

ORDINANCE 7781

PAMPHLET

**PC 20-08: TEXT AMENDMENT TO THE ZONING ORDINANCE
(TITLE XV, CHAPTER 155, SECTION 155.510 OF THE LOMBARD VILLAGE CODE)
OPEN SPACE IN PLANNED DEVELOPMENTS**



PUBLISHED IN PAMPHLET FORM THIS 21ST DAY OF FEBRUARY 2020, BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS.

Sharon Kuderna

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7781

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

PC 20-08: Text Amendments to the Zoning Ordinance: Open Space in Planned Developments

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 February 3, 2020, 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 155.510 of the Lombard Zoning Ordinance shall be amended to read as follows:

§ 155.510 - Open space requirements for planned developments

(A) Calculation of open space in planned developments. Except as provided for in 155.510(A)(1) below, open space in planned developments shall be calculated as follows: the total area of open space provided on all parcels within the planned development, divided by the base area of the planned development. Publicly dedicated rights-of-way shall not count toward the base area of the planned development for purposes of this calculation.

(1) Detached single-family, two-family, and attached single-family residential properties. Individual parcels within planned developments that are developed with detached single-family residences, two-family dwellings, and attached single-family dwellings shall meet the open space requirement on a parcel-by-parcel basis, unless otherwise provided for in the planned development regulations adopted by the Village Board.

(A) ~~(B)~~ *Requirements relating to usability and preservation of common open space.* Common open space shall may be provided as a condition to the approval of any planned development. No open area may be delineated or accepted as common open space under the provisions of this Article unless it meets the following standards.

- (1) The location, shape, size and character of the common open space must be suitable for the planned development.
- (2) Common open space must be used as an aesthetic amenity or recreation purpose. The uses authorized for the common open space must be appropriate to the scale and character of the planned development, considering its size, density, expected population, topography, and the number and type of dwelling to be provided.
- (3) Common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities, topography, and unimproved conditions of the common open space.
- (4) The development schedule which is part of the development plan must coordinate the improvement of the common open space, the construction of the buildings, structures, and improvements in the common open space, and the construction of residential dwellings in the planned development.
- (5) No portion of a planned development shall be conveyed or dedicated to public use by the developer or any other person to any public body or homeowners association unless the Board of Trustees determine that the character and quality of the tract to be conveyed makes it suitable for the purpose for which it is intended. When making its determination, the Board of Trustees shall give consideration to the size and character of the dwellings to be constructed within the planned development, the topography and existing amenities of the open area, including existing trees, groundcover, and other natural features; the manner in which open area is to be improved and maintained for recreational or amenity purposes; and the existence of public parks or on the public recreational facilities in the vicinity.
- (6) All land shown on the final planned development plat as common open space must either be:
 - (a) Conveyed to a public body which agrees to accept conveyance, to maintain the common open space and any buildings, structures, or improvements which have been placed on it; or
 - (b) Conveyed to an owner's association or similar organization organized for the purpose, among others, of owning and maintaining common buildings, areas, and land within the planned development.

~~(e) The common open space must be conveyed subject to covenants to be approved by the Board of Trustees which restricts the common open space to the uses specified on the final development plan, and which provides for the maintenance of the common open space.~~

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 _____, 2020.

First reading waived by action of the Board of Trustees this 20th day of February, 2020.

Passed on second reading this 20th day of February, 2020, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Puccio, Foltyniewicz, Honig, Militello and Ware

Nays: None

Absent: None

Approved by me this 20th day of February, 2020.


Keith T. Giagnorio, Village President

ATTEST:


Sharon Kuderna, Village Clerk

Published in pamphlet form this 21st day of February, 2020.


Sharon Kuderna, Village Clerk