

ORDINANCE 6103

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

(PC 07-29: Text Amendments to the Lombard Zoning Ordinance)

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Zoning Ordinance and make necessary changes; and,

WHEREAS, a public hearing to consider a text amendment to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on September 17, 2007 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the text amendment described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title 15, Chapter 155, Section 405, of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:

§155.405 R0 SINGLE-FAMILY RESIDENCE DISTRICT REQUIREMENTS

A. Purpose Statement

The R0 Single-Family Residence District is intended to provide for low density single-family residential areas. This district is characterized by established subdivisions platted on large lots and generally created prior to their annexation into the Village. The purpose of this district is also intended to preserve the lower-density character of the neighborhood and protect such areas from the encroachment of incompatible uses.

B. Permitted Uses

The following uses shall be permitted in the R0 District:

1. Detached single-family dwellings
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 Section 155.210 of this Ordinance
3. Home occupations, in conformance with the provisions of Section 155.211 of this Ordinance
4. Home day care, as defined in Section 155.800 of this Ordinance
5. Family Care Facilities, in conformance with the provisions of Section 155.219 of this Ordinance

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, the following conditional uses may be allowed:

1. Cemeteries
2. Colleges or universities:
3. Cultural facilities/institutions
4. Group Care Facilities, in conformance with Section 155.219 of this Ordinance
5. Planned developments in conformance with Section 155.500 of this Ordinance
6. Public and private utility and municipal service uses
7. Public recreational and social facilities, as follows:
 - a. Golf courses, but not golf driving ranges, pitch and putt, or miniature golf courses
 - b. Recreational clubs, noncommercial
 - c. Parks and playgrounds
 - d. Recreational buildings and community centers, noncommercial

- e. Swimming pools, noncommercial
- f. Tennis clubs and courts, noncommercial
- 8. Religious institutions
- 9. Schools, Private, Full-Time: Elementary, Middle and High
- 10. Schools, Public, Full-Time: Elementary, Middle and High
- 11. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

D. Minimum Lot Area

All uses located within this district shall have a minimum lot area of 15,000 square feet (2.9 DU/AC).

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 – 10 feet
- 4. Rear Yards – 50 feet

G. Maximum Building Height

- 1. Permitted Uses
No buildings or structures shall exceed two and one-half (2 1/2) stories or 30 feet in height, whichever is less.
- 2. Conditional Uses

No buildings or structures shall exceed three and one-half (3 1/2) stories or 45 feet in height, whichever is less.

H. Minimum Required Open Space

Each permitted use in the R0 District shall preserve a minimum of 67% of the lot area in open space.

I. Signs

Signs shall be allowed in the R0 District in conformance with the regulations established in the Village of Lombard Sign Ordinance.

J. Off-Street Parking and Loading

Off-street parking and loading facilities, accessory to uses allowed in R0 District, shall be provided in accordance with the regulations established in Section 155.600 of this Ordinance.

K. Landscaping

All uses in the R0 District shall conform to the provisions in Section 155.700 of this Ordinance.

SECTION 2: That Title 15, Chapter 155, Section 208, of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.208 NUMBER OF BUILDINGS ON A LOT OF RECORD

The provision of more than one (1) principal structure on one (1) lot-of-record shall be permitted only as follows:

A. Conservation/Recreation District.

More than one (1) principal structure on one (1) lot-of record is permitted.

B. R0, R1 and R2 Districts.

More than one (1) principal structure on one (1) lot-of-record is not permitted, except as part of a planned development, pursuant to the provisions of Section 155.500 of this Ordinance.

SECTION 3: That Title 15, Chapter 155, Sections 210 (A, B, and D), of the Code of Lombard, Illinois are hereby amended to read in part as follows:

§155.210 ACCESSORY USES, ACTIVITIES, BUILDINGS, AND STRUCTURES

(A) General Requirements

The following restrictions on accessory buildings, structures and uses apply to all zoning districts.

(1) Time of Construction

No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

(2) Yard Requirements For Accessory Structures and Uses

(a) Unless otherwise provided for in this ordinance, no accessory building, structure or use shall be located in a required front, corner side or interior side yard.

(b) In Single Family Residential Districts (R0, R1 and R2), all detached accessory buildings shall be located behind the front wall of the principal building that is nearest to the front lot line.

(B) Restrictions in Residential Districts

The controls over accessory structures and uses described below shall apply only to Residential Districts.

(1) Maximum Area

(a) General Requirements

A single accessory building or structure in a residential district shall not occupy more than 10% of the zoning lot. The combined area of all accessory buildings and structures shall not exceed the total ground floor area of the principal residence. No accessory use, except for surface parking spaces, shall cover more than 30% of the zoning lot.

(b) Detached Garages

In addition to the provisions expressed in Section 155.210(B)(1)(a) above, no building footprint of a detached garage shall exceed 1,000 square feet in area on a lot within a R0, R1 or R2 Single-Family Residential District.

(2) Yard Requirements

(a) General Requirements

In all residential districts (R0 through R6), accessory structures shall be set back a minimum of three (3) feet from the rear property line and, if the entire structure is located in the rear 25 percent of

the lot, accessory structures shall be set back a minimum of three (3) feet from an interior side property line. If any portion of the accessory structure is not located within the rear 25 percent, then a minimum of six (6) foot setback from the interior side property line must be maintained.

- (b) Detached Garages
In all residential districts (R0 through R6), detached garages shall be set back a minimum of three (3) feet from the rear property line. Detached garages shall be set back a minimum of three (3) feet from the interior side property line and a minimum of twelve (12) feet from the principal structure on any adjoining lot.

(D.) Regulation of Specific Accessory Uses

The regulations which control the location and operation of specific accessory uses are set forth below. Where these regulations conflict with other provisions of this subsection, these regulations shall apply.

(9) Garage Sales

Garage sales shall be permitted as an accessory use in the R0, R1, R2, and R3 Districts under the following conditions:

- a. Garage sales shall be limited to the sale of used household or personal articles.
- b. The host of the garage sale shall reside in the dwelling at which the sale occurs.
- c. The duration of the sale shall be limited to not more than three (3) consecutive days.
- d. A garage sale may be open for sales between the hours of 8:00 a.m. and 9:00 p.m. However, display of items for sale may begin at 7:30 a.m., but must be removed prior to 9:30 p.m.
- e. No more than two garage sales shall be held on any lot of record in any one calendar year.
- f. No signs advertising the sale shall be displayed except for those permitted under Section 153.502 of the Village Code.

SECTION 4: That Title 15, Chapter 155, Section 306, of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.306 LOT SIZES – RECONSTRUCTION

Notwithstanding the provisions of Sections 155.301 through 155.305, of this code, for an existing lot or parcel in an R0, R-1 or R-2 Single Family Residence District, which has been developed with a dwelling and does not meet the minimum lot size and/or lot width requirements, where the Village has issued a demolition permit to raise the existing dwelling or where the existing dwelling has been destroyed to the extent of more than fifty percent (50%) of the fair market value of dwelling, the owner will be allowed to rebuild the dwelling without need to appear before either the Plan Commission or the Zoning Board of Appeals, so long as all the requirements of Chapter 155 of this Code, other than lot size and lot width, are met relative to the proposed rebuilding of the dwelling. The provisions of this Section shall only apply, however, provided: (A) the owner of the lot or parcel in question submits a plat of subdivision or consolidation, and a request for approval of same, if said lot or parcel is not a single subdivided lot of record; and (B) the lot size and lot width of the lot or parcel in question equals at least eighty percent (80%) of that required by Section 155.305 or Section 155.406, of this Code, whichever is applicable.

SECTION 5: That Title 15, Chapter 155, Section 401, of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.401 DISTRICTS

For the purposes of this Ordinance, the Village of Lombard is hereby divided into the following zoning districts:

Conservation Recreation and Residence Districts

CR - Conservation Recreation
R0 – Single-Family Residence
R1 - Single-Family Residence
R2 - Single-Family Residence
R3 - Attached Single-Family Residence
R4 - Limited General Residence
R5 - General Residence
R6 - Central Residence

SECTION 6: That Title 15, Chapter 155, Section 403, of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.403 ZONING OF ANNEXED LAND

On land hereafter annexed to, or consolidated with, the Village of Lombard, no building or structure shall be erected, enlarged or moved, and no change in the use of land or existing

buildings or structures shall be made until an ordinance designating the zoning district classification of such annexed land is duly adopted by the Village Board. Within 30 days of the annexation, the Plan Commission shall file an application for an amendment to establish the zoning district classification of such land. Action shall be taken by the Village Board regarding the classification of annexed land within 60 days of its receipt of the amendment application from the Plan Commission. If no pre-annexation zoning hearing is held, all properties annexed to the Village shall automatically be classified as R0 Single-Family Residence District, until such time as the Plan Commission shall file an application to amend the zoning classification of such land.

SECTION 7: That Title 15, Chapter 155, Section 407, of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.407 R3 ATTACHED SINGLE-FAMILY RESIDENCE DISTRICT REQUIREMENTS

- I. Transitional Building Setback Requirements
Wherever a rear yard or interior side yard abuts a lot used for attached single-family use is located adjacent to a lot in the CR, R0, R1, or R2 District, all principal and accessory buildings shall be set back from such lot line a distance of 30 feet.
- J. Transitional Landscape Yards for Attached Single-Family Dwellings
Wherever a rear or interior side yard abuts a lot in the R0, R1 or R2 District, a transitional yard 30 feet in width shall be provided along such lot line and improved in accordance with the provisions of Section 155.708 of this Ordinance.

SECTION 8: That Title 15, Chapter 155, Sections 408 (I) and (J) of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.408 R4 LIMITED GENERAL RESIDENCE DISTRICT REQUIREMENTS

- I. Transitional Building Setbacks
Wherever a rear yard or interior side yard abuts a lot used for attached single-family or multiple-family residential use is located adjacent to a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, all principal and accessory buildings shall be set back from such lot line a distance in accordance with the following:
 - 1. Attached Single-Family Use – 30 feet
 - 2. Multiple-Family Use – 50 feet
- J. Transitional Landscape Yards for Attached Single-Family and Multi-Family Dwellings.

Wherever a rear yard or interior side yard abuts a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, a transitional landscape yard 30 feet in width shall be provided along such lot line and improved in accordance with the provisions of Section 155.708 of this Ordinance.

SECTION 9: That Title 15, Chapter 155, Sections 409 (I) and (J) of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.409 R5 GENERAL RESIDENCE DISTRICT REQUIREMENTS

J. Transitional Building Setbacks

Wherever a rear yard or interior side yard abuts a lot used for attached single-family or multiple-family residential use is located adjacent to a lot in the CR, R0, R1, R2, or an existing, detached single-family residence in the R3 District, all principal and accessory buildings shall be set back from such lot line a distance in accordance with the following:

1. Attached Single-Family Use – 30 feet
2. Multiple-Family Use – 50 feet

K. Transitional Landscape Yards for Attached Single-Family and Multi-Family Dwellings

Wherever a rear yard or interior side yard abuts a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, a transitional landscape yard 30 feet in width shall be provided along such lot line and improved in accordance with the provisions of Section 155.708 of this Ordinance.

SECTION 10: That Title 15, Chapter 155, Sections 410 (J) and (K) of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.410 R6 CENTRAL RESIDENCE DISTRICT REQUIREMENTS

J. Transitional Building Setbacks

Wherever a rear yard or interior side yard abuts a lot used for attached single-family or multiple-family residential use is located adjacent to a lot in the CR, R0, R1, R2, or an existing, detached single-family residence in the R3 District, all principal and accessory buildings shall be set back from such lot line a distance in accordance with the following:

1. Attached Single-Family Use – 30 feet
2. Multiple-Family Use – 50 feet

K. Transitional Landscape Yards for Attached Single-Family and Multi-Family Dwellings

Wherever a rear yard or interior side yard abuts a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, a transitional landscape yard 15 feet

in width shall be provided along such lot line and improved in accordance with the provisions of Section 155.708 of this Ordinance.

SECTION 11: That Title 15, Chapter 155, Section 509 of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.509 MINIMUM SIZE REQUIREMENTS FOR PLANNED DEVELOPMENTS

In order to accrue the intended benefits of a planned development sought through these regulations, the area of a planned development shall conform to the following minimum area requirements for the district in which it is located.

District	Minimum Size	Frontage
CR-Conservation Recreation District	no minimum requirement	
R0-Single Family Residence District	45,000 ft ²	300'
R1-Single Family Residence District	30,000 ft ²	225'
R2-Single Family Residence District	22,500 ft ²	180'
R3-Attached Single-Family Residence District	22,500 ft ²	180'
R4-Limited General Residence District	22,500 ft ²	180'
R5-General Residence District	22,500 ft ²	180'

R6-Central Residence District	No minimum requirement	
O-Office District	45,000 ft ²	300'
B1-Limited Neighborhood Shopping District	22,500 ft ²	180'
B2-General Neighborhood Shopping District	22,500 ft ²	180'
B3-Community Shopping District	60,000 ft ²	300'
B4-Corridor Commercial District	120,000 ft ²	450'
B5-Central Business District	no minimum requirement	
B5A-Downtown Perimeter District	no minimum requirement	
I-Limited Industrial District	60,000 ft ²	240'

SECTION 12: That Title 15, Chapter 155, Section 602 (A)(3) of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.602 OFF-STREET PARKING

(A) General Requirements

3) Location

- (d) Owners of property legally nonconforming as to parking and located in the CR, R0, R1, R2, R3, R4, R5, B1 and B2 Districts shall be allowed to provide parking off-site to become otherwise conforming. In such circumstances, the provision of such off-site parking shall be considered a conditional use and subject to the provisions of Section 155.103 (F) of this Ordinance.
- (e) Off-street parking spaces open to the sky, may be located in any yard, except that in the R4, R5, O, and I Districts, off-street parking shall not be located in a required front or corner side yard. However, In the R0, R1 and R2 Districts, not more than two (2) vehicles may be parked overnight in a required front or corner side yard, and not more than three (3) vehicles may be parked overnight in the required rear yard.

SECTION 13: That Title 15, Chapter 155, Sections 603 (A) and (C) of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.603 OFF-STREET LOADING

A. General Requirements

1. Location and Screening

All required loading berths shall be located on the same zoning lot at the use served. All motor vehicle loading berths in a CR, R0 -- R6 or O District shall be screened by building walls, or by a uniformly painted solid non-combustible fence, wall, or door or densely planted mature shrubbery or any combination thereof, not less than six (6) feet in height. Loading berths in other districts which abut property in a CR, R0 -- R6, or O District, or is separated from such district by a public right-of-way, shall likewise be screened from view from such abutting property. In all districts, no loading berths shall be located in a required front corner side or side yard. Loading berths located in a required rear yard may be open to the sky.

C. Cargo Container Regulations

1. General Provisions

Cargo Containers, as defined by Section 155.802 shall be restricted as follows:

a. Properties in Residential Districts

Excluding the provisions of Section 155.603(C)(2), the placement of cargo containers on residentially zoned property (R0 through R6) shall be prohibited.

SECTION 14: That Title 15, Chapter 155, Section 707 (A) of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.707 TRANSITIONAL YARD LANDSCAPING

Where transitional landscape yards are required in the district regulations of each district, such landscape yards shall be improved in conformance with the following requirements which shall be provided in addition to other required landscaping.

A. Size of Transitional Landscape Yards

The size of transitional landscape yards in the districts identified below shall be as follows:

1. R3, R4 and R5 Districts

Wherever a rear yard or interior side yard lot used for attached single-family or multiple-family residential use in the R3, R4 or R5 District abuts a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, a transitional landscape yard 30 feet in width shall be provided along such lot line.

2. R6 District

Wherever a rear yard or interior side yard lot used for attached single-family or multiple-family residential use in the R6 District abuts a lot in the CR, R0, R1, R2 or an existing, detached single-family residence in the R3 District, a transitional landscape yard 20 feet in width shall be provided along such lot line.

SECTION 15: That Title 15, Chapter 155, Section 709 (A) of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§155.709 PERIMETER LOT LANDSCAPING

To help enhance the attractiveness of individual properties within the Village and provide physical and visual separation between individual properties, landscaping along the periphery of each lot shall be required.

A. Applicability

All lots, except those in the CR, R0, R1, and R2 Districts, shall provide perimeter landscaping in accordance with the provisions of this subsection. Also, the requirements of this section shall not apply where the provisions of Section 155.706 or 155.707, above, are applicable.

SECTION 16: That Title 15, Chapter 155, Section 602 of the Code of Lombard, Illinois is hereby amended to read in part as follows:

§153.602 DEFINITIONS

SIGN, DEVELOPER'S A sign required for all new construction or development of any building, structure, or substantial improvement in any zoning district other than C/R, R0, R-1, and R- 2.

SECTION 17: 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 4th day of October, 2007.

First reading waived by action of the Board of Trustees this ____ day of _____, 2007.

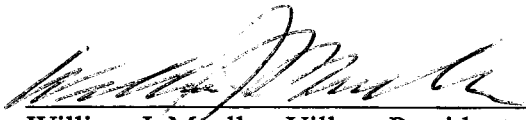
Passed on second reading this 18th day of October, 2007.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom

Nays: None

Absent: None

Approved this 18th day of October, 2007.


William J. Mueller, Village President

ATTEST:


Brigitte O' Brien, Village Clerk

Published by me this 23rd day of October, 2007.


Brigitte O' Brien, Village Clerk