

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 Resolution or Ordinance (Blue) Waiver of First Requested
 X Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : November 27, 2023 **(BOT) Date:** December 7, 2023

SUBJECT: PC 23-23: Text Amendments to Chapters 155 – Lighting in B4A District

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

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

The petitioner, the Village of Lombard, is requesting text amendments to Village Code Section 155.417(G)(14), and any other relevant sections for clarity and consistency, as it pertains to exterior lighting in the B4A Roosevelt Road Corridor District

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the December 7, 2023, Board of Trustees agenda for a first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

MEETING DATE: December 7, 2023

SUBJECT: **PC 23-23: Text Amendments to Chapters 155 – Lighting in B4A District**

Please find the following items for Village Board consideration as part of the December 7, 2023, Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 23-23; and
3. An Ordinance granting approval of text amendments to 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 December 7, 2023, Board of Trustees agenda for a first reading.



VILLAGE OF LOMBARD

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www.villageoflombard.org

December 7, 2023

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 23-23: Text Amendments to Chapter 155 –
Lighting in B4A District**

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 text amendments to Village Code Section 155.417(G)(14), and any other relevant sections for clarity and consistency, as it pertains to exterior lighting in the B4A Roosevelt Road Corridor District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on November 20, 2023. Sworn in to present the petition was Anna Papke, Planning and Zoning Manager, and William Heniff, Director of Community Development.

Chairperson 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 23-23 was entered into the public record in its entirety. Ms. Papke said staff is proposing a text amendment to the requirements for exterior lighting in the B4A Roosevelt Road Corridor District. Currently, the Code requires exterior lighting in B4A to be directed downward. This and other existing lighting standards are intended to promote compatibility between the Roosevelt Road corridor and nearby residential development.

Review of existing development along the corridor finds that the prohibition on uplighting has not been uniformly enforced. There are multiple examples of lighting directed upward to highlight signage, landscaping and building features. To staff's knowledge, this lighting has not negatively impacted neighboring properties. Therefore, staff proposes to amend the Code to remove the prohibition on uplighting to provide for clarity and consistency. At the suggestion of the Public Works Department, the amended language will include a provision to limit overspill into the sky. All other regulations intended to reduce the impact of lighting on adjacent properties will remain in place, including parking lot lighting standards and transitional landscape yard standards.

Chairperson 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.

Commissioner Spreenberg said the provision to allow for "only incidental overspill to the sky" was not specific and might be difficult to enforce.

Ms. Papke said the intent from Public Works was to make sure there were no spotlights pointed upward and that other lighting provisions in the Code would prevent overspill as well. Mr. Heniff noted that parking lot lighting standards that limit lighting levels at property lines would also prevent lighting from spilling into the sky.

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

Respectfully,

VILLAGE OF LOMBARD

Leigh Giuliano, Chairperson
Lombard Plan Commission

November 20, 2023

Title

PC 23-23

Petitioner

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

Property Location

Village-wide

Approval Sought

The petitioner is requesting text amendments to Village Code Section 155.417(G)(14), and any other relevant sections for clarity and consistency, as it pertains to exterior lighting in the B4A Roosevelt Road Corridor District.

Prepared By

Anna Papke, AICP
Planning and Zoning Manager

DESCRIPTION

The Village of Lombard is proposing text amendments to the Zoning Ordinance as it pertains to exterior lighting in the B4A Roosevelt Road Corridor District.

APPROVAL(S) REQUIRED

The petitioner, the Village of Lombard, is requesting text amendments to Village Code Section 155.417(G)(14), and any other relevant sections for clarity and consistency, as it pertains to exterior lighting in the B4A Roosevelt Road Corridor District.

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 been approached in the past with requests that the Village sign onto the Dark Sky Initiative (<https://darksky.org/>) to reduce light pollution. Although no action had been taken on those requests, the Board of Trustees used to do an annual Earth Hour proclamation that stated: “Go Dark for Earth Hour Earth Hour is this Saturday from 8:30-9:30 p.m. The Village has participated in Earth Hour since 2008 to encourage turning off building lights for energy and environmental awareness. Light pollution from fixtures that uplight above the US is estimated to waste \$3B/yr in energy, interrupt biorhythms, and eliminate stargazing. Visit www.earthhour.org for more information, and enjoy the dark!” Given this history, we suggest incorporating a new subsection 155.417(G)(14)(e) stating “Any lights not facing downward shall strictly be illuminating building walls and decorative landscaping with only incidental overspill to the sky.”

Planning Services Division:

The Village Code contains lighting standards for the B4A District. These standards are intended to promote compatibility between the Roosevelt Road corridor and surrounding properties, many of which are residential in nature. To this end, the Code presently states that lighting must be directed downward.

Review of recently entitled and existing development along the corridor suggests that this requirement has not been uniformly enforced. Staff finds multiple examples of lighting directed upwards to highlight signage, building features, or landscaping. Staff has not observed such lighting spilling over onto adjacent properties. In most cases the lighting is an aesthetic enhancement to the development and to the corridor generally.

Staff proposes to strike the requirement to direct lighting downward from Village Code. All requirements pertaining to directing lighting away from residential properties will remain as-is, and other provisions intended to reduce the impacts of commercial development upon adjacent residential properties will remain in place, including parking lot lighting provisions and transitional setback and landscape yard requirements. The Public Works Department recommends adding a code provision to limit the amount of lighting overspill to the sky. This provision is incorporated into the proposed regulations.

EXISTING & PROPOSED REGULATIONS

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

§ 155.417 - Roosevelt Road Corridor B4A District requirements.

(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.

(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 30 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.
- (e) **Any lights not facing downward shall strictly be illuminating building walls and decorative landscaping with only incidental overspill to the sky.**

STANDARDS FOR TEXT AMENDMENTS

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

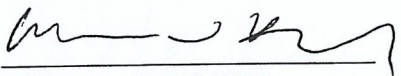
1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*
The proposed text amendments are applicable to all properties in the B4A District.
2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*
The proposed text 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;*
The proposed amendments will allow for moderate levels of uplighting where currently uplighting is prohibited in the B4A District.
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 23-23.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

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ORDINANCE _____

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

PC 23-23: Text Amendments to Chapter 155 of Village Code – Lighting in the B4A District

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Lombard 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 November 20, 2023, 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 Title 15, Chapter 155, Section 155.417(G)(14) of the Lombard Zoning Ordinance shall be amended as follows:

§ 155.417 - Roosevelt Road Corridor B4A District requirements.

(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.

(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 30 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.
- (e) **Any lights not facing downward shall strictly be illuminating building walls and decorative landscaping with only incidental overspill to the sky.**

SECTION 2: 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 _____, 2023.

First reading waived by action of the Board of Trustees this ____ day of _____, 2023.

Passed on second reading this ____ day of _____, 2023.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2023.

Ordinance No. _____

Re: PC 23-23

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Keith T. Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this _____ day of _____, 2023.

Elizabeth Brezinski, Village Clerk