

## Land Development Code Attachments May 17, 2010

### PART TWO:

Below are the combined attachments for the proposed Land Development Code Amendments outlined in the Plan Commission staff reports dated February 9, 2010 and March 23, 2010. These are the actual code sub-sections that were impacted by the amendments.

Language marked by a strikethrough (~~strikethrough~~) is eliminated from the code, while language marked by italics and underlined (*italics*) is added to the code.

### Section 2-102 Definitions

- **Body Piercing** (*per Illinois State Statute 410 ILCS 54/1*) means *penetrating the skin to make a hole, mark, or scar that is generally permanent in nature. "Body piercing" does not include practices that are considered medical procedures or the puncturing of the outer perimeter or lobe of the ear using a pre-sterilized, single-use stud and clasp ear piercing system.*
- **Fence, Open** means a *permanent* fence of which open spaces afford direct views through the fence that comprise at least fifty percent (50%) of each one (1) foot wide segment extending over the entire length and height of the fence, and includes gates.
- **Green Space** means *ground soil planted with vegetative groundcovers, excluding detention and retention basins below the point halfway between the normal and high water lines.*
- **Pawn Shop/ Pawnbroker** (*per Illinois State Statute 205 ILCS 510/1*) means *every individual or business entity which lends money on the deposit or pledge of physically delivered personal property, other than property the ownership of which is subject to a legal dispute, securities, printed evidence of indebtedness or printed evidence of ownership of the personal property, or who deals in the purchase of such property on the condition of selling the property back again at a stipulated price, shall be held and is hereby declared and defined to be a pawnbroker. The business of a pawnbroker does not include the lending of money on deposit or pledge of title to property.*
- **Recreational Vehicle** means *any vehicle or boat designed for temporary living quarters/ human habitation or recreation and not used as a commercial vehicle, including, but not limited to, the following: boat/watercraft, camper trailer, conversion van, motorized trailer/ home, off-the-road vehicle, racing car or cycle, snowmobile, specially constructed vehicle, travel trailer, and truck camper. Mobile homes, as defined in these definitions are not included in the definition of recreational vehicle.*
  1. *Boat/Watercraft: A vehicle for traveling in or on water, including all types of personal watercraft whether impelled by wind, oars, or mechanical devices. For the purpose of this ordinance, boats/watercraft mounted on a trailer shall be considered one vehicle.*
  2. *Camper Trailer: A folding or collapsible vehicle without its own motorized power designed and constructed as temporary living quarters for travel, camping, recreation or vacation use.*
  3. *Conversion Van: A conventional van having its cargo area equipped with living facilities, extra windows, and often increased headroom.*
  4. *Motor Home: A temporary dwelling designed and constructed for travel, camping, recreational or vacation uses as an integral part of a self-propelled vehicle.*
  5. *Off-the-road vehicle: A vehicle intended principally for recreational use of off roads where state vehicle licenses are required, such as a dune buggy, go-cart, and all-terrain vehicle.*
  6. *Racing car or cycle: A vehicle intended to be used in racing competition, such as a race car, stock car, or racing cycle.*

7. Snowmobile: A self-propelled vehicle designed for travel on snow or ice, generally steered by skis or runners. For the purpose of this ordinance, snowmobiles mounted on a trailer shall be considered one vehicle.
8. Specially constructed vehicle: Any vehicle which was not originally constructed under a distinctive name, make, model or type, or which, if originally constructed has been materially altered by the removal of essential parts, or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles and used for temporary living quarters or recreation.
9. Travel trailer: A rigid vehicular structure, without its own motorized power, designed as a temporary living quarters for travel camping, recreation or vacation use, and is required to be licensed or registered and insured for highway use.
10. Truck camper/Slide in pick-up camper: A structure designed primarily to be mounted on a pickup or truck chassis and designed to be used as a temporary dwelling for travel, camping, recreation or vacation use. When mounted on a truck, such structure and the truck shall together be considered one vehicle.
- **Sign, Banner** means a temporary non-rigid sign composed of lightweight material on the wall of the building's tenant space either enclosed or not enclosed in a rigid frame, secured or mounted to a permanent structure.
  - **Tattooing** (per Illinois State Statute 410 ILCS 54/1) means to make permanent marks on the skin of a live human being by puncturing the skin and inserting indelible colors [often to produce an indelible mark resulting in a design, picture, or words visible through the skin]. Tattooing includes imparting permanent makeup on the skin, such as permanent lip coloring and permanent eyeliner. Tattooing does not include any of the following:

1. The practice of electrology as defined in the Electrology Licensing Act;
2. The practice of acupuncture as defined in the Acupuncture Licensing Act;

The use, by a physician licensed to practice medicine in all its branches, of colors, dyes, or pigments for the purpose of obscuring scar tissue or imparting color to the skin for cosmetic, medical or figurative purposes

- **Tattoo/ Body Piercing Establishment** means a business establishment where tattooing or body piercing is performed.
- **Topsoil** means the uppermost layer of the ground that is usually the most fertile, being dark in color and crumbly.
- **Utility or Haul Trailer** means a vehicle, enclosed or non-enclosed, without its own motorized power that is designed and constructed to transport another vehicle, such as a car, boat, motorcycle or snowmobile, or to transport equipment and/or tools, such as lawn mowers, bobcats, etc., and that is eligible to be licensed or registered and insured for highway use. For the purpose of this ordinance, a utility or haul trailer with vehicles mounted on it shall be considered one vehicle.

### **Section 5-101.G.2.b.3 Public Hearing Procedures Notification Requirements**

3. It is the petitioner's / applicant's responsibility to post a weatherproof sign(s) at least three (3) feet by four (4) feet (or 44 inches by 34 inches) ~~two (2) by three (3) feet~~ in front surface area, the bottom of which shall be mounted at least four (4) feet above the ground, and to have at least one (1) sign in the most visible location to the general public such as along a primary roadway. Such sign(s) shall be posted on private property and shall remain until the conclusion of the public hearing. Failure to comply with the provisions of this Subsection shall not render the

public hearing invalid, provided that a good faith effort was made to comply. The petitioner must remove the public hearing notice sign(s) no later than thirty (30) days after the Village Board action on the proposal. The sign must display wording that at a minimum notifies the public about the public hearing for the procedure which has triggered the public hearing. It must include the date, time, place and the contact information of the Development Services Department. *Arial or Arial Narrow shall be the font in which the public hearing signs are printed. The notice, date and time of the sign must be no less than 3.5 inches in height and the remaining information on the sign no less than 2.5 inches in height.*

#### **Section 5-105.N Termination of Special Use Permits (Special Use Permits)**

- **Termination of Special Use Permits.** If construction of a special use permit has not been completed in accordance with the provisions of Subsection J above, or the Plan Commission has determined that construction has not been completed in accordance with the provisions of the approved permit, the Board of Trustees shall conduct a public hearing in accordance with the provisions of Section 5-101. Upon the conclusion of the public hearing, the Board of Trustees may terminate or modify the special use permit. In making such a decision, the Board shall consider whether there are substantial and legitimate reasons why construction of the special use was either not timely or in compliance with the original approval and whether the termination of such permit will advance the goals and objectives of the Comprehensive Plan and the standards applicable to the original approval. *Unless extended pursuant to Section 5-105.I, special* Special use permits shall expire *three years* ~~one year~~ after the date of approval by the Board of Trustees if the applicant has not started the approved work. ~~unless extended pursuant to Section 5-105.I~~ Special use permits shall also expire if they are not utilized for *three years* ~~one year~~ unless an extension is granted by the Village Board of Trustees. (Ord. 3354 – 4/17/00; Amd. Ord. 4411 – 9/2/08))

#### **Section 5-112 Development and Subdivision Requirements**

- **Section 5-112.E.7 Guarantee Amount.** The amount of the performance guarantee shall cover all construction costs. The guarantee shall be in the following minimum amounts unless the applicant can show that certain of the costs have already been paid or construction has been satisfactorily completed.

Construction Cost:

- a. One hundred twenty-five percent (125%) of the estimated construction cost of all public improvements, *including public improvements on private property* ~~except sidewalks~~, as approved and designated by the Village Engineer;

1. Note: The provisions of 8.a.3.a below plus the provisions of 8.a.3.b below equal to the above mentioned provision in 7.a

~~b. Plus estimated cost of landscaping, sidewalks and bike trails across non-buildable land;~~

~~b. c. Plus twenty-five percent (25%)~~ *one-hundred percent (100%)* of the estimated cost of landscaping *on private and public property*; ~~sidewalks and bike trails on buildable lots; or~~ *In single family detached developments, private foundation landscaping and lawn seeding are not included in the letter of credit;*

- **Section 5-112.H.9 Fair Market Value.** The cash contributions in lieu of land shall be based on the "fair market value" of improved land in the area. Improved land for purposes of this Section is specified in Section 10 below.

- a. The “fair market value” of such improved land is \$134,689 per acre as of January 1, 2009 ~~\$75,000 per acre until January 1, 1997~~, for all properties within the Village and its one and one-half (1 ½) mile jurisdiction. ~~After January 1, 1997, the “fair market value” shall be increased by a factor of five (5) percent per annum, on January 1 of each year beginning with 1998. Refer to the Village of Orland Park fee structure summary in the Development Services Department.~~

### **Section 6-103 Zoning of Newly Annexed Land and Rezoning**

- The “Districts” table is eliminated.

### **NEW Section 6-104 Bulk Regulations**

- Formerly 6-301 moved to 6-104 for reorganization. No substantive changes.

### **Section 6-201 E-1 Estate Residential District**

- **Section 6-201.E.2.c Setbacks Side and Corner Side**

2. Side and Corner Side.

- c. All other streets and sides not abutting a street. Twenty-five (25) feet from the property line or fifty (50) feet from the center line of the right-of-way, if any.

### **Section 6-213 Open Lands District**

- **Section 6-213.B.5 Open Lands Permitted Uses**

5. ComEd transmission towers and lines, substations and related facilities (including co-located wireless communication facilities) within established easements on privately and publicly owned land, ~~only~~

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### **Multiple District Changes Re: Planned Developments as Special Uses**

1. Planned Developments in Residential Zoning Districts

#### **Section 6-201.C.10** (E-1)

Planned developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.

- a. Residential planned development, provided that:

1. No more than one (1) dwelling for every one (1) gross acre of land is permitted, unless a critical and sensitive area located on the map identified in the Village’s Comprehensive Plan is present on the parcel proposed for development, in which event smaller lots may be permitted, provided that:
  - a. the overall net density is not increased;
  - b. no lot has an area of less than 35,000 square feet; and
  - c. the side setback is at least 25% of the width of the lot.
2. Buildings are oriented to provide views of common open space, forests, valleys, ponds and hills to the maximum extent practicable; and
3. Streets are designed to provide a variety of views and approaches.

#### **Section 6-202.C.6** (R-1)

Planned Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.

a. Residential planned development, provided that:

1. The dwelling units are located on the parcel to ensure adequate privacy for residents, such as by the separation of buildings or landscaping between buildings;
2. No more than one (1) dwelling unit for every ½ gross acre of land is permitted, unless a critical and sensitive area located on the map identified in the Village's Comprehensive Plan is present on the parcel proposed for development, in which event smaller lots may be permitted, provided that:
  - a. the overall density is not increased;
  - b. no lot is less than 18,000 square feet; and
  - c. the side setback is at least twenty-five (25) percent of the width of the lot.
3. Buildings are oriented to provide views of common open space, forests, valleys, ponds and hills to the maximum extent practicable; and
4. Streets are designed to follow natural soils and contours and provide a variety of views and approaches.

**Section 6-203.C.6 (R-2)**

Planned Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.

a. Residential planned development provided that:

1. The dwelling units are located on the property to ensure adequate privacy for residents, such as by the separation of building or landscaping between buildings;
2. No more than one (1) dwelling unit for every ½ gross acre of land is permitted, unless a critical and sensitive area located on the map identified in the Village's Comprehensive Plan is present on the parcel proposed for development, in which event smaller lots may be permitted provided that
  - a. the overall density is not increased;
  - b. no lot is less than 12,500 square feet; and
  - c. the side setback is no less than twenty-five (25) percent of the width of the lot.
3. Buildings are oriented to provide views of common open space, forests, valleys, ponds and hills to the maximum extent practicable; and
4. Streets are designed to follow natural soils and contours and provide a variety of views and approaches.

**Section 6-203.5.C.6 (R-2A)**

Planned Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.

a. Residential planned development provided that:

1. The dwelling units are located on the property to ensure adequate privacy for residents, such as by the separation of building or landscaping between buildings;
2. No more than one (1) dwelling unit for every ½ gross acre of land is permitted, unless a critical and sensitive area located on the map identified in the Village's Comprehensive Plan is present on the parcel proposed for development, in which event smaller lots may be permitted provided that:
  - a. the overall density is not increased;
  - b. no lot is less than 12,500 square feet; and
  - c. the side setback is no less than twenty-five (25) percent of the width of the lot.

3. Buildings are oriented to provide views of common open space, forests, valleys, ponds and hills to the maximum extent practicable; and
4. Streets are designed to follow natural soils and contours and provide a variety of views and approaches.

**Section 6-204.C.9** (R-3)

Planned Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.

- a. Residential planned development provided that:
  1. Private open space is provided as follows:
    - a. Single family detached units shall have at least 450 square feet of usable, private green space adjacent to each unit with some separation from neighbors' space and with direct access from the unit.
    - b. Townhouses and multi-family units shall have at least two hundred (200) square feet of private open space per unit. Such open space can be located on a patio, deck, balcony, or next to the building or combination thereof.
  2. Common Open Space. At least twenty-five (25) percent of the area of the development shall be maintained as common open space.
  3. Density and Bonuses. Except as otherwise provided in this Subsection, the density for dwellings shall not exceed 2.5 dwellings per acre. Density may be increased up to four (4) dwelling units per acre according to the following:
    - a. one (1) unit per acre for every twenty (20) percent (minimum) of common open space is provided in addition to the minimum required; or
    - b. one (1) unit per acre for every 1200 (minimum) linear feet of boulevard treatment of a street; or
    - c. one (1) unit per acre if all other optional bonuses in Subsection (g) are provided.
  4. Thirty (30) percent less side or rear setbacks may be permitted for every ten (10) percent of private open space more than the minimum required, provided that the distance between buildings is maintained and provided that the windows in adjacent buildings are not aligned so as to ensure privacy of the residents;
  5. Twenty (20) percent less required private open space may be permitted for every twenty (20) percent of common open space provided beyond the minimum;
  6. Optional Bonuses. Additional density bonuses may be permitted as provided in Subsection © (3), provided that the applicant furnishes some of the following for the proposed development:
    - a. Boulevard treatment of a street, including a wide landscaped median strip or island in the middle of a street;
    - b. Orientation of buildings that provide views of common open space, forests, valleys, ponds, wetlands and hills;
    - c. Buildings oriented for solar heating
    - d. Less than fifty (50) percent of garage doors facing the street or common courtyard;
    - e. Garbage enclosures and places for recreational vehicles hidden from view from the street; and
    - f. Attractive non-standard, but consistent, style for lampposts and signs, varied pavement treatments, tiles, stones, bricks and mosaics.

**Section 6-204.5.C.9** (R-3A)

Planned Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.

- a. Residential planned development provided that:
  1. Private open space is provided as follows:
    - a. Single family detached units shall have at least 450 square feet of usable, private green space adjacent to each unit with some separation from neighbors' space and with direct access from the unit.
    - b. Townhouses and multi-family units shall have at least two hundred (200) square feet of private open space per unit. Such open space can be located on a patio, deck, balcony, or next to the building or combination thereof.
  2. Common Open Space. At least twenty-five (25) percent of the area of the development shall be maintained as common open space.
  3. Density and Bonuses. Except as otherwise provided in this Subsection, the density for dwellings shall not exceed 2.5 dwellings per acre. Density may be increased up to four (4) dwelling units per acre according to the following:
    - a. one (1) unit per acre for every twenty (20) percent (minimum) of common open space is provided in addition to the minimum required; or
    - b. one (1) unit per acre for every 1200 (minimum) linear feet of boulevard treatment of a street; or
    - c. one (1) unit per acre if all other optional bonuses in Subsection (g) are provided.
  4. Thirty (30) percent less side or rear setbacks may be permitted for every ten (10) percent of private open space more than the minimum required, provided that the distance between buildings is maintained and provided that the windows in adjacent buildings are not aligned so as to ensure privacy of the residents;
  5. Twenty (20) percent less required private open space may be permitted for every twenty (20) percent of common open space provided beyond the minimum;
  6. Optional Bonuses. Additional density bonuses may be permitted as provided in Subsection © (3), provided that the applicant furnishes some of the following for the proposed development:
    - a. Boulevard treatment of a street, including a wide landscaped median strip or island in the middle of a street;
    - b. Orientation of buildings that provide views of common open space, forests, valleys, ponds, wetlands and hills;
- c. Buildings oriented for solar heating
- d. Less than fifty (50) percent of garage doors facing the street or common courtyard;
- e. Garbage enclosures and places for recreational vehicles hidden from view from the street; and
- f. Attractive non-standard, but consistent, style for lampposts and signs, varied pavement treatments, tiles, stones, bricks and mosaics.

**Section 6-205.C.12** (R-4)

Planned Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses.

- a. Residential planned development, provided that: (Ord. 2420 7/6/93)
  1. Private open space is provided as follows:
    - a. Single family detached units shall have at least 450 square feet of usable, private green space adjacent to each unit with some separation from neighbors' space and with direct access from the unit.

- b. Townhouses and multi-family units shall have at least two hundred (200) square feet of private open space per unit. Such open space can be located on a patio, deck, balcony, or next to the building or combination thereof.
2. Common Open Space: At least twenty (20) percent of the area of the development shall be maintained as common open space.
  3. Density for dwellings shall not exceed six (6) units per acre, and the higher end of this limit shall only be considered provided that: (Ord. 2537 - 3/21/94 & Ord. 3354 – 4/17/00)
    - a. one (1) unit per acre for every twenty (20) percent (minimum) of common open space provided in addition to the minimum required; or
    - b. one (1) unit per acre for every 1200 (minimum) linear feet of boulevard treatment of a street; or
    - c. one (1) unit per acre if all other optional bonuses set forth in subsection (g) are provided.
  4. Thirty (30) percent less side or rear setback may be permitted for every ten (10) percent of private open space more than the minimum required, provided that the distance between buildings is maintained and provided that the windows in adjacent buildings are not aligned so as to ensure privacy of the residents;
  5. Twenty (20) percent less required private open space may be permitted for every twenty (20) percent of common open space provided beyond the minimum;
  6. Optional Bonuses. Additional density bonuses may be permitted, provided that the applicant provides the following in the proposed development:
    - a. Boulevard treatment of a street, including a wide landscaped medium strip or island in the middle of a street;
    - b. Orientation of buildings that provide views of common open space, forests, valleys, ponds, wetlands and hills;
    - c. Buildings oriented for solar heating;
    - d. Less than fifty (50) percent of garage doors facing the street or common courtyard;
    - e. Garbage enclosures and places for recreational vehicles hidden from view from the street; and
    - f. Attractive non-standard, but consistent, style for lampposts and signs, varied pavement treatments, tiles, stones, bricks and mosaics.
2. Planned Developments in MFG, ORI and VCD Zoning Districts

**Section 6-208.C.11** (MFG)

*Planned Manufacturing Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses;*

**Section 6-211.C.11** (ORI)

*Planned Office/ Research/ Institutional Developments that include a site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses;*

**Table 6-212.C.1** (VCD)

**8. Planned Developments**

*Site that is or is intended for two or more buildings, or one or more principal use, or one principal building for two or more principal uses*

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**Multiple District Changes Re: Lot Coverage**

**Section 6-201.F** (E-1)



**Lot Coverage.** No more than twenty-five percent (25%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least seventy-five percent (75%) of total parcel area in green space. Impervious coverage will be allowed up to 30% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~for the proposed development's principal structure (e.g. house) and its associated pavement and all accessory uses shall be impervious.~~ For places of worship no more than seventy percent (70%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least thirty percent (30%) in green space. (See Section 2-102 Definitions "Green Space"). ~~proposed for development shall be impervious.~~ For the purposes of lot coverage determination, with regard to detention/ retention areas, lot coverage:

(6/08)

1. ~~For dry bottom and wetland bottom detention/ retention areas shall be considered impervious below the level of the invert of the outlet;~~
2. ~~For wet bottom detention/ retention areas shall be considered impervious below the normal water line.~~

**Section 6-202.F (R-1)**

**Lot Coverage.** No more than thirty percent (30%) of the area of the parcel may be covered with building and pavement, leaving at least seventy percent (70%) of total parcel area in green space. Impervious coverage will be allowed up to 35% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~for the proposed development's principal structure (e.g. house) and its associated pavement shall be impervious.~~ An additional five percent (5%) of the area of the parcel may be used for permitted accessory structures, pavement and uses without following variance procedures (refer to Section 6-302 for permitted accessory structures and uses). For places of worship and/or institutional uses, no more than seventy percent (70%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least thirty percent (30%) in green space. (See Section 2-102 Definitions "Green Space"). ~~proposed for development shall be impervious.~~ For the purposes of lot coverage determination, with regard to detention/ retention areas, lot coverage:

(6/08)

1. ~~For dry bottom and wetland bottom detention/ retention areas shall be considered impervious below the level of the invert of the outlet;~~
2. ~~For wet bottom detention/ retention areas shall be considered impervious below the normal water line.~~

**Section 6-203.F (R-2)**

**Lot Coverage.** No more than thirty-five percent (35%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least sixty-five percent (65%) of total parcel area in green space. Impervious coverage will be allowed up to 40% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~for the proposed development's principal structure (e.g. house) and its associated pavement shall be impervious.~~ An additional five percent (5%) of the area of the parcel may be used for permitted accessory structures, pavement and uses without following variance procedures (refer to Section 6-302 for permitted accessory structures and uses). For places of worship and/or institutional uses, no more than seventy percent (70%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least thirty percent (30%) in green space. (See Section 2-102 Definitions "Green Space"). ~~proposed for development shall be impervious.~~ For the purposes of lot coverage determination, with regard to detention/ retention areas, lot coverage:

1. ~~For dry bottom and wetland bottom detention/ retention areas shall be considered impervious below the level of the invert of the outlet;~~
2. ~~For wet bottom detention/ retention areas shall be considered impervious below the normal water line.~~

**Section 6-203.5.F** (R-2A)

**Lot Coverage.** No more than thirty-five percent (35%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least sixty-five percent (65%) of total parcel area in green space. Impervious coverage will be allowed up to 40% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~for the proposed development's principal structure (e.g. house) and its associated pavement shall be impervious.~~ An additional five percent (5%) of the area of the parcel may be used for permitted accessory structures, pavement and uses without following variance procedures (refer to Section 6-302 for permitted accessory structures and uses). For places of worship and/or institutional uses, no more than seventy percent (70%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least thirty percent (30%) in green space. (See Section 2-102 Definitions "Green Space"). ~~proposed for development shall be impervious. For the purposes of lot coverage determination, with regard to detention/ retention areas, lot coverage:~~

~~(6/08)~~

1. ~~For dry bottom and wetland bottom detention/ retention areas shall be considered impervious below the level of the invert of the outlet;~~
2. ~~For wet bottom detention/ retention areas shall be considered impervious below the normal water line.~~

**Section 6-204.F** (R-3)

**Lot Coverage.** No more than thirty-five percent (35%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least sixty-five percent (65%) of total parcel area in green space. Impervious coverage will be allowed up to 40% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~for the proposed development's principal structure (e.g. house) and its associated pavement shall be impervious.~~ Residences with three (3) or four (4) vehicle side-load garages not facing a public street are allowed an additional three percent (3%) impervious lot coverage. An additional five percent (5%) of the area of the parcel may be used for permitted accessory structures and uses without following variance procedures (refer to Section 6-302 for permitted accessory structures and uses). For places of worship and/or institutional uses, no more than seventy percent (70%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least thirty percent (30%) in green space. (See Section 2-102 Definitions "Green Space"). ~~proposed for development shall be impervious. For the purposes of lot coverage determination, with regard to detention/ retention areas, lot coverage: (Ord. 4143 — 6/5/06; Amd. Ord. 4374 — 6/2/08; Amd. Ord. 4515 — 10/19/09)~~

1. ~~For dry bottom and wetland bottom detention/ retention areas shall be considered impervious below the level of the invert of the outlet;~~
2. ~~For wet bottom detention/ retention areas shall be considered impervious below the normal water line.~~

**Section 6-204.5.F** (R-3A)

**Lot Coverage.** No more than thirty-five percent (35%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least sixty-five percent (65%) of total parcel area

in green space. Impervious coverage will be allowed up to 40% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~for the proposed development's principal structure (e.g. house) and its associated pavement shall be impervious. An additional five percent (5%) of the area of the parcel may be used for permitted accessory structures, pavement and uses without following variance procedures (refer to Section 6-302 for permitted accessory structures and uses). For places of worship and/or institutional uses, no more than seventy percent (70%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least thirty percent (30%) in green space. (See Section 2-102 Definitions "Green Space"). ~~proposed for development shall be impervious. For the purposes of lot coverage determination, with regard to detention/retention areas, lot coverage:~~~~

- ~~1. For dry bottom and wetland bottom detention/retention areas shall be considered impervious below the level of the invert of the outlet;~~

(6/08)

- ~~2. For wet bottom detention/retention areas shall be considered impervious below the normal water line.~~

#### **Section 6-205.F (R-4)**

**Lot Coverage.** No more than forty-five percent (45%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least fifty-five percent (55%) of total parcel area in green space. Impervious coverage will be allowed up to 50% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~for the proposed development's principal structure (e.g. house) and its associated pavement for residential development shall be impervious. For places of worship and/or institutional uses, no more than seventy percent (70%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least thirty percent (30%) in green space. (See Section 2-102 Definitions "Green Space"). ~~proposed for development shall be impervious. For the purposes of lot coverage determination, with regard to detention/retention areas, lot coverage:~~~~

- ~~1. For dry bottom and wetland bottom detention/retention areas shall be considered impervious below the level of the invert of the outlet;~~
- ~~2. For wet bottom detention/retention areas shall be considered impervious below the normal water line.~~

#### **Section 6-205.1.F (LSPD)**

**Lot Coverage.** No more than forty-five (45) percent of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least fifty-five percent (55%) of total parcel area in green space. (See Section 2-102 Definitions "Green Space"). Impervious coverage will be allowed up to 50% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~lot proposed for residential development shall be impervious. Retention and detention areas are considered impervious up to the normal water mark. (Ord. 3672 - 8/5/02)~~

#### **Section 6-206.H (RSB)**

**Lot Coverage.** No more than sixty-five (65) percent of the area of the parcel may be covered with building, pavement and storm water storage for residential uses, leaving at least thirty-five percent (35%) of total parcel area in green space. Impervious coverage will be allowed up to 70% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~lot may be impervious for residential uses and No more than eighty (80) percent of the area of the parcel may be covered with building, pavement and storm water storage for non-residential and mixed~~

~~uses, leaving at least twenty percent (20%) of total parcel area in green space. (See Section 2-102 Definitions "Green Space"). lot may be impervious for nonresidential and mixed uses. Retention and detention areas are considered impervious up to the normal water mark. (Ord. 3672 - 8/5/02)~~

**Section 6-207.G** (BIZ)

**Lot Coverage.** ~~No more than seventy-five (75) percent of the area of the parcel proposed for development, including any retention areas, shall be covered with building, pavement and storm water storage, leaving at least twenty-five percent (25%) of total parcel area in green space. (See Section 2-102 Definitions "Green Space"). Impervious coverage will be allowed up to 80% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met.~~ impervious. For the purposes of lot coverage determination, with regard to detention/ retention areas, lot coverage: (Ord. 3672 - 8/5/02; Amd. Ord. 4374 - 6/2/08)

- ~~1. For dry bottom and wetland bottom detention/ retention areas shall be considered impervious below the level of the invert of the outlet;~~
- ~~2. For wet bottom detention/ retention areas shall be considered impervious below the normal water line.~~

**Section 6-208.I** (MFG)

**Lot Coverage.** ~~No more than eighty percent (80%) of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least twenty percent (20%) of total parcel area in green space. (See Section 2-102 Definitions "Green Space"). Impervious coverage will be allowed up to 85% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met.~~ proposed for development, including any retention areas, shall be impervious. For the purposes of lot coverage determination, with regard to detention/ retention areas, lot coverage:

- ~~1. For dry bottom and wetland bottom detention/ retention areas shall be considered impervious below the level of the invert of the outlet;~~
- ~~2. For wet bottom detention/ retention areas shall be considered impervious below the normal water line.~~

**Section 6-210.G** (COR)

**Lot Coverage.** ~~No more than seventy-five (75) percent of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least twenty-five percent (25%) of total parcel area in green space. (See Section 2-102 Definitions "Green Space"). Impervious coverage will be allowed up to 80% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met.~~ lot, including detention areas, may be impervious. For the purposes of lot coverage determination, with regard to detention/ retention areas, lot coverage: (Ord. 3672 - 8/5/02; Amd. Ord. 4374 - 6/2/08)

- ~~1. For dry bottom and wetland bottom detention/ retention areas shall be considered impervious below the level of the invert of the outlet;~~
- ~~2. For wet bottom detention/ retention areas shall be considered impervious below the normal water line.~~

**Section 6-211.G** (ORI)

**Lot Coverage.** No more than seventy-five (75) percent of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least twenty-five percent (25%) of total parcel

area in green space. (See Section 2-102 Definitions "Green Space"). Impervious coverage will be allowed up to 80% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~proposed for development, including any retention areas, shall be impervious. For the purposes of lot coverage determination, with regard to detention/ retention areas, lot coverage: (Ord. 3672 – 8/5/02; Amd. Ord. 4374 – 6/2/08)~~

- ~~1. For dry bottom and wetland bottom detention/ retention areas shall be considered impervious below the level of the invert of the outlet;~~
- ~~2. For wet bottom detention/ retention areas shall be considered impervious below the normal water line.~~

**Section 6-212.D.1 (VCD)**

1. Lot Coverage

No more than seventy five (75) percent of the area of the parcel may be covered with building, pavement and storm water storage, leaving at least twenty five (25) percent of total parcel area in green space. (See Section 2-102 Definitions "Green Space"). Impervious coverage will be allowed up to 80% when Best Management Practices (BMP) such as porous pavements and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met. ~~For the purposes of lot coverage determination, with regard to detention/ retention areas, lot coverage:~~

- ~~1. For dry bottom and wetland bottom detention/ retention areas shall be considered impervious below the level of the invert of the outlet;~~
- ~~2. For wet bottom detention/ retention areas shall be considered impervious below the normal water line.~~

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**Section 6-207 BIZ General Business District**

• Section 6-207.C Special Uses

- ~~3. Automobile service stations;~~
- ~~4. Car washes;~~
10. Motor vehicle sales or rental;
11. Motor vehicle services;

a. Vehicle repair, as a primary use, with outdoor storage provided it is located at least 200 feet from a residential use or district, with a solid screen at least six (6) feet in height between said use and the residential use or district;

- ~~15. Pawn shops/ Pawnbrokers subject to licensing by the Village and State (per 205 ILCS 510/ Pawnbroker Regulation Act) and provided that the building or unit in building is not closer than 1,000 feet to another pawn shop/ pawnbroker building/unit or to the property line of a school, child care facility or park;~~
- ~~22. Tattoo/ body piercing shops subject to licensing by the Village and registering with the State (per 410 ILCS 54/ Tattoo and Body Piercing Establishment Registration Act) and provided that the building or unit in building is not closer than 1,000 feet to another tattoo/body piercing establishment building/ unit or to the property line of a school, child care facility or park;~~
- ~~20. Sale of tires, batteries, and automobile accessories;~~

~~24. Vehicle repair with outdoor storage provided it is located at least 200 feet from a~~

~~residential use or district, with a solid screen at least six (6) feet in height between said use and the residential use or district; (Ord. 3354 – 4/17/00)~~

~~25. Vehicle sales or rental.~~

### **Section 6-208 MFG Manufacturing District**

- Section 6-208.B Permitted Uses

~~10. Motor vehicle services;~~

~~a. Vehicle repair, as a primary use, with outdoor storage, provided they are located at least 200 feet from a residential use or district with a solid screen at least six (6) feet in height between said use and the residential use or district; (Ord. 4042 – 7/5/05)~~

~~12. Outside Storage, when the storage area does not exceed fifty percent (50%) 25% of the area of the lot, is located at the rear of the principal building, is screened on all sides, and the height~~

~~15. Vehicle repair with outdoor storage, provided they are located at least 200 feet from a residential use or district with a solid screen at least six (6) feet in height between said use and the residential use or district; (Ord. 4042 – 7/5/05)~~

- Section 6-208.C Special Uses

~~2. Automobile service stations;~~

~~3. Car washes; (Ord. 3672 – 8/5/02)~~

### **Section 6-210 COR Mixed Use District**

- Section 6-210.C Special Uses

~~15. Pawn shops/ Pawnbrokers subject to licensing by the Village and State (per 205 ILCS 510/ Pawnbroker Regulation Act) and provided that the building or unit in building is not closer than 1,000 feet to another pawn shop/ pawnbroker building/unit or to the property line of a school, child care facility or park;~~

~~24. Tattoo/ body piercing shops subject to licensing by the Village and registering with the State (per 410 ILCS 54/ Tattoo and Body Piercing Establishment Registration Act) and provided that the building or unit in building is not closer than 1,000 feet to another tattoo/body piercing establishment building/ unit or to the property line of a school, child care facility or park;~~

### **Section 6-302 Accessory Structures and Uses**

- Section 6-302.C Permitted Accessory Uses and Structures

13.c. Detached garages on single family lots in the R-2, R-3 and R-4 Districts may not exceed 720 square feet in size. Detached garages may be no higher (12/06) than thirteen (13) feet or sixteen (16) feet in Old Orland Historic District, unless a second story is added over the garage, or it is to be used as an accessory dwelling (see Section 6-302.B) or as additional space for uses such as personal office, weight room, hobby space etc. subject to Section 6-303. In no case may it be higher than two stories or 17 feet to the mean height peak.

14. **Garbage Containers and Enclosures:** May not be stored in residential front setbacks. Also, see Section 6-302.D.

~~15. **Geothermal Energy Systems:** See Section 6-314 Environmental Technology Standards.~~

~~16. **Green Roof/ Eco-Roof:** See Section 6-302.I.~~

~~17. **Ice Skating Rinks:** May be permitted in rear setbacks in all districts except the BIZ General Business District, Village Center District and the (8/02) MFG Manufacturing District, and must be at least ten (10) feet from the side and rear lot line. (Ord. 2462 - 10/18/93)~~

- 28. **Rain Barrels and Rain Gardens:** See Section 6-302.I.
- 34. **Solar Energy Systems:** See Section 6-314 Environmental Technology Standards.
- 36. **Storm Water Cistern:** See Section 6-302.I.
- 37. 34. **Swimming Pools and Ice Skating Rinks:** See Section 6-310.1 *Swimming Pools*. May be permitted in rear setbacks in all districts except the BIZ General Business District, Village Center District and the (8/02) MFG Manufacturing District, and must be at least ten (10) feet from the side and rear lot line.
- 41. **Underground Storm Water Cistern/ Dry Well:** See Section 6-302.I.
- 42. **Wind Energy Conversion Systems:** See Section 6-314 Environmental Technology Standards.

- Section 6-302.D Exterior/ Outdoor Lighting is moved to 6-407.1
- NEW Section 6-302.D Waste Collection and Utility Equipment Enclosures  
D. **Waste Collection and Utility Equipment Enclosures.**

1. **Waste Collection Enclosures.**

a. **Purpose for Waste Collection Enclosures.** *The purpose of this subsection is to ensure the provision of adequate locations and space, compatible with surrounding land uses, for the temporary storage, separation, and collection of recyclable and non-recyclable materials for multi-family and non-residential uses. It is also to establish standards for the design and maintenance of the enclosures surrounding waste, recycling and/ or other refuse containers accessory to any multi-family or non-residential use.*

INSERT: Table 6-302.D.1 (A)

b. **Intent for Waste Collection Enclosures.** *The intent of this subsection is to avoid illegal dumping of waste and refuse and unsightly conditions in waste collection areas that can result in environmental pollution and hazards to the health and safety of people and wildlife.*

c. **Definitions.** *For this subsection, the following definitions shall apply:*

1. **Container.** *A device or receptacle that receives waste, garbage, refuse or recyclable material for temporary onsite storage until collection and shipment to a processing plant or landfill;*
2. **Garbage.** *Discarded animal and vegetable/ plant matter, as from a residential kitchen or commercial restaurant;*
3. **Recyclable.** *Discarded solid material that can be treated and processed and made suitable for reuse;*
4. **Refuse.** *Discarded non-recyclable materials that may also be liquid in form, bio-hazardous, toxic, chemical or other type of material not associated with solid waste or garbage;*
5. **Significant Repair.** *The mending or correction of enclosure tilting and masonry wall disintegration; also, the replacement of enclosure wall sections, gates or trellises;*

6. **Waste.** Discarded non-recyclable solid material of unusable quality produced as a by-product of residential, commercial or industrial consumption;
  7. **Waste Collection Enclosure.** General term used for the wall screening system of waste, recycling and/ or other refuse containers;
- d. **Administrative Review.** Waste, recycling and/ or other refuse container enclosure(s) for existing buildings shall require an administrative appearance review by the Development Services Department for any of the following:
1. Change in site location;
  2. Change in enclosure elevations/ design;
  3. New enclosure construction for existing buildings;
  4. Property maintenance and/ or health and safety violations and citations, which shall require the enclosure to conform to current code standards; and
  5. Significant repair;
- e. **Routine Maintenance.** Routine maintenance shall not require an administrative review by the Development Services Department. All necessary building permits are required. Routine maintenance includes:
1. Panel or post replacement on wooden or vinyl fence enclosures;
  2. Maintenance or repair of enclosure concrete pads;
  3. Maintenance such as tuck pointing, cleaning or same color brick replacement on masonry enclosures (see Section 6-308.F.4 for masonry painting); and
  4. Maintenance or replacement of bollards.
- f. **Waste Collection Enclosure Requirements.** Waste, recycling and/ or other refuse containers shall locate within an enclosure, following the requirements of Section 6-302.D.1.f.1 below. Enclosures shall be provided for multi-family and non-residential uses. It is not permitted to locate a waste, recycling and/ or other refuse container or enclosure in the front yard/ front setback of any building or use.
1. The requirements outlined in Table 6-302.D.1 (A) Waste Collection Container Enclosures shall apply to walls and fences surrounding waste, recycling and/ or other refuse containers that make up the enclosure(s) accessory to any multi-family or non-residential use;
  2. Waste, recycling and/ or other refuse containers and enclosures must be in satisfactory structural, visual and sanitary conditions;
    - i. Property owners must notify the local waste



- management service(s) and remedy any container rust holes, dents, broken/ non-functioning container lids, and broken wheels to either fix or replace the container;
- ii. Property owners must maintain containers and enclosures against graffiti and other forms of vandalism;
- iii. Property owners must keep wooden or vinyl enclosures in satisfactory conditions and remedy any wood rot, broken fence panels, gates, sections, and/or posts; they must also keep the enclosure clean (from overflow/ litter, grime etc.);
- iv. Property owners must keep masonry enclosures in satisfactory conditions and remedy any damage to the gates and masonry including spalling, rust-jacking, mortar loss, cracking etc.; they must also keep the enclosure clean (from overflow/ litter, grime etc.);
3. Enclosures for new construction/ buildings shall be constructed in a durable fashion of brick, stone or other masonry materials following the requirements of the Village Building Code. Enclosures for new buildings shall follow the requirements, standards and guidelines of this section and shall be reviewed as part of the site plan review process;
4. Enclosures shall match the architectural style of the principal structure and must be screened from public view by landscaping made of native plant materials;
5. New chain-link enclosures are not permitted. Existing chain-link enclosures requiring appearance review must upgrade to solid wooden or non-white vinyl fence enclosures;
6. Waste collection enclosures must be solid wooden fences, solid non-white vinyl fences, or solid masonry walls. Three of the four enclosure walls must be 100% opaque. When gates are present, the gates must be 100% opaque;
- g. **Recycling Containers.** Recycling containers shall be partitioned from waste and/or other refuse containers in a waste collection enclosure by a wall. The dimensions of the recycling container's partition shall follow the same dimension requirements for waste collection enclosures noted in Table 6-302.D.1 (A) and may share a gate with the entire enclosure;
- h. **Waste Collection Service Pad.** All new waste, recycling and/ or other refuse container enclosures shall require a thirteen (13) foot by thirteen (13) foot concrete or asphalt waste collection service pad in front of the enclosure's access point/ gates following the standards of Section 6-406.C Driveway, Driveway Apron, and Parking Construction for commercial uses. The service pad shall be connected with the pad inside the enclosure;
- i. **Container to Unit Ratio Standards.** Property owners and developers should contact the local contracted waste management service for required container to unit ratio standards. If the local waste management

service does not offer a container to unit ratio standard the below ratios may apply:

1. A three (3) cubic yard waste container and a three (3) cubic yard recycle container is suggested for every:

- i. Twenty (20) multi-family residential units;
- ii. 20,000 square feet of commercial office space or general commercial space;
- iii. 8,000 square feet of commercial retail space;
- iv. 20,000 square feet of industrial space;

2. Multi-family residential and non-residential uses may consolidate or optimize cubic yards for smaller, larger and/ or fewer containers on site as long as minimum requirements are met or the waste management service is satisfied;

j. **Joint Waste Collection Facilities.** A joint waste collection facility is one or more enclosures adjacent or connected to each other and separated by wall divisions, with multiple gates that may contain multiple containers. They may service multiple tenants;

1. For multi-family residential and non-residential properties, joint waste collection facilities are intended to:

- i. Centralize the onsite activity of temporary storage, separation, and collection of recyclable and non-recyclable discarded material;
- ii. Consolidate the number of enclosures to reduce the amount of independent enclosures across a development site;
- iii. Consolidate the loading and unloading of containers on to and off of collection vehicles; and
- iv. Reduce unnecessary collection vehicle travel across parking lots that may damage or negatively impact drive-aisles and driveways etc.;

2. Joint waste collection facilities may be established when four or more stand-alone waste enclosures are required on a site. The consolidation to joint waste collection facilities requires that the total number of stand-alone enclosures is reduced by half.

3. Joint waste collection facilities shall be designed following enclosure dimension requirements outlined in Table 6-302.D.1 (A) per stall per unit.

2. **Utility Equipment Enclosures.**

a. **Purpose for Utility Equipment Enclosures.** The purpose of this subsection is to ensure the provision of adequate locations and space,

compatible with surrounding land uses, for the storage and security of utility and mechanical ground equipment and the maintenance of the enclosures surrounding the utility and mechanical ground equipment accessory to any building.

b. **Intent for Utility Equipment Enclosures.** It is the intent of this subsection to secure any accessory ground-based equipment associated with a structure and to protect the health and well-being of people and wildlife from said equipment.

c. **Definitions.** For this subsection, the following definitions shall apply:

1. **Mechanical Equipment.** Includes but is not limited to all equipment under the general heading of plumbing, heating, air conditioning, gas fitting and electrical work;
2. **Significant Repair.** The mending or correction of enclosure tilting and masonry wall disintegration; also, the replacement of enclosure wall sections, gates or trellises;
3. **Telecommunications Equipment.** Includes but is not limited to all equipment involved in the transmission of information, as words, sounds, or images, usually over great distances, in the form of electromagnetic signals or fiber optics as by internet, telegraph, land-based and wireless telephony, radio, satellite or television.
4. **Utility Equipment.** Generally composed of one or more permanent or temporary pieces of equipment connected to or part of a structure and designed to provide a service such as or other than water, sewage disposal, heat, gas, electricity or information transmission etc.

d. **Administrative Review.** Mechanical, telecommunications and/ or other utility equipment for existing buildings shall require an administrative appearance review by the Development Services Department for any of the following:

1. Change in site location;
2. Change in enclosure elevations/ design;
3. New enclosure construction for existing buildings;
4. Property maintenance and/ or health and safety violations and citations, which shall require an enclosure to conform to current code standards; and
5. Significant repair;

e. **Routine Maintenance.** Routine maintenance shall not require an administrative review by the Development Services Department. See Section 6-302.D.1.e.

f. **Utility Equipment Enclosure Requirements.** Mechanical, telecommunications and/ or other utility equipment shall locate within an

enclosure, following the below requirements. Enclosures shall be provided for multi-family and non-residential uses. It is not permitted to locate mechanical, telecommunications and/ or other utility equipment or enclosures in the front yard/ front setback of any building or within sight of a public right-of-way.

1. New chain-link enclosures are not permitted. Existing chain-link enclosures requiring appearance review must upgrade to solid wooden or non-white vinyl fence enclosures;
2. Utility equipment enclosures must be solid wooden fences, solid non-white vinyl fences, or solid masonry walls;
3. Masonry enclosures cannot be replaced with solid wooden or vinyl fence enclosures;
4. An existing enclosure may be replaced with a masonry enclosure at any time (see Section 6-302.D.2.d);
5. Mechanical, telecommunications and/ or other utility enclosures must be in satisfactory structural and visual conditions;
  - i. Property owners must maintain enclosures against graffiti and other forms of vandalism;
  - ii. Property owners must keep wooden or vinyl enclosures in satisfactory conditions and remedy any wood rot, broken fence panels, gates, sections, and/or posts; they must also keep the enclosure clean;
  - iii. Property owners must keep masonry enclosures in satisfactory conditions and remedy any damage to the gates and masonry including spalling, rust-jacking, mortar loss, cracking etc.; they must also keep the enclosure clean;
6. Enclosures for new construction/ buildings shall be constructed in a durable fashion of brick, stone or other masonry materials following the requirements of the Village Building Code. Enclosures for new buildings shall follow the requirements, standards and guidelines of this section and shall be reviewed as part of the site plan review process;
7. Enclosures shall match the architectural style of the principal structure and must be screened from public view by landscaping made of native plant materials;
8. Mechanical, telecommunications and/ or other utility equipment enclosures must maintain a minimum clearance of three (3) feet between the equipment and the enclosure walls for internal circulation;
9. Mechanical, telecommunications and/ or other utility equipment may abut directly against the principal building(s) or principal structure(s) following Village Building Code standards or may be incorporated as part of the building site plan and elevations;

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- Section 6-302.I Swimming Pools was moved to 6-310.1
  - NEW Section 6-302.I Storm Water Best Management Practices
- I. **Storm Water Best Management Practices.**

1. **Best Management Practices.** The following list of best management practices serves to encourage residents and businesses to employ clean technologies for local water quality improvements and storm water management. For more information on best management practices, contact the Development Services Department and reference the most up to date Village of Orland Park Storm Water Management Technical Guidance Manual (TGM).

a. **Bio-Swale.** A bio-swale is a shallow drainage conveyance trench or shoulder with a gentle slope designed to slowly transport and treat run-off. A swale looks similar to a ditch, but is slightly wider and may use berms and/or check dams to promote settling and infiltration.

b. **Flow-Through Planter.** A flow-through planter is a structure or container placed above or below ground and filled with gravel, soil and vegetation. Run-off is temporarily stored above the soil and slowly filters down. Water that is not absorbed by the soils or plants is collected in a perforated pipe at the bottom of the planter and routed to a drain system or network of planters. These are effective for compact sites, next to building foundations or other locations where infiltration may be problematic or soils are poor-draining. Flow-through planters are permitted for all commercial sites.

c. **Green Roof/ Eco-Roof.** A green roof uses living plant material as part of the roofing system. Green roofs generally include a waterproof membrane, root barrier, thermal insulation, drainage system, filter layer, growing medium and living plant material. The plants, roots, and soil filters detain and absorb rainwater, slowing, cleansing and cooling the run-off. Roof gardens can be either extensive (soil depths three to four inches) or intensive (soil depths six inches or greater). Green roofs are permitted in all zoning districts.

d. **Infiltration Planters.** An infiltration planter is a structure or container with an open bottom that is filled with a layer of soil and vegetation. Run-off is diverted into the planter and temporarily stored above the soil before infiltrating down into existing soils. This can be employed in space-limited sites where run-off is received by a piped inlet or sheet-flow, such as parking lot islands, plazas and walkways. If the soil does not drain well or infiltration is not desired, a perforated pipe under-drain can connect to storm sewers or defined, stabilized discharge point.

**Infiltration Trench.** An infiltration trench is a shallow trench filled with stone, sand or rock to create a small reservoir for run-off until it infiltrates into the soil or is released slowly into a storm drain system, usually over a period of several days. Underground infiltration trenches are effective for compact sites with limited space. Trenches should be covered with stone, grass and small plants or shrubs to better incorporate into the

urban landscape. Shallow, wide trenches (as opposed to narrow, deep trenches) are best for removing pollutants.

- e. **Native Landscaping.** See Section 6-305 Landscape and Bufferyards.
- f. **Permeable Pavers.** A series of interlocking concrete pavers that contain drainage voids for passing runoff to the sub-surface, where the water is further conveyed through base materials into the ground or storm drain system. Permeable pavers can be used in parking lots, private roads, and private sidewalks where no chemicals or other hazardous materials are used. In areas where soils do not drain freely, permeable pavement can be used in combination with sub-surface storm drain systems.
- g. **Porous Pavement.** Porous pavement is a mixed and placed hard surface that allows water to infiltrate across the entire area. The pavement is made without fine sand or small aggregate to create void spaces that allow rain and snow melt to pass through to a bed of open-graded aggregate beneath the pervious pavement. Storm water is then stored until it infiltrates into the underlying soils. Permeable paving should not be used in areas with the potential for high pollutant loads or high traffic/ high speed because its load-bearing capacity is typically less than conventional pavement.
- h. **Rain Barrels.** Rain barrels are designed to collect storm water from residential single family home and condominium rooftops and stored for later irrigation and non-potable uses in buildings. Rain barrels that contain up to 55 gallons are permitted in all zoning districts.
  - 1. **Setbacks.** Rain barrels may project up to three (3') feet beyond the established building side and rear yard setbacks.
- i. **Rain Garden (Bio-Retention).** A rain garden is a shallow depression that captures storm water run-off from roofs, driveways, streets and parking lots allowing it to infiltrate into the soil. These gardens typically utilize a modified soil mixture to ensure that the gardens soak up the water within a two-day period. Many are designed to have overflow outlet during heavy rainfall events. Rain gardens may be planted with shrubs, perennials or native wildflowers and grasses to increase infiltration and attract biodiversity. Rain gardens typically absorb 30% more storm water than conventional lawns. Rain gardens are permitted in all zoning districts.
- j. **Storm Water Cisterns.** Storm water cisterns are designed to collect storm water runoff from non-residential and mixed-use rooftops and stored for later irrigation and non-potable uses in buildings. Above ground storm water cisterns that contain up to 10,000 gallons are permitted in the LSPD, BIZ, COR, VC, ORI, MFG and R-4 zoning districts.
  - 1. **Height.** Storm water cisterns may not extend beyond the roofline of the building's height or 40 feet, whichever is lesser.

2. **Setbacks.** Storm water cisterns may project up to ten (10') feet beyond the established building side and rear yard setbacks. A cistern may not locate between the building and the right-of-way.

3. **Appearance.** Storm water cistern colors must match existing building colors and the system must be integrated as an architectural feature.

k. **Underground Storm Water Cistern/ Dry Well.** An underground storm water cistern/ dry well is a process where storm water run-off is funneled into an underground rock-filled trench or vault, temporarily detained and infiltrated back into the surrounding soils. Dry wells can reduce the volume of storm water run-off generated by the roofs of structures, a significant source of run-off volume that enters storm drain systems (they can also potentially recharge local aquifers by diverting storm water into the soils). Dry wells should be placed near areas that accumulate standing water or receive rooftop run-off from gutter downspouts. They can be manufactured, made by filling a trench with stone and gravel, or utilize a perforated pipe made of concrete or plastic, and surrounded by gravel.

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### Section 6-304 Temporary Uses

- Section 6-304.C Permitted Temporary Uses

9. **Residential Outdoor Storage and Dumpsters.** (Ord. 4125 – 4/17/06)

a. Allowed ~~Permitted~~ for a one-month period.

b. Must be placed on private driveways.

10. **Temporary Sales.** (Ord. 3070-10/20/97)

a. For existing onsite businesses, temporary ~~Temporary~~ sales of items including flowers, food, novelties, sidewalk sales, tent sales and special promotions shall be permitted in any district, provided

(4/06)

that all sales are conducted at least thirty (30) feet from the right-of-way of any street or highway, and do not interfere with traffic.

11. **Temporary Storage Units.**

a. **Permitted Units.** Temporary storage units that are not specifically regulated by Sections 1 through 10 of this section may be allowed subject to the following:

1. The maximum total unit size shall be 768 cubic feet for residential zoning districts and a maximum of 1,000 cubic feet per 10,000 square feet of existing principal building area for non-residential zoning districts. A maximum unit height of eight (8) feet above grade shall be allowed in all zoning districts;

2. Units shall be located on private property with a minimum lot line setback of five (5) feet from any lot line:
3. The maximum time allowed for a temporary storage unit shall be 30 days from the day of placement on the site:
4. Residential waste collection/ garbage enclosures are regulated by the Village Code (See 6-2-2-4 and 6-2-2-5):
5. Paper recycling containers/ paper retrievers are permitted for governmental uses and schools.

**b. Prohibited Units. The following temporary storage units are prohibited:**

1. Temporary storage units for materials that emit noxious odors or hazardous substances:
2. Temporary storage units in outdoor areas used for the collection of clothing, small household items, books, toys, hygienic materials, food, biohazards and other similar miscellaneous products and items:

**Section 6-306 Off-Street Parking and Loading Requirements**

• Section 6-306.E Location of Required Parking

5. One (1) ~~camper, sports trailer, boat, or other~~ recreational vehicle or utility or haul trailer may be parked in a driveway, provided it is located at least five (5) feet from a side, rear, or front lot line, and not less than ten (10) feet from an adjoining residential building. (Ord. 2570 5/2/94 & Ord. 3672 – 8/5/02; Amd. Ord. 4373 – 6/2/08)

• Section 6-306.K Restriction on Use of Off-Street Parking and Loading Spaces

The storage of merchandise, materials, or motor vehicles, and/or the repair of motor vehicles or any other kind of equipment, is prohibited in all off-street parking and loading areas, including required and not required spaces. Temporary storage units as regulated by Section 6-304.C.11 shall be permitted.

• NEW Section 6-306.N Vehicle to Grid (V2G) Parking Standards

**N. Vehicle to Grid (V2G) Parking Standards.**

1. Vehicle to Grid (V2G) Parking Standards. V2G refers to the system of communication between electric or plug-in hybrid vehicles and the power grid to sell demand response services by either delivering electricity into the grid or by throttling their charging rate. Such vehicles are often either battery electric vehicles (BEV) or plug-in hybrid electric vehicles (PHEVs). BEVs and PHEVs displace the use of petroleum fossil fuels, improve transportation fuel efficiency and reduce greenhouse gas emissions. Since most vehicles are parked the majority of the time, BEV or PHEV batteries could be used to let electricity flow from the vehicle to the power lines and back, registering potential energy savings to utilities per vehicle. As BEVs and PHEVs become more main-stream, the purpose of this subsection is to regulate vehicle to grid (V2G) land uses and associated technologies.

- a. Electric Vehicle Supply Equipment (EVSE). EVSE are the plug-in or power control stations (e.g. electric vehicle battery chargers) that allow



BEVs and PHEVs to re-charge batteries. EVSE technologies must meet and comply with the most up to date provisions of the National Electrical Code for Level 2 conductive power stations and be approved by Underwriters Laboratories. One EVSE power station will be permitted per parking space.

b. **Electric Utility Interface and Screening.** ComEd shall be contacted to determine appropriate grid interconnection and interfacing, including metering policies. All associated and ancillary equipment, batteries, devices, structures or support(s) for EVSE shall be screened from the public right-of-way with low native landscaping. Cables, wires and other transmission conduits or lines, with the exception of the actual EVSE to vehicle plug/ adapter cable, providing connections from the EVSE to the electrical distribution point or to buildings or non-vehicle batteries must be installed underground.

c. **EVSE Ports.** EVSE ports are two (2) or more EVSE power control stations/ parking spaces aligned adjacent to each other. These typically are associated with specific parking spaces in a parking lot or structure. In parking lots EVSE ports can have canopies to protect the EVSE power stations from weather, provide adequate lighting for safety and convenience, and provide a platform for co-located renewable energy conversion systems to produce onsite energy. Two types of EVSE ports are permitted through site plan review. EVSE ports may not locate between the building and street.

1. **Utility Public Charging Port (UPCP).** A UPCP is an EVSE port established in a publically owned and maintained parking lot by either the electrical utility that services the area (ComEd) or the local government. UPCPs shall be permitted in all zoning districts.

2. **Private Charging Port (PCP).** A PCP is an EVSE port established in a privately owned and maintained parking lot by the private property owner or property management company. A PCP is permitted in R-4, VC, BIZ, COR, MFG, ORI and OL district parking lots. Commercial and multi-family PCPs do not typically require canopies for Underwriters Laboratories approved charging equipment. However, providing shelter over charging equipment to protect from rain or snow fall is permitted.

d. **Location of EVSE and EVSE Ports.** EVSEs must be located in accessible locations in parking lots near electrical distribution points/ transformer boxes (typically within 40 feet) and/ or on light poles in parking lots for commercial properties or, for multi-residential properties, near a PHEV/BEV tenant's electrical meter for appropriate grid connectivity and metering.

e. **V2G Parking Only Spaces.** V2G parking spaces shall meet the requirements for standard parking spaces as outlined in this section. In addition to these requirements, the EVSE shall be centered at the top of the parking space and protected by either stopping blocks, in the absence of curbs, or curbs. V2G parking only spaces may be used by regular automobiles if no other parking spaces are available.

f. **V2G Parking Requirements.** V2G parking requirements are voluntary. If V2G parking is proposed, there shall be one (1) V2G parking space per the first 30 required parking spaces and one (1) V2G space for every 10 required parking spaces thereafter.

g. **Overnight V2G Parking in Parking Lots.** Overnight parking in V2G parking spaces and lots is not permitted for recreation vehicles (10 p.m. to 10 a.m.). Overnight V2G parking is permitted for non-recreation PHEVs/ BEVs in publicly accessible parking lots via permit parking.

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## Section 6-307 Signs

### 1. Signs in Old Orland

- Section 6-307.K Setback Requirements

The minimum setback requirements for all freestanding or pole identification signs shall be as follows (for freestanding or pole signs in the Old Orland Historic District, See Section 6-209.E.5):

1. The minimum setback from the right-of-way property line shall be five (5) feet.
- ~~2. A greater setback shall be required if the sign is on the lot adjacent to an existing sign in the Old Orland Historic District.~~
2. 3. Signs shall not be permitted in parkways.
3. 4. No signs may be permitted within a sight triangle, except for safety-related signs.

- Section 6-307.M Prohibited Signs

10. Projection signs (for projection signs in the Old Orland Historic District, see Section 6-209.E.3 except as otherwise provided in the Old Orland Sign District 5 or if the sign fits within the building architecture as determined by the Plan Commission) which are suspended from or supported by a wall, awning or canopy and which are approximately perpendicular thereto. (Ord. 3354 – 4/17/00)

- Section 6-307.P Signs Permitted in Commercial/ Office Districts – Signs District #2

1. **Freestanding Identification Signs.**

- a. All areas except for 159th Street (between 71st Court and 94th Avenue) and except for the Old Orland Historic District (See Section 6-209.E):

2. **Wall Signs.**

- a. One (1) wall sign (for wall signs in the Old Orland Historic District, see Section 6-209.E.1) shall be allowed per lot frontage on a public right-of-way or major privately owned circulation road but not on a minor street with residences across the street. One wall sign may also be added on one building side without street or aisle frontage, if no residences are adjacent. However, where an establishment has a rear entrance which is not visible from another sign for the establishment, an additional sign which also directs persons to the rear entrance may be posted above or to the side of the rear entrance, provided that

such sign does not exceed four (4) square feet in sign face area. Secondary wall signs will be allowed for business establishments as follows: (Ord. 3281 - 8/16/99)

- e. Canopy signs (for canopy signs in the Old Orland Historic District, See Section 6-209.E.2) are considered wall signs and:

3. **Window Signs.**

- a. There shall be no more than fifty percent (50%) of each window area covered with window signs. (For window signs in the Old Orland Historic District, see Section 6-209.E.4). ~~limit to the number of window signs.~~ Spandrel glass is not considered a window. No window signs are allowed on spandrel glass.

- Section 6-307.S was eliminated (see staff report).

2. General Sign Amendments

- Section 6-307.N Signs Permitted in All Districts

1. **Signs Permitted With Permit.** The following activities shall require sign permits:

- f. **Banners, Pennants:** ~~Banners, pennants~~ Pennants are permitted for grand openings, for no more than fourteen (14) days. Pennants are also allowed for model homes, but subject to annual review. Banners are permitted for no more than thirty (30) days at a time, and no more than five (5) times per year. Banners must be tied to the building. (Ord. 3281 - 8/16/99; Amd. Ord. 4183 – 9/18/06; Amd. Ord. 4210 – 12/18/06)
- g. **Hot Air Balloons.** Hot air balloons are permitted for grand openings, sales and other similar special events on a temporary basis, for no more than two (2) weeks ~~three (3) days~~ at a time, and no more than ten (10) times per year.

- Section 6-307.P Signs Permitted in Commercial/ Office Districts – Signs District #2

1. **Freestanding Identification Signs.**

- b. All areas along 159th Street (between 71st Court and 94th Avenue):
  - 5. Listing of tenants' names shall be permitted for office buildings, but shall occupy no more than eighty (80) percent of the freestanding sign face. No tenants' names shall be allowed for non-office commercial signs unless the name is also the name of the center or unless distances between building and right-of-way exceed 250 feet, or unless distance between building and right-of-way exceeds 100 feet and building visibility from the right-of-way is blocked by structures along at least fifty percent (50%) of the lot width, in which case, up to four (4) tenant listings shall be permitted on up to forty percent (40%) of the freestanding identification face.

- Section 6-307.P Signs Permitted in Commercial/ Office Districts – Signs District #2

3. **Window Signs.**

- a. There shall be no more than fifty percent (50%) of each window area covered with window signs. (For window signs in the Old Orland Historic District, see Section 6-209.E.4). ~~limit to the number of window signs.~~

**Section 6-310 Fences**

B. **Prohibited Fences.** ~~The following types of dangerous or hazardous fences shall not be permitted to be either erected or maintained within the Village:~~

~~1. **Dangerous Fences.** *The following types of dangerous or hazardous fences shall not be permitted to be either erected or maintained within the Village:*~~

~~a. *Barbed wire fences, except for utility substations;*~~

~~b. *Electrical fences;*~~

~~c. *Spiked fences;*~~

~~d. *Fences with broken glass or other sharp points imbedded;*~~

~~e. *Any other type of fence that could result in injuries to persons climbing on or over such fences; and*~~

~~f. *Fences that are leaning in such a manner that an angle of fifteen (15) degrees or more is produced when measured from the vertical;*~~

~~2. **Fences Around the Lot Perimeter.** *Temporary fences, including but not limited to the following, shall not be permitted to be placed around lot perimeters:*~~

~~a. *Snow fences (wooden or plastic);*~~

~~b. *Mesh or wire fences, including chicken wire fences;*~~

~~c. *Silt and erosion control fences, except for the purposes of erosion control during construction and soil stabilization;*~~

~~1. *barbed wire fences except for utility substations;*~~

~~electrical fences;~~

~~spiked fences;~~

~~4. *fences with broken glass or other sharp points imbedded;*~~

~~5. *any other type of fence that could result in injuries to persons climbing on or over such fences; and*~~

~~6. *fences that are leaning in such a manner than an angle of fifteen (15) degrees or more is produced when measured from the vertical.*~~

H. **Swimming Pool Barrier/Fences.** (Entire Section amended by Ord. 4132 – 4/17/06)  
Fences surrounding swimming pools, spas or other outdoor accessory structures that contain water bodies of water shall be at least five (5) feet in height. (See Section 2-102 Definitions “Swimming Pools” and Section 6-310.1 Swimming Pools).

I. **Waterfowl Barriers.** Waterfowl barriers are horizontal or vertical fences of two (2) or more posts and baling twine, poly-twine wire, heavy monofilament fishing line, or ordinary string/ rope strung between posts that may not exceed eighteen (18) inches in height. Private waterfowl barriers shall be entirely placed on private property, six (6) inches from the lot line, and only along those lot lines that parallel a pond or other water body. Waterfowl barriers shall be allowed on a temporary basis during peak waterfowl migration months from August 15 to November 15 in the fall and from February 15 to May 15 in the spring.

**NEW Section 6-310.1 Swimming Pools**

- This section was created by moving the existing 6-302.I Swimming Pools (see above).

**Section 6-311 Wireless Communication Facilities and Satellite Dishes**

F. **General Standards of Wireless Communication Facilities.**

1. The use of stealth technology in the location and construction of wireless facilities is required whenever and wherever possible. Stealth technology means using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances, to employ methods that blend into surroundings and not be visible; to minimize adverse aesthetic and visual impacts on the land, property, building, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such wireless telecommunications facilities.

G. **Location and Standards of Wireless Communication Facilities.**

1. Wireless communication facilities may be located as a permitted use on any existing Village communication tower, existing non-Village communication tower, public utility transmission tower, or water tower, or on schools and churches using stealth technology and facilities that do not increase the height of the building more than fifteen (15) feet in any zoning district with Village authorization provided that ~~and providing that~~ all building code safety and structural requirements are met and the wireless communication facilities do not include accessory buildings, such as shelters, which are utility sub-stations and therefore special uses in certain zoning districts. Additional telecommunication equipment shall not extend more than fifty feet (50') higher than the existing structure.
2. Wireless communication facilities may be located as a permitted use on any non-residential building or non-residential village street light with Village authorization in any Zoning District with the exception of the Old Orland Historic District and with the exception of landmarked buildings in a Zoning district, providing that all building safety and structural requirements are met.

(6/09)

- a. No wireless communication antenna or equipment shall increase the height of the building or street light on which it is mounted by more than ten feet (10'). (Ord. 3281 – 8/16/99)
3. A new freestanding wireless communication facility may be located as a Special Use on a ~~an~~ parcel located in the VCD, BIZ, MFG, COR, or ORI District, or on institutional parcels in any Zoning District.

**Section 6-407 Lighting**

- The title was changed to “Section 6-407 Street Lighting”.

**NEW Section 6-407.1 Commercial Lighting**

- This section was created by moving the existing 6-302.D Exterior/ Outdoor Lighting.

