Ten feet.
 - (4) Rear yards—20 feet.
- (G) *Maximum building height.* The height of any building in this district shall not exceed two stories or 30 feet, whichever is less.
- (H) *Minimum open space.* The minimum open space required for each use shall not be less than ten percent of the lot area.
- (I) *Transitional building setbacks.* Wherever a rear yard or interior side yard lot in the B2 District abuts a lot in the CR or a residence district, all principal and accessory buildings, and structures shall be set back from the abutting lot line a distance of 20 feet.
- (J) *Transitional landscape yards.* Wherever a rear yard or interior side yard lot in the B2 District abuts a lot in the CR or a residence district, a transitional landscape yard ten feet in width shall be provided along the abutting lot line and improved in accordance with the provisions of § 155.707 of this Chapter.
- (K) *Restrictions on business uses.* The operation and design of business uses shall conform to the following restrictions:
- (1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
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- (2) All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to Section 155.103(F) of this Chapter.
 - (L) *Signs.* Signs shall be allowed in the B2 District in accordance with the regulations established in the Village of Lombard Sign Ordinance.
 - (M) *Off-street parking and loading.* Off-street parking and loading facilities, accessory to uses allowed in the B2 District, shall be provided in accordance with the regulations established in § 155.600 of this Chapter.
 - (N) *Landscaping.* All uses in the B2 District shall conform to the provisions in § 155.700 of this Chapter.
 - (O) *Rooftop mechanicals.* All rooftop mechanical equipment shall be screened in accordance with the regulations established in § 155.221 of this Chapter.
- (Ord. 6643, passed 9-1-11; Ord. 6880, passed 10-17-13; Ord. No. 7629, § 1, passed 2-21-19; Ord. No. 7642, § 2, passed 4-4-19; Ord. No. 7728, § 4, passed 10-3-19; Ord. No. 7792, § 3, passed 3-5-20; Ord. No. 8015, § 5, passed 12-16-21)

§ 155.415 B3 Community Shopping District requirements.

- (A) *Purpose statement.* The B3 Community Shopping District is designed to provide for the needs of a much larger consumer population than is served by the B1 or B2 Districts; thus a wider range of uses and structure sizes is permitted for both daily and occasional shopping. This district is generally located astride regional and major arterial roadways.

Because the regional and major arterial corridors within the Village of Lombard have been identified as "areas of critical concern" due to heavy traffic movement, and because these corridors traditionally and functionally attract land use of intense character, all development proposed within this district shall be subject to the site plan review provisions specified by subsection 155.103(l) of this Chapter.

- (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 B-3 District:
 - (1) Motor vehicle accessory stores.
 - (2) Banquet halls.
 - (3) Department stores.
 - (4) Furniture stores and interior decorating shops, including upholstery when conducted as part of the retail operations and secondary to the principal use.
 - (5) Gymnasiums.
 - (6) Health services, and weight reduction services.
 - (7) Home improvement stores and showrooms.
 - (8) Laboratories: medical, dental, and support.
 - (9) Liquor stores, packaged goods.
 - (10) Locksmith shops.
 - (11) Pet shops.
 - (12) Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises.

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- (13) Printing and duplicating services.
 - (14) Secondhand stores and rummage shops.
 - (15) Tailor shops.
 - (16) Theater, indoor.
 - (17) Tobacco shops.
 - (18) Collection Boxes, an accessory use on the property.
 - (19) Catering.
 - (20) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with § 155.210.
- (C) *Conditional uses.* Subject to the provisions of subsection 155.103(F) of this Chapter, 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 indoor only, including bowling alleys, pool halls, swimming pools and skating rinks.
 - (2) Animal hospitals, animal kennels, animal day care, and animal training.
 - (3) Bus station.
 - (4) Day care centers.
 - (5) Drive-through and drive-in establishments/services.
 - (6) Funeral homes.
 - (7) Furniture upholstery, as the principal use of the property.
 - (8) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment).
 - (9) Hotel and convention halls.
 - (10) Hotels and motels.
 - (11) Learning centers, with outdoor component.
 - (12) Meeting hall.
 - (13) Motor vehicle repair.
 - (14) Motor vehicle sales.
 - (15) Motor vehicle service.
 - (16) Off-site parking, in conformance with subsection 155.602(A)(3)(b) of this Chapter.
 - (17) Outside display and sales of products the sale of which is a permitted or conditional use in this district.
 - (18) Outside service areas for other permitted or conditional uses in this district.
 - (19) Parking lots, open, as the principal use of the property.
 - (20) Parking garages or structures, as the principal use of the property.
 - (21) Massage establishments (as defined and regulated by Title 11, Chapter 122 of the Code of Ordinances).
 - (22) Psychics, ESP readers, and fortune tellers.
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- (23) Public recreational and social facilities, as defined in the R1 District.
 - (24) Public utility and governmental service uses.
 - (25) Religious institutions.
 - (26) Restaurants including entertainment, dancing, and/or amusement devices when conducted as part of the restaurant operations and secondary to the principal use.
 - (27) Taverns and cocktail lounge.
 - (28) Cannabis dispensing facility operated in strict compliance with State law applicable thereto.
 - (29) Golf Driving Range and ancillary retail uses.
 - (30) Conference Facility
 - (31) Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.
 - (32) Dwelling Units, located above the first floor, where all the requirements of subsection 155.413(B)(17) of this Code are not met.
- (D) *Minimum lot area.* All uses located within this district shall have a minimum lot area of 20,000 square feet.
 - (E) *Minimum lot width.* All uses located within this district shall have a minimum lot width of 100 feet.
 - (F) *Minimum building setbacks.* All principal buildings and structures shall have minimum setbacks from property lines in conformance with the following:
 - (1) Front yards—30 feet.
 - (2) Corner side yards—30 feet.
 - (3) Interior side yards—Ten feet.
 - (4) Rear yards—30 feet.
 - (G) *Maximum building height.* The height of any building in this district shall not exceed two stories or 30 feet, whichever is less.
 - (H) *Minimum open space.* The minimum open space required for each use shall not be less than ten percent of the lot area.
 - (I) *Restrictions on business uses.* The operation and design of business uses shall conform to the following restrictions:
 - (1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
 - (2) All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to Section 155.103(F) of this Chapter.
 - (J) *Transitional building setbacks.* Wherever a rear yard or interior side yard lot in the B3 District abuts a lot in the CR or a residence district, all principal and accessory buildings and structures shall be set back from the abutting lot line a distance of 40 feet.
 - (K) *Transitional landscape yards.* Wherever a rear yard or interior side yard lot in the B3 District abuts a lot line in the CR or a residence district, a transitional landscape yard 30 feet in width shall be provided along the abutting lot line and improved in accordance with the provisions of § 155.707 of this Chapter.
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- (L) *Signs.* Signs shall be allowed in the B3 District in accordance with the regulations established in the Village of Lombard Sign Ordinance.
 - (M) *Off-street parking and loading.* Off-street parking and loading facilities, accessory to uses allowed in the B3 District, shall be provided in accordance with the regulations established in § 155.600 of this Chapter.
 - (N) *Landscaping.* All uses in the B3 District shall conform to the provisions of § 155.700 of this Chapter.
 - (O) *Rooftop mechanicals.* All rooftop mechanical equipment shall be screened in accordance with the regulations established in § 155.221 of this Chapter.

(Ord. 6643, passed 9-1-11; Ord. No. 6976, §§ 1A, 1B, passed 8-21-14; Ord. No. 7570, § 1, passed 9-6-18; Ord. No. 7629, § 1, passed 2-21-19; Ord. No. 7728, § 5, passed 10-3-19; Ord. No. 7792, § 4, passed 3-5-20; Ord. No. 7905, § 1, passed 1-21-21; Ord. No. 7925, §§ 1, 2, passed 3-4-21; Ord. No. 8015, §§ 1, 6, passed 12-16-21; Ord. No. 8055, § 2, passed 5-5-22)

§ 155.416 B4 Corridor Commercial District requirements.

- (A) *Purpose statement.* The B4 Corridor Commercial District is intended to accommodate those motorist-oriented commercial activities which may be incompatible with the uses encouraged in other business districts; and whose service area is not confined to any one neighborhood or community. This district is located within major commercial corridors.

Because the regional arterial corridors within Lombard have been identified as "areas of critical concern" due to heavy traffic movement, and because these corridors traditionally and functionally attract land use of intense character, all development within this district shall, therefore, be subject to the site plan review provisions specified by subsection 155.103(I) of this Chapter.

- (B) *Permitted uses.* Any use permitted in the B3 District shall be permitted in the B4 District, and, in addition, the following uses shall be permitted in the B4 District:
 - (1) Amusement establishments, indoor only, including: Bowling alleys, pool halls, swimming pools, and skating rinks.
 - (2) Funeral homes.
 - (3) Furniture upholstery, repair, and reconditioning.
 - (4) Greenhouses and nurseries.
 - (5) Hotels and motels.
 - (6) Pawn shops.
 - (7) Collection Boxes, as an accessory use on the property.
 - (8) Catering.
 - (9) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (C) *Conditional uses.* Subject to the provisions of subsection 155.103(F) of this Chapter, the following conditional uses may be allowed:
 - (1) Amusement establishments, outdoor, including: Archery ranges, shooting galleries (with no retail sales of associated product), and other similar outdoor amusement facilities.
 - (2) Amusement parks, including: Permanent carnivals, kiddie parks, golf driving ranges, pitch and putt, miniature golf courses, and other similar outdoor amusement facilities.

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- (3) Animal hospitals, animal kennels, animal day care, and animal training.
 - (4) Building material and products sales and storage.
 - (5) Clubs and lodges, private, nonprofit, and fraternal.
 - (6) Contractor construction offices, shops, and yards.
 - (7) Day care center.
 - (8) Drive-through and drive-in establishments/services.
 - (9) Dwelling Units, located above the first floor, where all the requirements of subsection 155.413(B)(17) of this Code are not met.
 - (10) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment.
 - (11) Learning Centers, with outdoor component.
 - (12) Machinery sales.
 - (13) Model homes and garage displays.
 - (14) Motor vehicle repair.
 - (15) Motor vehicle sales.
 - (16) Motor vehicle service.
 - (17) Off-site parking, in conformance with subsection 155.602(A)(3)(b) of this Chapter.
 - (18) Outside display and sales of products the sale of which is a permitted or conditional use in this district.
 - (19) Outside service areas for other permitted or conditional uses in this district.
 - (20) Parking garages and structures, as the principal use of the property.
 - (21) Parking lots, open, as the principal use of the property.
 - (22) Photographic processing business.
 - (23) Massage establishments (as defined and regulated by Title 11, Chapter 122 of the Code of Ordinances).
 - (24) Planned developments in conformance with § 155.500 of this Chapter.
 - (25) Psychics, ESP readers, and fortune tellers.
 - (26) Public utility and governmental service uses.
 - (27) Religious institutions.
 - (28) Restaurants, which include entertainment, dancing, and/or amusement devices when conducted as part of the restaurant operations and secondary to the principal use.
 - (29) Stadiums, auditoriums, and arenas—Open or enclosed.
 - (30) Storage centers, provided that the use fronts along an arterial roadway with an average daily trip volume (ADTV) of less than 25,000.
 - (31) Theaters, drive-in.
 - (32) Trailer and camper trailer sales and rental for use with private passenger motor vehicles.
 - (33) Four-story buildings and buildings which are 40 feet to 45 feet in height.
 - (34) Cannabis dispensing facility operated in strict compliance with State law applicable thereto.
 - (35) Conference Facility.

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- (36) Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (D) *Minimum lot area.* All uses located within this district shall have a minimum lot area of 40,000 square feet.
- (E) *Minimum lot width.* All uses located within this district shall have a minimum lot width of 150 feet.
- (F) *Minimum building setbacks.* All principal buildings and structures shall have minimum setbacks from property lines in conformance with the following:
- (1) Front yards—30 feet.
 - (2) Corner side yards—30 feet.
 - (3) Interior side yards—Ten feet.
 - (4) Rear yards—30 feet.
- (G) *Maximum building height.* The height of any building in this district shall not exceed three stories or 40 feet, whichever is less; except that buildings may be allowed to be four stories or 45 feet, whichever is less, as a conditional use.
- (H) *Minimum open space.* The minimum open space required for each use shall not be less than ten percent of the lot area.
- (I) *Transitional building setbacks.* Wherever a rear yard or interior side yard lot in the B4 District abuts a lot in the CR or a residence district, all principal and accessory buildings and structures shall be set back from the abutting lot line a distance of 40 feet.
- (J) *Transitional landscape yards.* Wherever a rear yard or interior side yard lot in the B4 District abuts a lot in the CR or a residence district, a transitional landscape yard 30 feet in width shall be provided along the abutting lot line and improved in accordance with the provisions of § 155.707 of this Chapter.
- (K) *Restrictions on business uses.* The operation and design of business uses shall conform to the following restrictions:
- (1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
 - (2) All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to Section 155.103(F) of this Chapter.
- (L) *Signs.* Signs shall be allowed in the B4 District in accordance with the regulations established in the Village of Lombard Sign Ordinance.
- (M) *Off-street parking and loading.* Off-street parking and loading facilities, accessory to uses allowed in the B4 District, shall be provided in accordance with the regulations established in § 155.600 of this Chapter.
- (N) *Landscaping.* All uses in the B4 District shall conform to the provisions of § 155.700 of this Chapter.
- (O) *Rooftop mechanicals.* All rooftop mechanical equipment shall be screened in accordance with the regulations established in § 155.221 of this Chapter.

(Ord. 6643, passed 9-1-11; Ord. No. 6976, §§ 2A, 2B, passed 8-21-14; Ord. No. 7570, § 1, passed 9-6-18; Ord. No. 7629, § 1, passed 2-21-19; Ord. No. 7728, § 6, passed 10-3-19; Ord. No. 7792, § 5, passed 3-5-20; Ord. No. 7925, §§ 3, 4, passed 3-4-21; Ord. No. 8015, § 7, passed 12-16-21; Ord. No. 8055, § 3, passed 5-5-22)

§ 155.417 Roosevelt Road Corridor B4A District requirements.

- (A) *Purpose.* The following regulations are hereby established to promote the health, safety, general welfare and the orderly growth and/or redevelopment of properties within the Roosevelt Road corridor; to achieve the goals and objectives of the Lombard Comprehensive Plan and any special planning efforts undertaken by the village. This B4A District is intended to provide for specific uses in a planned retail commercial setting that is compatible and complimentary with adjacent uses, including nearby residential neighborhoods that will promote a high level of architectural and landscaping excellence. The establishment of this district shall encourage appropriate design principles for buildings, site planning, landscaping and/or signage. It also sets forth preferred land uses and land use regulations that advance the comprehensive plan's overall recommendation of preserving the corridor as a viable retail commercial corridor.
- (B) *Applicability.* The regulations for the Roosevelt Road Corridor B4A District shall apply to all properties within the district boundaries as depicted on the official zoning map. No land use or development within the Roosevelt Road Corridor B4A District boundaries, shall be commenced or approved except in conformance with the provisions of this Section:
- (C) *Interpretation, scope of regulations.* The regulations set forth by this Chapter shall be considered the minimum regulations and shall be uniformly applied, except as provided herein. For development activity occurring subsequent to the enactment of this Section, no building structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein. These regulations shall not apply to properties for which development approval has been obtained prior to the effective date of this ordinance. However, any future development activity not previously approved by the village prior to the adoption of this Section shall be subject to the regulations set forth herein.
- (D) *Applicability.* Because of the unique nature of the Corridor and that regional arterial corridors within Lombard have been identified as "areas of critical concern" due to heavy traffic movement, and because these corridors traditionally and functionally attract land uses of intense character, all development within this district shall, therefore, be subject to the site plan review provisions by the village's Inter-Departmental Review Committee (IDRC) as specified by subsection 155.103(l) of this Chapter. The IDRC and village staff shall provide guidance to the applicant to achieve the provisions set forth herein.
- (E) *Design guidelines, objectives and considerations.* The IDRC shall review all applicable permits for new construction to determine compliance with the Chapter. The IDRC shall consider the following criteria in reviewing an application:
- (1) *Site design considerations:* This Section pertains to how the site design impacts adjacent residences and neighborhoods, special management areas, adjacent streets, pedestrian needs, and parking lot function and safety.
 - (a) *Compatibility:* The IDRC shall examine the functional relationship of the site to its surroundings, with special consideration of protecting adjacent residential neighborhoods. Particular attention should be given to the location of parking, driveways, outdoor lighting, outdoor use areas and compatibility of uses. Adjoining residential areas shall be protected by maintaining landscape buffers and providing decorative screening walls in locations where transitional setbacks cannot be provided.
 - (b) *Traffic patterns:* The IDRC shall evaluate vehicular, pedestrian and bicycle traffic patterns. The development of land in cooperation with owners of adjoining properties is encouraged where parking, driveways, plazas and entries can be shared. Pedestrian and vehicular safety shall be maximized by properly locating and limiting the number of driveways as required by the Illinois Department of Transportation (IDOT) and this Village Code.
 - (c) *Off-street parking:* The IDRC shall evaluate the arrangement and adequacy of off-street parking facilities and access points. Parking shall be safe, easily accessible and shall not be allowed to

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- dominate the entire development. Plant materials shall accent and define entries. Large paved areas shall be scaled down by introducing different materials. Specialty materials such as tile and brick may be introduced where appropriate.
- (d) Loading areas: The location, arrangement, and dimensions of loading ramps, docks and bays shall minimize visual and noise impacts on adjacent residential areas.
 - (e) The location of trash receptacles and screening of such undesirable elements such as loading areas, trash receptacles and mechanical equipment shall be screened.
 - (f) Exterior lighting and illumination upon neighboring properties shall meet the provisions included within subsection 155.602(A)(10)(d).
- (2) *Site landscaping and buffering*: Site landscaping shall buffer unwanted views and sound, create an interesting streetscape, and provide a safe transition between contrasting uses.
- (a) The location, height, and materials of walls, fences and screen plantings shall be reviewed. Selection of plant materials should be based on year-round interest, color, branching pattern, etc. Parking lots should be broken up with landscaped buffers to the greatest extent practical. The overall effect of both the perimeter landscaping and the interior landscaping should be one of a relatively consistent tree cover which will shade the pavement and vehicles.
 - (b) Ensure plans for the on-going landscaping maintenance are achievable.
 - (c) Open space should be located in a manner that maximizes its visual impact to adjacent rights of way and adjacent properties.
 - (d) Requisite transitional buffers shall be designed to minimize the impact of ambient noise and light spill on adjoining residential properties.
- (3) *Signage*: Signage shall be designed in a manner that minimizes clutter and confusion and comply with provisions herein as well as within the Lombard Sign Ordinance (Chapter 153 of the Village Code). Signage plans for the entire site shall indicate how signs would be illuminated, their design and spatial relationship to other site amenities, including buildings. Signage, window designs and awnings are most effective when color coordinated with the building façade.
- (4) *Utilities*: Utility systems shall not detract from the building or site appearance. The size and location of all service systems shall be appropriate and maintainable. Electrical and telephone service systems shall be buried unless it is not deemed to be practical, as determined by the associated utility company.
- (5) *Building design considerations*: As part of the review process, the following elements shall be addressed:
- (a) Building mass: The relationship to the surrounding uses shall be considered in respect to the scale and massing of the proposed uses.
 - (b) Exterior materials: Exterior materials and color shall reduce the apparent building mass and blend with the surrounding area. A variety of building colors to break up building mass is encouraged. Architectural elements such as overhangs, trellises, projections and awnings are encouraged to contribute to a building's character.
 - (c) Building elevations: Building elevation treatments shall be carried to all sides of the building to the greatest extent practical. Building construction and design shall be used to create a structure with substantially equal attractive sides of high quality, rather than placing emphasis on the front elevation of the structure and neglecting or downgrading the aesthetic appeal of the side and rear elevations. Corporate building designs shall be blended to fit within or enhance the Corridor. Roof materials and rooftop mechanical screening shall complement the primary building material and color.
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- (d) Accessory buildings: Accessory structures and/or additions shall utilize the same materials and design as the primary structure.
- (F) *Plan review procedures.* As with all applications for major developments and planned development applications, a pre-application meeting is strongly encouraged for development activity within the B4A District prior to submittal of a building permit. The intent of the meeting is to identify project issues, clarify submittal requirements and review the development standards for the B4A District.

Upon the completion of the Development Plan Review, applications for development within the B4A District that requires zoning relief shall be scheduled for action by the Plan Commission, the Zoning Board of Appeals and/or the Village Board, whichever is applicable, and upon submittal of an application for a public hearing. Should the proposal meet all provisions of this Village Code, the permit shall then be considered for approval by village staff.

- (G) *Use regulations.* The uses within the B4A District are designed to permit a wide variety of retail sales activity required to meet the demands of a developing local market and promote attractive development, an open and pleasant street appearance and compatibility with adjacent residential areas. Related personal, professional and business services which are complimentary to the overall corridor and adjacent residences can generally be deemed appropriate, provided that such uses are integrated into the overall context of the corridor.

- (1) *Permitted uses.* The following land uses are permitted in the Roosevelt Road Corridor B4A District, subject to the provisions of this Chapter.

(a) *Retail uses.*

- (i) Amusement establishments, indoor only, including: Bowling alleys, pool halls, skating rinks, and swimming pools.
- (ii) Motor vehicle accessory stores.
- (iii) Bakeries, retail only.
- (iv) Banquet halls.
- (v) Bicycle sales.
- (vi) Candy and ice cream stores.
- (vii) Carpet and rug stores, retail sales only.
- (viii) Closet and storage organizer store.
- (ix) Department stores.
- (x) Florists.
- (xi) Food stores, grocery stores, meat markets and delicatessens.
- (xii) Furniture stores.
- (xiii) General retail uses serving the needs of the neighborhood, including art and school supply stores, book and stationary stores, clothing stores, computer and software sales, drug stores, gift shops, hardware stores, office supply stores, shoe stores, sporting goods stores, toy shops, variety shops, and other similar uses. Retail uses are those that provide goods or products to the end user.
- (xiv) Home improvement stores and showrooms.
- (xv) Liquor stores, packaged goods.
- (xvi) Outdoor dining, as an accessory use to a restaurant or grocery store, subject to Chapter 119 of the Lombard Village Code.

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- (xvii) Pet shops.
 - (xviii) Restaurants, not including entertainment, dancing, and/or amusement devices.
 - (xix) Theater, indoor.
 - (xx) Tobacco shops.
 - (xxi) Cannabis dispensing facility operated in strict compliance with State law applicable thereto.
- (b) *Service uses.*
- (i) Banks and financial institutions.
 - (ii) Dry cleaning establishments for the cleaning and pressing of dry goods, as follows:
 - a. Receiving stations, processing to be done elsewhere.
 - b. Dry cleaning establishments, including processing, provided that all of the following requirements are met:
 - 1. That the dry cleaning use shall be a service retail use and shall not consist of the processing of garments from other dry cleaning establishments.
 - 2. That the total basket capacity of all units on the premises, as established by the manufacturer of the respective dry cleaning machine, shall not exceed 200 pounds.
 - 3. That the dry cleaning process shall only use solvents approved by the Fire Department.
 - 4. That all activities associated with the dry cleaning establishment shall be operated per the Illinois Environmental Protection Agency regulations.
 - (iii) Funeral homes.
 - (iv) Furniture stores and interior decorating shops, including upholstery when conducted as part of the retail operations and secondary to the principal use.
 - (v) Furniture upholstery, as the principal use of the property.
 - (vi) Gymnasiums.
 - (vii) Health services, and weight reduction services.
 - (viii) Laboratories: medical, dental, and support.
 - (ix) Learning centers, with no outdoor component.
 - (x) Locksmith shops.
 - (xi) Offices, including business, professional, non-profit, and governmental offices.
 - (xii) Outpatient medical and dental offices and clinics.
 - (xiii) Personal care services, including hair salons, nail salons, spas, tanning studios, tattoo studios, med spas, and other similar uses. For purposes of this ordinance, personal care services do not include massage establishments.
 - (xiv) Pet grooming services (not including animal hospitals or overnight visits).
 - (xv) Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises.
 - (xvi) Post offices and parcel packing and shipping establishments.
 - (xvii) Printing and duplicating services.
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- (xviii) Repair, rental, and servicing of any Article the sale of which is a permitted use in the district.
 - (xix) Sign printers.
 - (xx) Tailor shops and custom dressmakers.
 - (xxi) Collection Boxes, as an accessory use on the property.
 - (xxii) Catering.
- (c) *Other uses and activities.*
- (i) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with § 155.210.
 - (ii) Dwelling units, located above the first (ground) floor.
- (2) *Conditional uses.* The following uses are considered conditional uses and shall be subject to the provisions set forth in subsection 155.103(F) of this Chapter.
- (a) *Retail uses.*
- (i) Amusement establishments, outdoor, including: archery ranges, shooting galleries (with no retail sales of associated product), and other similar outdoor amusement facilities.
 - (ii) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment).
 - (iii) Craft alcohol production facility.
 - (iv) Motor vehicle sales.
 - (v) Outside display and sales of products the sale of which is a permitted or conditional use in this district.
 - (vi) Outside service areas for other permitted or conditional uses in this district.
 - (vii) Restaurants, including entertainment, dancing, and/or amusement devices when conducted as part of the restaurant operations and secondary to the principal use.
 - (viii) Secondhand stores and rummage shops (with a minimum floor area of 5,000 square feet).
- (b) *Service uses.*
- (i) Animal hospitals, animal kennels, animal day care, and animal training.
 - (ii) Clubs and lodges, private, nonprofit, and fraternal.
 - (iii) Day care center.
 - (iv) Drive-through and drive-in establishments/services.
 - (v) Learning centers, with outdoor component.
 - (vi) Motor vehicle repair.
 - (vii) Motor vehicle service.
 - (viii) Photographic processing business.
 - (ix) Massage establishments (as defined and regulated by Title 11, Chapter 122 of the Code of Ordinances).
 - (x) Religious institutions.
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- (xi) Smoking establishments (in conformance with Illinois Smoke Free Act, 410 ILCS 82/1 et seq.).
 - (xii) Schools, private, full-time: Elementary, middle and high.
 - (xiii) Storage centers, provided that the use fronts along an arterial roadway.
 - (xiv) Conference Facility.
- (c) *Other uses and activities.*
- (i) Dwelling units, located above the first floor, where all the requirements of subsection 155.413(B)(17) of this Code are not met.
 - (ii) Off-site parking, in conformance with subsection 155.602(A)(3)(b) of this Chapter.
 - (iii) Parking garages and structures, as the principal use of the property.
 - (iv) Parking lots, open, as the principal use on the property.
 - (v) Planned developments in conformance with § 155.500 of this Chapter.
 - (vi) Public utility and governmental service uses.
 - (vii) Four story buildings and buildings which are 40 feet to 45 feet in height.
 - (viii) More than one principal building on a zoning lot.
 - (ix) Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (3) *Minimum lot area.* All uses located within this district shall have a minimum lot area of 40,000 square feet.
- (4) *Minimum lot width.* All uses located within this district shall have a minimum lot width of 150 feet.
- (5) *Minimum building setbacks.* All principal buildings and structures shall have minimum setbacks from property lines in conformance with the following:
- (a) Front yards—30 feet.
 - (b) Corner side yards—30 feet.
 - (c) Interior side yards—Ten feet.
 - (d) Rear yards—30 feet.
- (6) *Maximum building height.* The height of any building in this district shall not exceed three stories or 40 feet, whichever is less; except that buildings may be allowed to be four stories or 45 feet, whichever is less, as a conditional use.
- (7) *Minimum open space.* The minimum open space required for each use shall not be less than ten percent of the lot area.
- (8) *Transitional building setbacks.* Wherever a rear yard or interior side yard lot in the B4A District abuts a lot in the CR or a residence district, all principal and accessory buildings and structures shall be set back from the abutting lot line a distance of 40 feet.
- (9) *Landscaping.* All uses in the B4A District shall conform to the provisions of § 155.700 of this Chapter.
- (10) *Restrictions on business uses.* The operation and design of business uses shall conform to the following restrictions:
- (a) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
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- (b) All business activities, servicing, processing displays, or storage, except for outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to Section 155.103(F) of this Chapter.
 - (c) All service entrances, loading areas and spaces must be fully screened from the nearby property and view from a public street. Such screening shall consist of a five-foot wide planting strip consisting of trees, decorative walls and or landscaping combination that will provide a six-foot high barrier.
 - (d) All dumpsters and trash handling areas shall be enclosed and screened from public view. Screening shall be at least six feet in height. Any such storage area shall be constructed of materials and colors compatible with those of the primary building(s). Chain link fencing (with or without slats) is not allowed.
- (11) *Signs.* Signs shall be allowed in the B4A District in accordance with the regulations established in the Village of Lombard Sign Ordinance.
- (12) *Off-street parking and loading.* Off-street parking and loading facilities, accessory to uses allowed in the B4A District, shall be provided in accordance with the regulations established in § 155.600 of this Chapter. The number, size and design of all parking spaces, driveways and loading areas for all development within the B4A District shall also comply with all other relevant provisions of Chapters 97, 150, 153, 154 and 155 of the Village Code and the following requirements listed below:
- (a) Access control and driveway locations will be evaluated pursuant to village and IDOT standards. Shared-access driveways are desirable and may be required whenever possible in order to minimize the number of access points to streets.
 - (b) Off-street loading areas shall be effectively screened from adjacent residential areas and public rights of way.
- (13) *Rooftop mechanicals.* All rooftop mechanical equipment shall be screened in accordance with the regulations established in § 155.221 of this Chapter. Parapet walls and enclosing walls, louvers and grills shall be used to conceal from view all equipment on site or on the roofs of buildings and shall be compatible with the exterior elevation of the building.
- (14) *Exterior lighting.* Exterior lighting shall be designed as part of the architectural and landscape plan for the site. Site lighting should serve functional, safety and aesthetic purposes. Site and security lighting shall be designed to enhance the quality of the development. Screening of lights from residential areas and glare from traffic areas shall be required. Site lighting shall be in compliance with the subsection 155.602(A)(10)(d) of the zoning ordinance, and the following standards listed below:
- (a) Site lighting shall be directed downward and away from adjacent properties. Light sources shall incorporate cut off shields.
 - (b) Light standards on properties within thirty feet from a property line abutting a residentially zoned property shall not exceed eight feet in height.
 - (c) The style of light fixtures and their location shall be compatible with the architectural design and landscaping. All freestanding poles and wall mounted exterior light fixtures shall be decorative.
 - (d) Night lighting of buildings should highlight special features to articulate the façade. The visual effect achieved should complement the building character. Lighting should be the minimum required to address traffic and pedestrian safety concerns and aesthetic function.

(Ord. 6091, passed 10-18-07; Ord. 6643, passed 9-1-11; Ord. 6683, passed 2-16-12; Ord. No. 6950, § 1, passed 6-19-14; Ord. No. 6976, § 3, passed 8-21-14; Ord. No. 7570, § 1, passed 9-6-18; Ord. No. 7629, § 1, passed 2-21-19; Ord. No. 7642, § 3, passed 4-4-19; Ord. No. 7666, § 1, passed 6-20-19; Ord. No. 7728, § 7, passed 10-3-19; Ord. No.

7792, §§ 6, 7, passed 3-5-20; Ord. No. 7798, § 1, passed 3-5-20; Ord. No. 7925, §§ 5, 6, 3-4-21; Ord. No. 8015, § 8, passed 12-16-21; Ord. No. 8055, § 4, passed 5-5-22)

§ 155.418 B5 Central Business District requirements.

- (A) *Purpose statement.* The B5 Central Business district constitutes the "downtown" core area of the Village of Lombard. It is intended to accommodate all retail, service and specialty shops and necessary civic services characteristic of the traditional central area.

In addition, the central area of Lombard has been designated as an "area of critical concern" due to heavy traffic movement, intensity of development, and its essential role in the future development of the village. All development within this district shall, therefore, be subject to the site plan review provisions specified by subsection 155.103(I) of this Chapter.

- (B) *Permitted uses.* Any use permitted in the B3 District shall be permitted in the B5 District, and in addition, the following uses shall be permitted in the B5 District:

- (1) Dwelling units, located above the first floor, provided:
 - (a) The building in which the dwelling units are located extends across the entire frontage of the zoning lot on which the building is located, except for areas necessary for driveway access to parking spaces;
 - (b) At least 50 percent 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 the B5 Central Business District, other than uses referenced in subsections 155.416(B)(9), 155.416(C)(6), 155.416(C)(9) and 155.416(C)(16); and
 - (c) No parking spaces exist in either the front yard or corner side yard.
- (2) Hotels and motels.
- (3) Outdoor cafes, in conformance with § 155.802 and Chapter 119 of this Code.
- (4) Theaters, indoor.
- (5) Catering.
- (6) Clubs and lodges, private, nonprofit, and fraternal.

- (C) *Conditional uses.* Subject to the provisions of subsection 155.103(F) of this Chapter, the following conditional uses may be allowed:

- (1) Amusement establishments, indoor only, including; bowling alleys, pool halls, swimming pools, skating rinks.
- (2) Animal hospitals, animal kennels, animal day care, and animal training.
- (3) Convention and exhibition halls.
- (4) Day care centers.
- (5) Drive-through/drive-in services and facilities.
- (6) Farmer's market.
- (7) Funeral homes.
- (8) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment).
- (9) Learning centers, with outdoor component.

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- (10) Motor vehicle service.
 - (11) Off-site parking, in conformance with subsection 155.602(A)(3)(b) of this Chapter.
 - (12) Outside display and sales of products the sale of which is a permitted or conditional use in this district.
 - (13) Outside service areas for other permitted or conditional uses in this district.
 - (14) Parking garages or structures, as the principal use of the property.
 - (15) Parking lots, open, as the principal use of the property.
 - (16) Massage establishments (as defined and regulated by Title 11, Chapter 122 of the Code of Ordinances).
 - (17) Planned developments in conformance with § 155.500 of this Chapter.
 - (18) Public recreational and social facilities, as defined in the R1 District.
 - (19) Public utilities and governmental services.
 - (20) Religious institutions.
 - (21) Transportation depots.
 - (22) Craft alcohol production facility.
 - (23) Cannabis dispensing facility operated in strict compliance with State law applicable thereto.
 - (24) Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (D) *Minimum lot area.* No minimum lot area shall be required for uses in the B5 District.
 - (E) *Minimum lot width.* No minimum lot width shall be required for uses in the B5 District.
 - (F) *Minimum building setbacks.* No setbacks shall be required for principal buildings in the B5 District unless stipulated by other requirements of this ordinance. Setbacks for accessory structures shall conform to § 155.210 of this Chapter.
 - (G) *Maximum building height.* The height of any building in this district shall not exceed four stories or 45 feet, whichever is less.
 - (H) *Minimum open space.* There shall be no requirement for minimum open space for uses in the B5 District.
 - (I) *Restrictions on business uses.* The operation and design of business uses shall conform to the following restriction.

All business activities, servicing, processing displays, or storage, except for outdoor café and outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to Section 155.103(F) of this Chapter.
 - (J) *Transitional building setbacks.* Wherever a rear yard or interior side yard lot in the B5 District abuts a lot in the CR or a residence district, all principal and accessory uses shall be set back from the abutting lot line a distance of 20 feet.
 - (K) *Transitional landscape yards.* Wherever a rear yard or interior side yard lot in the B5 District abuts a lot in the CR or a residence district, a transitional landscape yard 10 feet in depth shall be provided along the abutting lot line and improved in accordance with the provisions of § 155.707 of this Chapter.
 - (L) *Signs.* Signs shall be allowed in the B5 District in accordance with the regulations established in the Village of Lombard Sign Ordinance.
 - (M) *Off-street parking and loading.* Off-street parking and loading facilities, accessory to uses allowed in the B5 District, shall be provided in accordance with the regulations established in § 155.600 of this Chapter.
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- (N) *Landscaping.* All uses in the B5 District shall conform to the provisions of § 155.700 of this Chapter; except that where a building is constructed at zero setback, no perimeter landscaping shall be required on that portion of the lot on which the building is located. The perimeter landscaping yard may be reduced to accommodate other impervious structures as determined appropriate by the Director of Community Development.
- (O) *Roof top mechanicals.* All rooftop mechanical equipment shall be screened in accordance with the regulations established in § 155.221 of this Chapter.

(Ord. 4360, passed 9-18-97; Ord. 4576, passed 12-3-98, Ord. 4590 Passed 1-21-99; Ord. 4692, passed 9-2-99; Ord. 5642, passed 5-5-05; Ord. 6643, passed 9-6-11; Ord. No. 6989, § 1, passed 9-4-14; Ord. No. 7282, § 1.A., B., passed 10-20-16; Ord. No. 7488, § 3, passed 3-15-18; Ord. No. 7570, § 1, passed 9-6-18; Ord. No. 7629, § 1, passed 2-21-19; Ord. No. 7642, § 4, passed 4-4-19; Ord. No. 7728, § 8, passed 10-3-19; Ord. No. 7792, § 8, passed 3-5-20; Ord. No. 8015, §§ 2, 9, passed 12-16-21)

§ 155.419 B5A Downtown Perimeter District requirements.

- (A) *Purpose statement.* The B5A Downtown Perimeter District is intended to be a transition between the downtown and other commercial areas that accommodates all retail, service, and specialty shops and necessary civic services characteristic of the traditional central area in a pedestrian environment while also recognizing compatible automotive land uses.

Because of the proximity of commercial uses in the B5A District to sensitive residential uses in adjacent districts and due to the heavy traffic movement, intensity of development, and their essential roles in the future development of the village, properties in the B5A District shall be considered "areas of critical concern." Therefore, all developments within this district shall be subject to the plan review provisions specified by subsection 155.103(I) of this Chapter.

- (B) *Permitted uses.* Any use permitted in the B5 District shall be permitted in the B5A District.
- (C) *Conditional uses.* Subject to the provisions of subsection 155.103(F) of this Chapter, the following conditional uses may be allowed:
- (1) Amusement establishments, indoor only, including; bowling alleys, pool halls, swimming pools, skating rinks.
 - (2) Animal hospitals, animal kennels, animal day care, and animal training.
 - (3) Convention and exhibition halls.
 - (4) Day care centers.
 - (5) Drive-through and drive-in establishments/services.
 - (6) Funeral homes.
 - (7) Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment).
 - (8) Learning centers, with outdoor component.
 - (9) Motor vehicle repair.
 - (10) Motor vehicle service.
 - (11) Motor vehicle rental, as an accessory use, in conformance with § 155.210 of this Chapter.
 - (12) Off-site parking, in conformance with subsection 155.602(A)(3)(b) of this Chapter.
 - (13) Outside display and sales of products the sale of which is a permitted or conditional use in this district.

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- (14) Outside service areas for other permitted or conditional uses in this district.
 - (15) Parking garages or structures, as the principal use of the property.
 - (16) Parking lots, open, as the principal use of the property.
 - (17) Planned developments in conformance with § 155.500 of this Chapter.
 - (18) Public recreational and social facilities, as defined in the R1 District.
 - (19) Public utilities and governmental services.
 - (20) Religious institutions.
 - (21) Craft alcohol production facility.
 - (22) Cannabis dispensing facility operated in strict compliance with State law applicable thereto.
 - (23) Cultural facilities/institutions.
 - (24) Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (D) *Minimum lot area.* No minimum lot area shall be required for uses in the B5A District.
- (E) *Minimum lot width.* No minimum lot width shall be required for uses in the B5A District.
- (F) *Minimum building setbacks.* No setbacks shall be required for principal buildings in the B5A District unless stipulated by other requirements of this Chapter. Setbacks for accessory structures shall conform to § 155.210 of this Chapter.
- (G) *Maximum building height.*
- (1) *Permitted uses.* No buildings or structures shall exceed two stories or 30 feet in height, whichever is less.
 - (2) *Conditional uses.* No buildings or structures shall exceed four stories or 45 feet in height, whichever is less.
- (H) *Minimum open space.* There shall be no requirement for minimum open space for uses in the B5A District.
- (I) *Restrictions on business uses.* The operation and design of business uses shall conform to the following restriction.
- All business activities, servicing, processing displays, or storage, except for outdoor café and outdoor dining as an accessory use to a restaurant or grocery store or off-street parking or loading, shall be conducted within completely enclosed buildings; except that outside display and sales, outside service areas, and drive-through/drive-in services may be allowed as conditional uses pursuant to Section 155.103(F) of this Chapter.
- (J) *Transitional building setbacks.* Wherever a rear yard or interior side yard lot in the B5A District abuts a lot in the CR or a residence district, all principal and accessory uses shall be set back from the abutting lot line a distance of 20 feet.
- (K) *Transitional landscape yards.* Wherever a rear yard or interior side yard lot in the B5A District abuts a lot in the CR or a residence district, a transitional landscape yard 10 feet in depth shall be provided along the abutting lot line and improved in accordance with the provisions of § 155.707 of this Chapter.
- (L) *Signs.* Signs shall be allowed in the B5A District in accordance with the regulations established in the Village of Lombard Sign Ordinance.
- (M) *Off-street parking and loading.* Off-street parking and loading facilities, accessory to uses allowed in the B5A District, shall be provided in accordance with the regulations established in § 155.600 of this Chapter.
- (N) *Landscaping.* All uses in the B5A District shall conform to the provisions of § 155.700 of this Chapter; except that where a building is constructed at zero setback, no perimeter landscaping shall be required on that
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portion of the lot on which the building is located. The perimeter landscaping yard may be reduced to accommodate other impervious structures as determined appropriate by the Director of Community Development.

(Ord. 5091, passed 4-4-02; Ord. 5642, passed 5-5-05; Ord. 6643, passed 9-1-11; Ord. No. 7367, §§ 1, 2, 5-4-17; Ord. No. 7629, § 1, passed 2-21-19; Ord. No. 7642, § 5, passed 4-4-19; Ord. No. 7728, § 9, passed 10-3-19; Ord. No. 7792, § 9, passed 3-5-20; Ord. No. 7913, § 1, passed 1-21-21; Ord. No. 8015, § 3, passed 12-16-21)

ARTICLE VIII. INDUSTRIAL DISTRICT

§ 155.420 I Limited Industrial District requirements.

- (A) *Purpose statement.* The I Limited Industrial District is intended to provide an environment suitable for industrial activities that do not create appreciable nuisance or hazards, or that require a pleasant, hazard-and-nuisance-free environment.

Because the I Limited Industrial District is intended as a major employment generating area and will create significant traffic and other impacts, lands within the I District shall be designated as "areas of critical concern" and shall be subject to the site plan review regulations specified by subsection 155.103(l) of this Chapter.

- (B) *Permitted uses.* The following uses shall be permitted in the I District:

- (1) Contractors, architects, and engineers offices and shops.
- (2) Exterminating services.
- (3) Laboratories: medical, dental, and support.
- (4) Laboratories: research and testing.
- (5) Laundry and dry cleaning plants and operations, primarily serving more than one establishment in other districts.
- (6) Offices, including business, professional, non-profit, and governmental.
- (7) Parking lots, open, as the principal use of the property.
- (8) Printing, publishing, and lithography establishments, including automated envelope merging process.
- (9) Public utility and governmental service uses.
- (10) Radio and television stations and towers.
- (11) Sheet metal stamping and fabrication.
- (12) Sign contractors.
- (13) Tool and die.
- (14) Warehouse, storage centers, and mini-warehouses.
- (15) Manufacturing, processing, repairing, servicing, storage, or industrial uses as determined by the Director of Community Development to be of the same general character as the uses permitted in subsection 155.420 (B) above, and not listed as a conditional use in subsection 155.420 (C) of this article, and further provided that sufficient information is provided to the Director of Community Development, prior to issuing a certificate of occupancy, in order to determine that the use shall be found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, toxic, or noxious matter or glare or heat.
- (16) Cannabis dispensing facility operated in strict compliance with State law applicable thereto.

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- (17) Collection Boxes, as an accessory use on the property.
 - (18) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (C) *Conditional uses.* Subject to the provisions of subsection 155.103(F) in this Chapter, the following conditional uses may be allowed:
- (1) Adult uses (including but not limited to adult book stores, adult cabarets, adult theaters, and adult video stores) subject to the adult use:
 - (a) Not being located within 500 feet of a zoning district which permits (or allows as a conditional use) residential development, educational or religious institutions, parks, or playgrounds;
 - (b) Not being located within 1,000 feet of another adult use (distances to be measured from property lines);
 - (c) Being conducted in a manner that prohibits the observation of any material depicting, describing or relating to any specified sexual activities or specified anatomical areas by display, decorations, sign, show window or other opening from any public way.
 - (2) Animal hospitals, animal kennels, animal day care, and animal training.
 - (3) Banks and financial institutions.
 - (4) Building material and products sales and storage.
 - (5) Cartage and express facilities.
 - (6) Clubs and Lodges, private, non-profit, and fraternal.
 - (7) Collection centers, recycling, provided that the following provisions are met:
 - (a) The recycling collection center is located in an area where there is an excess of parking beyond that required in § 155.600 et seq.
 - (b) Placement of any containers shall be on a hard surface parking area.
 - (c) The recycling collection center must be staffed full-time to monitor the use, and all collection is to be removed on a daily basis. Any area involved must be swept and cleaned at the end of the business day.
 - (d) Recycling collection centers shall not operate without the consent of the property owner stating approved days and hours of operation as part of the application for conditional use approval.
 - (8) Compost collection facility.
 - (9) Concrete and cast stone fabrication and molding.
 - (10) Contractors, architects, and engineers equipment and material storage yards.
 - (11) Cosmetics production.
 - (12) Distribution center.
 - (13) Food and dairy manufacture, packaging, and processing.
 - (14) Gasoline sales (or any expansion of a principal, secondary, or ancillary use on the same lot as a gasoline sales establishment).
 - (15) Glass products production.
 - (16) Heliports, private or commercial.
 - (17) Learning centers (no outdoor component).
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- (18) Metal plating, forging, or casting.
 - (19) Mortuarial services.
 - (20) Motor vehicle repair.
 - (21) Motor vehicle Sales.
 - (22) Motor vehicle services.
 - (23) Off-site parking, conforming to Section 155.602(A)(3)(b) of this Chapter.
 - (24) Outpatient medical and dental offices and clinics.
 - (25) Paper products manufacture.
 - (26) Parks and playgrounds.
 - (27) Planned developments in conformance with § 155.500 of this Chapter.
 - (28) Plastic extruding.
 - (29) Recreation buildings or community centers.
 - (30) Religious institutions.
 - (31) Restaurants, including catering services.
 - (32) Schools: public and/or private elementary, middle and high.
 - (33) Shooting gallery and range, indoor (with ancillary retail sales of associated product).
 - (34) Soap manufacture.
 - (35) Stadiums, auditoriums, and arenas—Open or enclosed.
 - (36) Outside storage of motor vehicles.
 - (37) Trade school.
 - (38) Truck terminal.
 - (39) Other manufacturing, processing, storage, or industrial uses as determined by the Director of Community Development to be of the same general character as the uses permitted in subsection 155.420(C), above, and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, toxic or noxious matter or glare or heat.
 - (40) Craft alcohol production facility.
 - (41) Accessory uses and buildings incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with § 155.210 of this Chapter.
- (D) *Minimum lot area.* All uses located within this district shall have a minimum lot area of 20,000 square feet.
- (E) *Minimum lot width.* All uses located in this district shall have a minimum lot width of 80 feet.
- (F) *Minimum building setbacks.* All principal buildings and structures shall have minimum yards in conformance with the following:
- (1) Front yards—25 feet.
 - (2) Corner side yards—25 feet.
 - (3) Interior side yards—15 feet.
 - (4) Rear yards—15 feet, except where the rear lot line coincides with a railroad right-of-way the rear yard may be reduced to one foot.
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- (G) *Maximum building height.* The height of any building in this district which is within 100 feet of a residentially-zoned property or a minor or major arterial street shall not exceed three stories or 40 feet, whichever is less, except that such buildings may be allowed to be four stories or 45 feet, whichever is less, as a conditional use. The height of any building in this district which is not within 100 feet of a residentially-zoned property or a minor or major arterial street shall not exceed four stories or 45 feet, whichever is less.
- (H) *Maximum floor area ratio.* The floor area ratio (FAR) of uses within the I District shall not exceed 1.0 FAR.
- (I) *Minimum open space.* The minimum open space required for each use shall not be less than ten percent of the lot area.
- (J) *Transitional building setbacks.* Wherever a rear yard or interior side yard lot in the I District abuts a lot in the CR or a residence district, all principal and accessory buildings shall be set back from the abutting lot line a distance of 45 feet.
- (K) *Transitional landscape yard.* Wherever a rear yard or interior side yard lot in the I District abuts a lot in the CR or residence district, a transitional landscape yard 30 feet in width shall be provided along the abutting lot line and improved in accordance with the provisions of § 155.707 of this Chapter.
- (L) *Restrictions on industrial uses.* The operation and design of industrial uses shall conform to the following restrictions:
- (1) All businesses, servicing, or processing—Except for off-street loading—Shall be conducted within completely enclosed buildings, unless otherwise indicated hereinafter.
 - (2) All storage, except for motor vehicles in operable condition, shall be within completely enclosed buildings or effectively screened by a solid wall or fence (including solid entrance and exit gates) not less than six feet nor more than eight feet in height. No stored materials shall be visible above the fence.
- (M) *Signs.* Signs shall be allowed in the I District in accordance with the regulations established in the Village of Lombard Sign Ordinance.
- (N) *Off-street parking and loading.* Off-street parking and loading facilities, accessory to uses allowed in the I Districts, shall be provided in accordance with the regulations established in § 155.600 of this Chapter.
- (O) *Landscaping.* All uses in the I District shall conform to the provisions in § 155.700 of Chapter.
- (P) *Rooftop mechanicals.* All rooftop mechanical equipment shall be screened in accordance with the regulations established in § 155.221 of this Chapter.
- (Ord. 6643, passed 9/1/11; Ord. No. 6909, § 1, passed 1-16-14; Ord. No. 7629, § 1, passed 2-21-19; Ord. No. 7642, § 6, passed 4-4-19; Ord. No. 7728, § 10, passed 10-3-19; Ord. No. 7925, §§ 7, 8, passed 3-4-21)

§ 155.421 I Limited Industrial District performance standards.

No use established in a Limited Industrial District after the effective date of this ordinance shall be so operated as to exceed the performance standards established hereinafter. Any use already established on the effective date of this Chapter shall be permitted to be altered, enlarged, expanded, or modified, provided that the new sources of noise, vibration, smoke, and particulate matter, fire and explosive hazards, toxic matter, odorous matter, and glare shall conform to the performance standards established hereinafter for the district in which such use is located.

(A) *Noise limitations.*

- (1) No industrial activity shall generate noise across any residential or business zoning district boundary line in excess of the levels adopted by the Illinois Pollution Control Board, Title 35, Subtitle H, Chapter 1, Part 900 of the Illinois Administrative Code, as amended.

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- (2) The sound levels shall be measured with a sound-level meter and octave-band analyzer to meet criteria for the noise measurement provisions of OSHA, and shall conform to ANSI S1-4 (American National Standards Institute).
- (B) *Vibration limitations.*
- (1) Earthborne vibrations from any industrial operation, equipment, or process shall not constitute a nuisance nor exceed the limits set forth herein. Vibrations shall be expressed as displacement in inches and shall be measured with a three-component measuring system.
- (2) No industrial activity shall be responsible for the transmission of earthborne vibrations across any residence or business zoning district boundary line in excess of the displacement limits established through use of the following formula:
- $$D = \frac{1}{f^2}$$
- where D = the maximum allowable displacement in inches, and
f = the vibration frequency in cycles per second.
- (C) *Smoke and particulate matter.*
- (1) *General limitations.*
- (a) In addition to the performance standards specified hereinafter, the emission of smoke or particulate matter in such manner or quantity as to be detrimental to or endanger the public health, safety, comfort, or welfare is hereby declared to be a public nuisance and shall henceforth be unlawful.
- (b) Particulate matter emissions, in excess of the threshold limit values caused by the wind from open storage areas, yards, roads, etc. within lot lines shall be kept to a minimum by appropriate landscaping, paving, oiling, wetting, and other means, or shall be eliminated.
- (c) For the purpose of determining the density or equivalent opacity of smoke, the Ringelmann chart as adopted and published by the United States Bureau of Mines in Circular No. 8333 shall be used.
- (d) No industrial operation shall cause or allow to be emitted into the open air from any process or control equipment or to pass any convenient measuring point in a breaching or stack, dust in the gases to exceed 0.85 pounds per thousand pounds of gases adjusted to 12 percent CO₂ content for the products of combustion.
- (e) The emission, from all sources within any zoning lot, of particulate matter continuing more than ten percent by weight of particles having a particulate diameter larger than 44 microns is prohibited.
- (2) *Permitted smoke emission.* Within 1,000 feet of a residence or office or business zoning district boundary line the emission of smoke from any vent, stack, chimney, or combustion process shall not exceed a density or equivalent opacity no greater than Ringelmann No. 1. Smoke in excess of Ringelmann No. 1, but not exceeding Ringelmann No. 2, shall be permitted for not more than three minutes in any 60-minute period. Smoke not exceeding Ringelmann No. 3 shall be permitted for five minutes during any eight-hour period for purposes of fire-cleaning only. Smoke in excess of Ringelmann No. 3 is prohibited.
- (D) *Fire and explosion hazard limitations.* Fire and explosion hazards within the I Limited Industrial District shall comply with the limitations proscribed by the adopted International Fire Code, the adopted International Building Code, and all other applicable village codes.
- (E) *Toxic matter limitations.* In the Limited Industrial District, toxic materials which are released shall not exceed ten percent of the maximum permissible airborne concentration allowed an industrial worker
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when measured at any point beyond the lot line, either at ground level or habitable elevation, whichever is more restrictive. When maximum permissible airborne concentrations of toxic materials allowed an industrial worker are not contained in the most recent list of Threshold Limit Values published by the American Conference of Governmental Industrial Hygienists, the applicant shall satisfy the health officer that proposed levels will be safe to the general population.

- (F) *Odorous matter limitations.* The release of odorous matter from the Limited Industrial District across Residence or Business District boundary lines shall be so controlled that, at ground level or at habitable elevations, the concentration shall not exceed the odor threshold level. Further, the release of odorous matter across lot lines shall not become a nuisance or source of discomfort to neighboring uses.
- (G) *Glare limitations.* In the Limited Industrial District, any operation or activity producing glare shall be so conducted that direct and indirect illumination from the sources of light shall not cause illumination in excess of one-half of one footcandle when measured at any residence or business district boundary line. Flickering or intense sources of light shall be so controlled as not to cause a nuisance across any lot lines.

(Ord. 6437, passed 2/4/10)