

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED (Sections 6-206, 6-207, 6-208, 6-210, 6-211, 6-212, 6-302 and 6-310)

WHEREAS, the Corporate Authorities of the Village of Orland Park, an Illinois home rule municipality, have on February 8, 1991, adopted a Land Development Code (“the Code”) and zoning map; and

WHEREAS, amendments to the Code are adopted from time to time to insure that the Code is up to date and responsive to community needs; and

WHEREAS, amendments have been proposed regarding outdoor dining and off-site vehicle storage; and

WHEREAS, the Plan Commission of the Village held a public hearing on July 14, 2015 on whether the proposed amendments should be approved, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said hearing in the Orland Park Prairie, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendation that the proposed amendments to Sections 6-206, 6-207, 6-208, 6-210, 6-211, 6-212, 6-302 and 6-310 of the Land Development Code of the Village be made, and this Board of Trustees has duly considered said report and findings and recommendations.

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

This Board finds and determines that the adoption of the following amendments to the Land Development Code of the Village of Orland Park is in the best interests of the Village and its residents, is in the public interest, constitutes an improvement to the Land Development Code of the Village of Orland Park, and is in keeping with the spirit and in furtherance of the purpose of the Land Development Code of the Village of Orland Park, as set forth in Section 1-102 thereof.

SECTION 2

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 16 of Paragraph B “Permitted Uses,” of Section 6-206 and to substitute the following as new text for Subsection 16 of Paragraph B of Section 6-206:

Restaurants, and outdoor seating for restaurants, greater than 330 feet from a residential parcel. Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.

SECTION 3

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 21 of Paragraph C, "Special Uses," of Section 6-206 and to substitute the following as new text for Subsection 21 of Paragraph C of Section 6-206:

Restaurants, and outdoor seating for restaurants, within 330 feet from a residential parcel. Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.

SECTION 4

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 21 of Paragraph B, "Permitted Uses," of Section 6-207 and to substitute the following as new text for Subsection 21 of Paragraph B of Section 6-207:

Restaurants, and outdoor seating for restaurants, greater than 300 feet of a residential parcel. Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.

SECTION 5

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 20 of Paragraph C, "Special Uses," of Section 6-207 and to substitute the following as new text for Subsection 20 of Paragraph C of Section 6-207:

Restaurants, and outdoor seating for restaurants, within 300 feet of a residential parcel. Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping

or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.

SECTION 6

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 15 of Paragraph B, "Permitted Uses," of Section 6-210 and to substitute the following as new text for Subsection 15 of Paragraph B of Section 6-210:

Restaurants, and outdoor seating for restaurants, greater than 300 feet of a residential parcel. Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.

SECTION 7

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 22 of Paragraph C, "Special Uses," of Section 6-210 and to substitute the following as new text for Subsection 22 of Paragraph C of Section 6-210:

Restaurants, and outdoor seating for restaurants, within 300 feet of a residential parcel. Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.

SECTION 8

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 17 of Paragraph B, "Permitted Uses," of Section 6-211 and to substitute the following as new text for Subsection 17 of Paragraph B of Section 6-211:

Restaurants, and outdoor seating for restaurants, greater than 330 feet of a residential parcel. Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will

require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.

SECTION 9

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 14 of Paragraph C, "Special Uses," of Section 6-211 and to substitute the following as new text for Subsection 14 of Paragraph C of Section 6-211:

Restaurants, and outdoor seating for restaurants, within 330 feet of a residential parcel. Outdoor seating shall have aisle widths of thirty-six (36) inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.

SECTION 10

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection "Restaurants and Banquet Halls," of Paragraph 4, "Commercial Uses," of Table 6-212.C.1 and to substitute the following as new text for that Subsection of the "Commercial Uses" Paragraph of Table 6-212.C.1:

Restaurants, Outdoor Seating for Restaurants, and Banquet Halls	Permitted Use	Special Use
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SECTION 11

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add a new Subsection 6 to Paragraph E, "Design Standards," of Section 6-212, which shall read in its entirety as follows:

6. Outdoor Seating

Outdoor seating shall have aisle widths of 36 inches or more, and any fence, wall, landscaping or similar barrier installed in or around the outdoor seating areas shall be not less than 24 inches in height and not greater than 48 inches in height. The service of liquor will also require conformance with the provisions outlined in Section 6-310 Fences, as well as the requirements of the Village Code, as amended.

SECTION 12

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 3 of Paragraph F, "Design and Height Requirements of Fences in Nonresidential Districts," of Section 6-310 and to substitute the following as new text for Subsection 3 of Paragraph F of Section 6-310:

Fencing required with Liquor Sales: At least 50% of the boundaries of any outdoor seating area on private property that will serve liquor shall be delineated, but not required to be fully enclosed, by a fence, wall, landscaping or similar barrier not less than 24 inches in height and not greater than 48 inches in height. A fence, wall, landscaping or similar barrier not less than 24 inches in height and not greater than 48 inches in height shall also be provided to distinguish between neighboring outdoor seating areas, where applicable. Additional protection may be required based upon the relationship between an outdoor dining seating area and the abutting vehicle zone. See the Village Code for additional regulations associated with the use of a public sidewalk for outdoor dining purposes.

SECTION 13

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add a new Subparagraph b to Subsection 1 of Paragraph B, "Permitted Uses," of Section 6-208:

- b. Outside Storage of off-site vehicles.

SECTION 14

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Paragraph I, "Outdoor Storage," of Section 6-302 and to substitute the following as new text for Paragraph I of Section 6-302:

Outside Storage. Outside storage shall be located at the rear of the principal building. It shall be screened on all sides. Stored materials, equipment or vehicles shall not exceed the height of the screening, and shall not be visible from any adjacent streets or residential areas.

1. Outside storage of materials, equipment or vehicles essential to the operation of a business, on land other than the lot on which the business is located, shall be considered as a major special use if the land is in the MFG Manufacturing District and is on a lot adjacent to and in possession of the same title holder of record as the lot occupied by the business for which the outside storage items are accessory.

2. Outside storage of vehicles essential to the operation of a business, on land other than the lot on which the business is located, shall be considered as part of the Appearance Review process if the land is in the MFG Manufacturing District and is a lot with or without an existing primary use that is owned or leased, in full or in part, by a business establishment granted a special use for Motor Vehicle Sales or Rental or Motor Vehicle Services located within the Village's BIZ General Business District for the purpose of the storage of new or used motor vehicle inventory with the following conditions:

- (a) the vehicle storage area shall not be open to the public;
- (b) no signage shall be allowed that advertises the BIZ General Business District business establishment or contents of the vehicle storage area; and
- (c) no vehicle sales, rental, or leasing shall take place on the premises. (See Section 6-208.B and C)

SECTION 15

All sections of the Land Development Code not addressed in this Ordinance or another amending ordinance shall remain in full force and effect.

SECTION 16

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict herewith.

SECTION 17

This Ordinance shall become and be effective immediately upon its passage, approval and publication in the manner provided by law. It is ordered that publication of this Ordinance be made by the duplication thereof in pamphlet form, said pamphlets to be deposited in the office of the Village Clerk of the Village of Orland Park, for general distribution.