

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

TEXT AMENDMENT TO THE ZONING ORDINANCE – SETBACKS FOR CEMETERIES IN CR DISTRICT

May 19, 2025

Title

PC 25-08

Petitioner

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

Property Location

Village-wide

Approval Sought

The petitioner, the Village of Lombard, is requesting text amendments to Section 155.404(F) and Section 155.802 of the Lombard Village Code to amend the setbacks for cemeteries in the Conservation Recreation District.

Prepared By

Anna Papke, AICP
Planning and Zoning Manager

DESCRIPTION

The petitioner, the Village of Lombard, proposes to amend the setbacks for cemeteries in the Conservation Recreation District.

Cemeteries are conditional uses in the Conservation Recreation District. Currently, the CR District bulk standards impose a 50-foot setback from all property lines for cemetery buildings and improvements. The proposed amendments will establish more detailed setbacks that address the various types of improvements that may be found in cemeteries, including buildings, burial structures, above- and at-grade memorial structures, and drive aisles and parking lots. The amendment will add three new terms and definitions to Section 155.802, Definitions.

APPROVAL(S) REQUIRED

The petitioner, the Village of Lombard, is requesting text amendments to Section 155.404(F) and Section 155.802 of the Lombard Village Code to amend the setbacks for cemeteries in the Conservation Recreation District.

INTER-DEPARTMENTAL REVIEW

Building Division:

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

Fire Department:

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

Private Engineering Services:

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

Public Works:

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

Planning Services Division:

The Conservation Recreation District provides for the location of public parks, forest preserves, and other open space uses in the Village. Permitted uses in the CR District include parks and playgrounds, outdoor recreational uses such as golf courses and tennis courts, and public schools. Conditional uses include cultural facilities, cemeteries, and private schools.

The bulk standards in the CR District provide specific setbacks for educational institutions and cultural facilities. All other uses in the CR District, including cemeteries, are subject to a 50-foot setback from all yards (front, corner side, interior side, and rear). Recently, staff received an inquiry from the current and prospective owners of the Allerton Ridge Cemetery on Highland Avenue seeking clarification of the required setbacks for at-grade memorial structures or burial plots where no marker is present. This inquiry prompted a staff review of the setback requirements as they relate to cemeteries. Cemeteries typically include a variety of improvements, including administrative and maintenance buildings, above- and at-grade memorial structures, parking lots, and drive aisles. Staff finds the impact of these types of improvements on adjacent properties varies as some improvements invite an active use of the property while other improvements are passive in nature.

Given these varied impacts, staff recommends amendments to the CR District bulk standards to provide setback requirements specific to the different types of improvements within a cemetery. For purposes of consistency across properties within the Village, the proposed setbacks for buildings and drive aisles are similar to the setbacks that would be required for buildings and drive aisles in Business and Industrial Districts. Additionally, the setbacks are formulated to account for the nature of adjacent land uses, with an increased setback along yards adjacent to Residential Districts. The amendments include the addition of three new terms to Village Code Section 155.802, Definitions to provide additional clarity.

EXISTING & PROPOSED REGULATIONS

The proposed text amendments are as follows. Additions are denoted by **bold and underline**. Deletions are denoted by a ~~striketrough~~.

155.404(F)

(3) Cemeteries

(a) Buildings, including administrative buildings, maintenance buildings, burial structures, and above-grade memorial structures:

- (i) Front yard and corner side yard: 30 feet**
- (ii) Interior side yard abutting a Business, Office, or Industrial District: 10 feet**
- (iii) Interior side yard abutting a Conservation Recreation or Residence District: 30 feet**
- (iv) Rear yard: 30 feet**

(b) At-grade memorial structures, and burial plots where no memorial structure is present:

- (i) Front yard and corner side yard: 10 feet**
- (ii) Interior side yard abutting a Business, Office, or Industrial District: two feet**
- (iii) Interior side yard abutting a Conservation Recreation or Residence District: 10 feet**
- (iv) Rear yard abutting a Business, Office, or Industrial District: two feet**
- (v) Rear yard abutting a Residential District: 10 feet**

(c) Internal vehicular access drives and parking areas (but not pedestrian pathways):

- (i) Front yard and corner side yard: Five feet
- (ii) Interior side yard abutting a Conservation Recreation or Residence District: 30 feet
- (iii) Rear yard abutting a Conservation Recreation or Residence District: 30 feet
- (iv) Interior side yard abutting a Business, Office, or Industrial District: No setback
- (v) Rear yard abutting a Business, Office, or Industrial District: No setback

~~(3)~~ (4) *All other uses:*

- (a) 50 feet.

155.802, Definitions

STRUCTURE, BURIAL: Above-ground structures within cemeteries used, or intended to be used, for the entombment of human remains, including mausoleums, columbaria, and other similar structures.

STRUCTURE, ABOVE-GRADE MEMORIAL: Above-ground structures within cemeteries installed for the purpose of marking, commemorating, or honoring a deceased person and not used for the above-ground entombment of human remains. Above-grade memorial structures include gravestones, family estate markers, ornamental benches, vases and other decorative structures, and similar aboveground structures.

STRUCTURE, AT-GRADE MEMORIAL: At-grade markers or plaques within cemeteries installed for the purpose of marking, commemorating, or honoring a deceased person. All components of at-grade memorial structures shall be located even with or below the level of the adjacent ground. If any component of the structure is located above the level of the adjacent ground, it shall be regulated as an above-grade memorial structure.

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 amendment is applicable to all properties in the Conservation Recreation District. It will apply to all current and future cemeteries located in the CR District.
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 amendment is consistent with the objectives of the Village Code. The stated purpose of Chapter 155, the Zoning Ordinance, is to protect properties from encroachment by incompatible uses and to establish reasonable and safe standards to which buildings and structures shall conform. The proposed amendments advance this purpose.

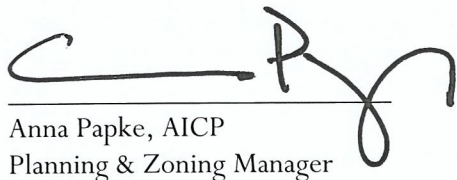
3. *The degree to which the proposed amendment would create nonconformity;*
The proposed amendment would not create any nonconformities.
4. *The degree to which the proposed amendment would make this ordinance more permissive;*
The proposed amendment will reduce the required setbacks for cemetery improvements from the current requirement of 50 feet.
5. *The consistency of the proposed amendment with the Comprehensive Plan; and*
Staff finds that the proposed amendment 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 amendment is 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 amendment **complies** 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 25-08.

Inter-Departmental Review Committee Report approved by:



Anna Papke, AICP
Planning & Zoning Manager

H:\CD\WORDUSER\PCCASES\2025\PC 25-08 cemetery setbacks\PC 25-08_IDRC Report.docx