

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED (Section 2-102, Section 6-207, Section 6-210, Section 6-306, Section 6-307 and Section 6-312)

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 definitions of front, rear and side yards, funeral parlors, and adult uses; off-street parking and loading for parking along streets and use of municipal lots; signs provisions for setbacks and general amendments; deletion of project standards for congregate elderly housing; and funeral parlor uses as special uses in the BIZ General Business District and COR Mixed Use District; and

WHEREAS, the Plan Commission of the Village held a public hearing on March 8, 2011 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 attached proposed amendments to Section 2-102, Section 6-207, Section 6-210, Section 6-306, Section 6-307 and Section 6-312) 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 add the definitions of “Adult Use Retail Area,” “Crematorium,” “Yard, Front,” “Yard, Rear,” and “Yard, Side” to Section 2-102, which shall read in their entirety as follows:

Adult Use Retail Area means an area of a commercial retail establishment dedicated to the sale of adult use retail items. Adult use retail areas cannot exceed 15% of the gross retail floor area and must be segregated from the retail floor space by walls and doors to prevent access, visibility and sales to minors. If the adult use retail area exceeds 15% of the gross retail floor area, the commercial retail establishment will be considered an adult use.

Crematorium means a place, at a funeral parlor or cemetery, at which cremation of bodies is done. A crematory or crematorium is permitted as an accessory use to funeral parlors and cemeteries only.

Yard, Front means an area extending the full width of a lot between the front lot line and the nearest principal structure.

Yard, Rear means an area extending the full width of a lot between the rear lot line and the nearest principal structure.

Yard, Side means an area extending the depth of a lot from the front yard to the rear yard between the side lot line and the nearest principal structure.

SECTION 3

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the definition of “Funeral Parlor” in Section 2-102 and substitute the following as new text for the definition of “Funeral Parlor” in Section 2-102:

Funeral Parlor means a building containing facilities for preparation of bodies for burial, and/or for the hosting of ceremonies and rituals related to burial.

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 12 of Paragraph B, “Permitted Uses,” of Section 6-207 and to renumber the other Subsections accordingly.

SECTION 5

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to insert the following as a new Subsection in Paragraph C, “Special Uses,” of Section 6-207, in alphabetical order, and to renumber the other Subsections accordingly:

8. Funeral parlors

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 10 of Paragraph B, "Permitted Uses," of Section 6-210 and to renumber the other Subsections accordingly.

SECTION 7

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to insert the following as a new Subsection in Paragraph C, "Special Uses," of Section 6-210, in alphabetical order, and to renumber the other Subsections accordingly:

9. Funeral parlors

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 1 of Paragraph C, "Size of Required Parking Spaces and Aisles," of Section 6-306 and substitute the following as new text for Subsection 1 of Paragraph C of Section 6-306:

1. Each required parking space shall cover a rectangle at least nine (9) feet wide and eighteen (18) feet long, as illustrated in Figure 6-306(C). The minimum required eighteen (18) foot length shall be greater where there is a wall or fence at the end of the parking space. The minimum required length may be up to two (2) feet less if a strip of ground at least two (2) feet wide exists at the end of the space and a curb prevents a vehicle from driving onto the strip or hitting any fence or wall at the edge of the parking area.

a. Parking spaces for train stations shall cover a rectangle at least eight and one-half (8 ½) feet wide and eighteen (18) feet long.

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 3 of Paragraph E, "Location of Required Parking," of Section 6-306 and substitute the following as new text for Subsection 3 of Paragraph E of Section 6-306:

3. No parking spaces accessory to a use in a nonresidential district may be located in a residential district, unless a special use permit is obtained in accordance with Section 5-105. Off-street private parking and municipal parking lots may be permitted with a special use permit provided they are completely within five hundred (500) feet of the boundary of a BIZ, OOH, MFG, COR, VCD or ORI district.

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 2 of Paragraph L, "Configuration of Off-Street Parking and Loading Ingress and Egress," of Section 6-306 and substitute the following as new text for Subsection 2 of Paragraph L of Section 6-306:

2. Layout configurations which require backing directly onto an arterial street are prohibited.

SECTION 11

The Land Development Code of the Village of Orland Park, as amended, is further amended to delete in its entirety the text of Section 6-307 and to substitute the text set forth on the attached Exhibit A as the new text of Section 6-307.

SECTION 12

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete Section 6-312, "Congregate Elderly Housing" in its entirety.

SECTION 13

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

SECTION 14

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

SECTION 15

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.